

**TOWN OF RICO
ORDINANCE NO. 2022-09**

AN ORDINANCE OF THE TOWN OF RICO, COLORADO REFERRING TO THE REGISTERED ELECTORS OF THE TOWN OF RICO AT THE TOWN'S REGULAR MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 1, 2022, A QUESTION ASKING WHETHER SECTION 11 OF THE TOWN'S HOME RULE CHARTER SHALL BE AMENDED TO FACILITATE THE TOWN'S PARTICIPATION IN COORDINATED ELECTIONS.

WHEREAS, the Town of Rico, Colorado ("Town") is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Rico Home Rule Charter ("Charter"); and

WHEREAS, Section 14.3 of the Charter provides that the charter may be amended or repealed in the manner provided by Article XX of the Colorado Constitution and by § 31-2-201 et seq., Colorado Revised Statutes, or any successor statute on the same subject; and

WHEREAS, Article XX, Section 5 of the Colorado Constitution provides that the Board of Trustees ("Board") may submit a charter amendment to the voters; and

WHEREAS, C.R.S. Section 31-2-210(1)(b) provides that a municipality may initiate proceedings to amend its home rule charter via an ordinance adopted by the governing body submitting the proposed amendment to a vote of the registered electors of the municipality; and

WHEREAS, Section 11 of the Town's Charter governs the Town's regular elections; and

WHEREAS, the Board finds and determines that allowing the Town to coordinate its regular municipal elections with the county and state coordinated elections in November will result in significant cost savings to the Town since the Town will not have to hold separate municipal elections; and

WHEREAS, the Board finds and determines that coordinating regular elections will facilitate increased voter participation; and

WHEREAS, the Board finds and determines that the ballot question stated in this ordinance addresses the single subject of allowing the Town to coordinate the regular municipal election with the state and county coordinated election and that the submission of the question to the Town's registered electors is in the best interests of the Town.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF RICO ORDAINS:

Section 1. The recitals hereinabove are hereby adopted as findings and incorporated herein.

Section 2. The following question stated in Section 3 below shall be submitted to the registered voters of the Town of Rico voting at the regular municipal election which shall be held on Tuesday, November 1, 2022.

Section 3. The Town Clerk shall cause a notice of election for the following ballot question to be published, consistent with the requirements of C.R.S. § 31-2-210(4), in substantially the following form and add shall the question to the regular municipal ballot on November 1, 2022:

SHALL SECTION 11 OF THE TOWN OF RICO HOME RULE CHARTER BE REPEALED AND REPLACED TO READ AS FOLLOWS:

§ 11.1 ELECTION RULES. TOWN ELECTIONS SHALL BE GOVERNED BY THE COLORADO MUNICIPAL ELECTION LAWS OR THE UNIFORM ELECTION CODE OF THE COLORADO REVISED STATUTES, AS AMENDED FROM TIME TO TIME, EXCEPT AS OTHERWISE PROVIDED IN THIS CHARTER OR BY ORDINANCE HEREAFTER ENACTED. ALL SPECIAL AND REGULAR ELECTIONS SHALL BE NONPARTISAN. NO CANDIDATE FOR ANY MUNICIPAL OFFICE SHALL RUN UNDER ANY PARTY LABEL, UNLESS PERMITTED BY ORDINANCE ADOPTED THIRTY DAYS OR MORE PRIOR TO THE ELECTION.

§ 11.2 REGULAR ELECTIONS. THE TOWN'S REGULAR ELECTIONS SHALL BE HELD IN ACCORDANCE WITH THE COLORADO MUNICIPAL ELECTION LAWS OR THE UNIFORM ELECTION CODE OF THE COLORADO REVISED STATUTES AND THE TOWN MAY, BY RESOLUTION OF THE BOARD OF TRUSTEES, PARTICIPATE IN THE COORDINATED ELECTION CONDUCTED BY THE COUNTY IN ANY GIVEN YEAR.

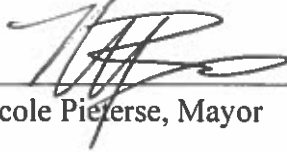
§ 11.3 SPECIAL ELECTION. ANY SPECIAL TOWN ELECTION MAY BE CALLED BY RESOLUTION OF THE BOARD OF TRUSTEES AT LEAST NINETY DAYS IN ADVANCE OF SUCH ELECTION, OR AS PROVIDED IN THE COLORADO MUNICIPAL ELECTION CODE OR THE UNIFORM ELECTION CODE OF THE COLORADO REVISED STATUTES, AS AMENDED FROM TIME TO TIME. THE RESOLUTION OR ORDINANCE CALLING A SPECIAL MUNICIPAL ELECTION SHALL SET FORTH THE PURPOSE OF SUCH ELECTION.

§ 11.4 RECALL ELECTION. RECALL ELECTIONS SHALL BE CONDUCTED IN THE MANNER PROVIDED IN THE COLORADO MUNICIPAL ELECTION CODE OR THE UNIFORM ELECTION CODE OF THE COLORADO REVISED STATUTES, AS AMENDED FROM TIME TO TIME.

Section 4. This Ordinance shall take effect immediately upon final adoption.

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY THIS 8TH DAY OF AUGUST 2022.

TOWN OF RICO, COLORADO



Nicole Pieterse, Mayor

ATTEST:



Anna Wolf, Town Clerk

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY THIS 17TH DAY OF AUGUST 2022.

TOWN OF RICO, COLORADO



Nicole Pieterse, Mayor

ATTEST:



Anna Wolf, Town Clerk

Effective Date: August 17th, 2022