

ORDINANCE NO. 137

AN EMERGENCY ORDINANCE ESTABLISHING THE WELD LIBRARY DISTRICT IN CONJUNCTION WITH CERTAIN GOVERNMENTAL UNITS OF WELD COUNTY.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WELD COUNTY, COLORADO:

WHEREAS, the Board of County Commissioners of Weld County, Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

WHEREAS, pursuant to CRS, 24-90-110, a library district may be established by a legislative act by any combination of two or more governmental units, and

WHEREAS, the governing Boards of the municipalities of Ault, Eaton, Evans, Fort Lupton, Greeley and Hudson, and School District RE-8 have acted to establish the Weld Library District, and

WHEREAS, the Board of Trustees of the Municipal Libraries of Ault, Eaton, Fort Lupton, Greeley and Hudson as well as Johnstown and Platteville have concurred in a decision to "participate" in the Weld Library District under CRS, §24-90-111, which provides for retention of title to the municipal public library and continuance of control by the Board of Trustees for the municipal library, and

WHEREAS, the municipalities of Ault, Eaton, Evans, Fort Lupton, Greeley and Hudson's participation in the District is based upon certain understandings regarding allocation of proceeds from the mill levy back to the municipal libraries based upon certain service areas as set forth in each municipal resolution, and

WHEREAS, the towns of Platteville and Johnstown have indicated an intent to "participate" in the Library District once formed but did not choose to act to "create" the Library District, and

WHEREAS, the City of Evans has acted to create the District and has indicated an intention to develop a municipal library but has no Board of Trustees of the municipal library and is not yet "operating" a municipal library, and

WHEREAS, an emergency situation exists in that the governmental units have previously acted to create the Weld Library District, and time is of the essence in establishing the Weld Library District Board and having that Board enact a mill levy prior to the deadline for certification of mill levies for entities within each County of the State of Colorado.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Weld County, Colorado, that the Weld Library District is hereby created to include all incorporated and unincorporated areas of Weld County except those areas lying within the municipalities of Dacono, Johnstown, Platteville, Severance, and Windsor and excepting those portions of unincorporated Weld County lying within Weld County School District RE-4.

BE IT FURTHER ORDAINED that this Board intends to act by Resolution to appoint two of its members to the selection committee for the Weld Library District Trustees, and

BE IT FURTHER ORDAINED that once the District Board is seated, this Board intends to act by resolution to "merge" the Weld County Library with the Library District pursuant to CRS, §24-90-110(2).

BE IT FURTHER ORDAINED that the Weld Library District shall have all powers available to it pursuant to CRS, 24-90-101, et seq.

BE IT FURTHER ORDAINED that if any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is, for any reason, held or decided to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining portions. The Board of County Commissioners of Weld County, Colorado, hereby declares that it would have passed this Ordinance and each and every section, subsection, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases might be declared to be unconstitutional or invalid.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Weld County, Colorado, that pursuant to Section 3-14(6) of the Weld County Home Rule Charter, that the Board of County Commissioners finds and hereby declares this Ordinance to be an emergency Ordinance and that its immediate passage is necessary for the preservation and protection of the public health,

property, and safety, and that time is of the essence for the effective date of this Ordinance.

The above and foregoing Ordinance No. 137 was, on motion duly made and seconded, adopted by the following vote on the 11th day of September, A.D., 1985.

ATTEST: May Ann Feuerstein

Weld County Clerk and Recorder  
and Clerk to the Board

By: Tommy Antuna  
Deputy County Clerk

APPROVED AS TO FORM:

Lee D. Morris  
Asst. County Attorney

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

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Jacqueline Johnson, Chairman

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Gene R. Brantner, Pro-Tem

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C. W. Kirby

Gordon Lacy  
Gordon Lacy

Frank Yamaguchi  
Frank Yamaguchi

Read and Approved: September 11, 1985

Published: September 19, 1985, in the Johnstown Breeze

EXHIBIT "A"

MUNICIPALITIES WITHOUT PUBLIC LIBRARIES

Brighton (served by Adams County)	Kersey
Erie	La Salle
Evans (created, not "operating")	Lochbuie
Firestone	Mead
Frederick	Milliken
Garden City	Nunn
Gilcrest	Pierce
Grover	Raymer
Keenesburg	Rosedale
Keota	Severance

MUNICIPALITIES WITH PUBLIC LIBRARIES

Ault	Hudson
Dacono	Johnstown
Eaton	Platteville
Fort Lupton	Windsor
Greeley	