

TOWN OF LAKE CITY, COLORADO
ORDINANCE NO. 2013-4

AN ORDINANCE OF THE TOWN OF LAKE CITY, COLORADO,
AMENDING SECTION 6, ORDINANCE NUMBER 4, SERIES 1999,
OF THE TOWN OF LAKE CITY, CONCERNING OFFICERS AND
EMPLOYEES

WHEREAS, Colorado Revised Statute 31-4-304, requires that the Board of Trustees of the Town of Lake City appoint a Town Attorney, or provide by ordinance for the election of such officer;

WHEREAS, Colorado Revised Statute 31-4-304, requires that the Board of Trustees of the Town of Lake City prescribe by ordinance the duties of the Town Attorney and the compensation or fees such officer shall receive for his or her services;

WHEREAS, the Board of Trustees of the Town of Lake City, by this ordinance, amends Section 6, Ordinance 4, Series 1999, to prescribe the duties of the Town Attorney and the compensation or fees such officer shall receive for his or her services;

WHEREAS, the United States Internal Revenue Service has taken the position with other municipalities, that all appointed officers are employees for federal income tax withholding purposes;

WHEREAS, the Town of Lake City has historically engaged the services of the Town Attorney as an independent contractor and not as an employee; and

WHEREAS, the Board of Trustees of the Town of Lake City, by this ordinance, makes clear that the office of Town Attorney may be held by an individual or entity and that such individual or entity may provide legal services to the Town as an independent contractor pursuant to the terms of an agreement approved by the Board of Trustees.

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Lake City, Colorado, as follows:

Section 1: Section 6.1.A., Ordinance 4, Series 1999, is hereby amended to read as follows.

6.1 APPOINTMENT OF OFFICERS AND OATH OF OFFICE

A. At its first regular meeting following each regular election, the Board shall appoint a Town Clerk, Treasurer, and Municipal Judge.

Section 2: Section 6.1., Ordinance 4, Series 1999, is hereby amended by the addition of the following subparagraphs.

6.1 APPOINTMENT OF OFFICERS AND OATH OF OFFICE

F. At its first regular meeting following each regular election, the Board shall appoint an individual or entity to the office of Town Attorney.

G. The Town Attorney shall provide legal services to the Town of Lake City as an independent contractor pursuant to the terms of an agreement approved by the Board of Trustees.

Section 3:

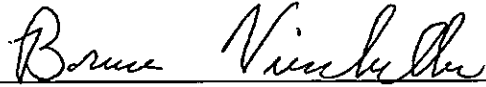
This ordinance shall become effective on the thirty-first day following publication, pursuant to COLO. REV. STAT. § 31-16-105.

Section 4:

If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications. The provisions of this ordinance are expressly declared to be severable.

INTRODUCED AND ADOPTED by the Board of Trustees of the Town of Lake City, Colorado, this 20th day of November, 2013.

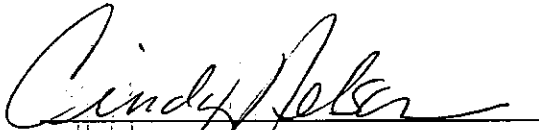
TOWN OF LAKE CITY, COLORADO



Bruce Vierheller, Mayor

I, Cindy Nelson, certify and attest that Ordinance 2013-4 was introduced and adopted by the Board of Trustees for the Town of Lake City at the regular meeting on the 20th day of November, 2013.

ATTEST:



Cindy Nelson, Town Clerk