



# Town of Johnstown

## TOWN COUNCIL AGENDA COMMUNICATIONS

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**AGENDA DATE:** September 18, 2023

**SUBJECT:** Ordinance 2023-254 an Ordinance Amending Section 2-11 of the Johnstown Municipal Code Concerning Councilmember Vacancies

**ACTION PROPOSED:** Consider Ordinance No. 2023-254

**ATTACHMENTS:** 1. Ordinance No. 2023-254

**PRESENTED BY:** Avi Rocklin, Town Attorney

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**AGENDA ITEM DESCRIPTION:** Section 2.6 of the Home Rule Charter of the Town of Johnstown (“Charter”) provides that, among other instances, the office of the Mayor or a Councilmember “may become vacant under Section 2.3 E of this Charter regarding discipline for violations of Council requirements and procedures.” Section 2.3E of Charter, in turn, provides that: “Town Council may, by ordinance, enact requirements and procedures to govern the Council-related activities of Councilmembers and the Mayor while in office, which ordinance may prescribe disciplinary procedures and consequences for violations of such requirements and procedures.”

Consistent with the protocol established by many municipalities, the Town Council may consider enacting attendance requirements for the Mayor and Councilmembers. After discussion, receiving feedback, and general direction from the Town Council during a work session and a regular meeting, Town Staff is presenting an Ordinance that the offices would become vacant if the Mayor or Councilmember fails to attend three (3) consecutive regular meetings of the Town Council. The failure to attend the meetings, however, would be excused for the death of a family member, hospitalization of the Mayor or Councilmember, or involuntary military service.

To effectuate the foregoing, Section 2-11 of the Johnstown Municipal Code could be amended to address, in addition to vacancies resulting from residency requirements, vacancies arising from the failure to attend regular meetings of the Town Council

As proposed, the Ordinance would be effective on April 15, 2024, on the date of the first regular meeting of the Town Council after the next municipal election.

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**LEGAL ADVICE:**

The Town Attorney prepared Ordinance No. 2023-254

**FINANCIAL ADVICE:**

N/A

**RECOMMENDED ACTION:** Approve Ordinance No. 2023-254 on first reading.

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**SUGGESTED MOTIONS:**

**For Approval:** I move to approve Ordinance 2023-254 an Ordinance Amending Section 2-11 of the Johnstown Municipal Code concerning Councilmember Vacancies, on first reading.

**For Denial:** I move to deny approval of Ordinance No. 2023-254.

*Reviewed and Approved for Presentation,*



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Town Manager

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