

ORDINANCE NO. 9

SERIES 2018

AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING THE TOWN CODE TO ALLOW THE TOWN COUNCIL TO ADOPT A PURCHASING POLICY BY RESOLUTION

WHEREAS, the Town of Crested Butte, Colorado is a home rule municipality duly and regularly organized and now validly existing as a body corporate and public under and by virtue of the Colorado Constitution and laws of the State of Colorado;

WHEREAS, Article XX Section 6 of the Colorado Constitution grants to home rule municipalities the full right of self-government in local and municipal matters; and

WHEREAS, procedures and policies for purchasing goods, services, and public improvements are local and municipal matters; and

WHEREAS, Section 1.4 of the Home Rule Charter of the Town of Crested Butte vests in the Town all municipal powers, functions, rights and privileges of every nature except as restricted by the Charter or the Colorado Constitution; and

WHEREAS, Section 14.2 of the Home Rule Charter reserves to the Town the power to supersede and law of the state over local or municipal affairs by ordinance; and

WHEREAS, the Town wishes to establish new purchasing requirements for all goods, services and public improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

Section 1. **Repeal and Replace.** Chapter 4 Article 6 of the Town of Crested Butte Municipal Code is stricken and replaced in its entirety with the following:

Article 6 Purchasing Procedures and Policies

Sec. 4-6-10 Purchasing policies by resolution. The Council shall establish by resolution and may amend from time to time, purchasing policies for goods, services, and public improvements.

Sec. 4-6-20 Public Improvements. Purchasing policies and procedures for public improvements shall establish a contract amount above which bidding will be required and the process for advertising bid requests and awarding contracts to conforming bidders.

Section 2. **Severability.** If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the

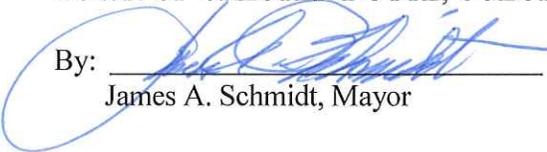
legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. Savings Clause. Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision of the Code that is in conflict with this ordinance is hereby repealed as of the effective date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 16^m DAY OF April, 2018.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 7^m DAY OF May, 2018.

TOWN OF CRESTED BUTTE, COLORADO

By: 
James A. Schmidt, Mayor

ATTEST:


Lynelle Stanford, Town Clerk

