



Legal Notice

Date: 11/17/2022

Subject: An ordinance of the City of Littleton, Colorado, referring the following ballot question to the registered electors *“Shall Section 45. Initiative of the Littleton City Charter be repealed and reenacted as Section 45. Initiative and Referendum, to require the adoption of Colorado Revised Statutes §31-11-103 through 118 and future modifications thereof, excepting 31-11-105(1) as related to municipal initiatives, referenda and referred measures, and repealing Sections 46 and 47, in order to provide consistency with state law, including setting the percentage of signatures required for a citizen initiative and referendum at 5% and requiring the city to follow the timeframes required by statute for the timing of elections?”* at a special election to be held on March 7, 2023

Passed/Failed: Passed on second and final reading on 11/15/2022

CITY OF LITTLETON, COLORADO

**ORDINANCE 28
SERIES 2022**

CITY OF LITTLETON, COLORADO

ORDINANCE NO. 28

Series, 2022

AN ORDINANCE OF THE CITY OF LITTLETON, COLORADO, SUBMITTING A BALLOT QUESTION REGARDING TO THE ELECTORS OF THE CITY AMENDING THE LITTLETON CITY CHARTER SECTION 45 AND REPEALING SECTIONS 46 AND 47 OF THE CITY CHARTER REGARDING THE INITIATIVE AND REFERENDUM PROCESS INCLUDING PERCENTAGE OF SIGNATURES REQUIRED AND GUIDANCE FOR SETTING OF ELECTION DATES AT A SPECIAL ELECTION TO BE HELD ON MARCH 7, 2023

WHEREAS, in late June, 2022, the city clerk’s office received a statement of intent to circulate a petition to amend the city charter amending section 45 and repealing sections 46 and 47 regarding Initiative and Referendum; and

WHEREAS, on June 28, 2022, citizens filed a petition with the city clerk to submit a charter amendment to the electors of the city; and

WHEREAS, in accordance with the Municipal Home Rule Act, C.R.S. §§ 31-2-201, et seq. (the “Act”) the city clerk certified to the city council that the petition is valid and sufficient; and

WHEREAS, the Act requires the city council to set the ballot title at its next regular meeting, following certification of the petition by the city clerk; and

WHEREAS, the city council desires to set the ballot title for the proposed charter amendment as circulated on the citizen’s petition; and

WHEREAS, the city council desires to set a date for a special election to be held on March 7, 2023.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: City council hereby sets the following ballot title for the March 7, 2023 special election for the proposed charter amendment:

“SHALL SECTION 45. INITIATIVE OF THE LITTLETON CITY CHARTER BE REPEALED AND REENACTED AS SECTION 45. INITIATIVE AND REFERENDUM, TO REQUIRE THE ADOPTION OF COLORADO REVISED STATUTES §31-11-103 THROUGH 118 AND

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47 FUTURE MODIFICATIONS THEREOF, EXCEPTING 31-11-105(1) AS RELATED TO
48 MUNICIPAL INITIATIVES, REFERENDA AND REFERRED MEASURES, AND
49 REPEALING SECTIONS 46 AND 47, IN ORDER TO PROVIDE CONSISTENCY WITH
50 STATE LAW, INCLUDING SETTING THE PERCENTAGE OF SIGNATURES REQUIRED
51 FOR A CITIZEN INITIATIVE AND REFERENDUM AT 5% AND REQUIRING THE CITY
52 TO FOLLOW THE TIMEFRAMES REQUIRED BY STATUTE FOR THE TIMING OF
53 ELECTIONS?"

54 Yes

55

56 No

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58 **Section 2:** The city clerk is hereby directed to provide notice of the election in
59 conformance with the Act.

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61 **Section 3:** Severability. If any part, section, subsection, sentence, clause or
62 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
63 validity of the remaining sections of this ordinance. The City Council hereby declares that it would
64 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase
65 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or
66 phrases may be declared invalid.

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68 **Section 4:** Repealer. All ordinances or resolutions, or parts thereof, in conflict
69 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer
70 clauses of such ordinance nor revive any ordinance thereby.

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73 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council

74 of the City of Littleton on the 1st day of November, 2022, passed on first reading by a vote of 7

75 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library,

76 the Municipal Courthouse and on the City of Littleton Website.

77 PUBLIC HEARING on the Ordinance to take place on the 15th day of November,

78 2022, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at

79 the hour of 6:30 p.m., or as soon thereafter as it may be heard.

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81 PASSED on second and final reading, following public hearing, by a vote of 6 FOR and

82 0 AGAINST on the 15th day of November, 2022 and ordered published by posting at Littleton

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83 Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

84 ATTEST:

DocuSigned by:

85 Callen L. Norton

86 Callen L. Norton

87 CITY CLERK

88

89 APPROVED AS TO FORM:

DocuSigned by:

90 Reid Betzing

91 Reid Betzing

92 Reid Betzing

93 CITY ATTORNEY

DocuSigned by:

Kyle Schlachter

Kyle Schlachter

MAYOR

