

**CITY OF OURAY
ORDINANCE NO. 03 (Series 2020)**

**AN EMERGENCY ORDINANCE OF THE CITY OF OURAY,
COLORADO, PROVIDING FOR VIRTUAL MEEINGS IN THE
EVENT OF A LOCAL DISASTER EMERGENCY DECLARATION
BY ADDING A NEW SUBSECTION 2-1-E.**

WHEREAS, the City of Ouray is facing the prospect of issuing a Local Disaster Emergency declaration pursuant to OLUC 2-8 for COVID-19, a highly contagious virus, originating in China, which has since spread to numerous countries worldwide, including the United States;

WHEREAS, the virus may cause serious illness or death in certain populations, particularly the elderly and people with underlying health conditions;

WHEREAS, a Local Disaster Emergency may need to be declared to assist the City to respond to and recover from this or other emergency events;

WHEREAS, City Council finds this ordinance necessary for the health, safety and welfare of the City and its inhabitants; and

WHEREAS, current circumstances and pursuant to C.R.S. § 31-16-105, this Ordinance is passed as an emergency and effective immediately.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO, as follows:

SECTION 1: EMERGENCY

The City Council of the City of Ouray has determined that this ordinance is necessary to the immediate preservation of the public peace, health and safety and is effective immediately.

SECTION 2: NEW SUBSECTION

The following Subsection E is hereby added to Section 2-1 City Council Meetings of Chapter 2 Administration, in the City of Ouray Municipal Code:

- E. In the event a Local Disaster Emergency is declared under 2-8 of the City of Ouray Municipal Code, City meetings may be conducted by telephone, electronically, or by other means of communication to provide maximum practical notice, only if the following conditions are met:
1. The City Administrator or Mayor determines that meeting in person would not be prudent because of a health pandemic or declaration of disaster emergency affecting the City.
 2. All members of the City Council can hear one another, or otherwise communicate with one another, and able hear or read all discussion and testimony in a manner designed to provide maximum notice and participation.
 3. Members of the public can hear or read all discussion, testimony, and votes, in a manner designed to provide maximum notice and participation.
 4. At least one member of the City Council is present at the regular meeting location, unless not feasible due to the pandemic or emergency declaration.
 5. All votes are conducted by roll call.
 6. Minutes of the meeting conducted by telephone, electronically, or other means are taken and promptly recorded, and such records are open to public inspection.
 7. Telephonic participation shall only constitute actual attendance for purposes of establishing a quorum for meetings during which no quasi-judicial matters will be heard or considered.
 8. This in person meeting waiver only applies to regular and special meetings (including work sessions) of the City Council of the City of Ouray.

9. The City shall provide reasonable accommodation and shall waive or modify provisions of this Policy to provide handicapped members of the City Council full and equal access to City Council meetings.

SECTION 3: SEVERABILITY

If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

INTRODUCED, READ, APPROVED AS INTRODUCED, AND ORDERED PUBLISHED on first reading by an affirmative vote of three-quarters of the Ouray City Council this 16th day of March 2020.

CITY OF OURAY, COLORADO

By 
Greg Nelson, Mayor

ATTEST:


Melissa M. Drake, City Clerk