

ORDINANCE NO. 2020-02

AN EMERGENCY ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE TOWN OF KEENESBURG AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 7, 2020, THE QUESTION OF WHETHER THE TOWN SHALL BE AUTHORIZED TO PUBLISH ORDINANCES BY TITLE ONLY RATHER THAN PUBLISHING THEM IN FULL

WHEREAS, the Town of Keenesburg (the “Town”) is a Colorado municipal corporation duly organized and existing under laws of the State of Colorado; and

WHEREAS, C.R.S. § 31-16-105 and Keenesburg Municipal Code Section 1-3-60 require the Town to publish all its adopted ordinances in a newspaper published within Town limits, or if there is none, in a newspaper having general circulation within the Town; and

WHEREAS, C.R.S. § 31-16-105 allows a municipality to determine at a regular or special election to meet its publication requirements by publishing ordinances by title only rather than publishing ordinances in full; and

WHEREAS, the cost of publishing all of the Town’s ordinances in full is significant and publishing such ordinances by title only would substantially reduce costs to the Town; and

WHEREAS, the Town will conduct its regular municipal election on Tuesday, April 7, 2020; and

WHEREAS, the Town Board of Trustees is of the opinion that it should refer to the voters at the April 7, 2020 election a ballot question concerning the issue of whether the Town should publish ordinances by title only, rather than publishing them in full.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO:

Section 1. A regular municipal election will be held in the Town of Keenesburg on Tuesday, April 7, 2020, between the hours of 7:00 a.m. and 7:00 p.m.

Section 2. Pursuant to applicable provisions of the laws of the State of Colorado, the Board of Trustees hereby submits to the registered electors of the Town at such regular election to be held on April 7, 2020 (the “Election”), the ballot question specified in Section 3 of this Ordinance.

Section 3. The following ballot question, certified in substantially the form set forth below, is hereby referred to the registered electors of the Town and shall appear on the ballot of the election to be held on April 7, 2020:

BALLOT QUESTION NO. _____

SHALL THE TOWN OF KEENESBURG PUBLISH ORDINANCES BY TITLE ONLY RATHER THAN PUBLISHING ORDINANCES IN FULL, THEREBY SUBSTANTIALLY REDUCING THE COST OF PUBLICATION, WITH FULL COPIES OF SUCH ORDINANCES TO BE MADE AVAILABLE ON THE TOWN'S WEBSITE AND AT TOWN HALL?

Section 4. If a majority of the registered electors voting at the Election vote "yes" in response to the ballot question specified in Section 3 of this Ordinance, the issue shall be deemed to have passed and the Keenesburg Municipal Code shall be amended as set forth in Section 5 of this Ordinance.

Section 5. Section 1-3-60 of the Keenesburg Municipal Code is hereby amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

Sec. 1-3-60. Publication of ordinances.

All ordinances, as soon as may be after their passage, shall be recorded in a book kept for that purpose and authenticated by the signature of the Mayor and Town Clerk. All ordinances of a general or permanent nature, and those imposing any fine or forfeiture, shall be published by title only rather than by publishing them in full with full copies of such ordinances to be made available on the Town's website and at Town Hall. ~~in a newspaper published within the Town.~~ Such ordinances shall not take effect until thirty (30) days after such publication, except for ordinances calling for special elections or necessary for the immediate preservation of the public peace, health and safety and containing the reasons making the same necessary in a separate section. The excepted ordinances shall take effect upon their final passage and adoption and the approval and signature of the Mayor, if they are adopted by an affirmative vote of three-fourths (3/4) of the members of the Board of Trustees.

Section 6. If any portion of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this resolution. The Board of Trustees and the registered voters of the Town hereby declare that they would have passed and approved this resolution and each part hereof irrespective of the fact that any one part be declared invalid.

Section 7. The Board of Trustees herewith finds, determines, and declares that this Ordinance is necessary to the immediate preservation of public property, health, welfare, peace, or safety because the Board of Trustees desires to submit the foregoing ballot question to the registered electors of the Town at the regular election on April 7, 2020 and there are several immediate deadlines related to the conduct of said election that must be met. Therefore, pursuant to C.R.S. § 31-16-105, the Board of Trustees herewith further finds, determines and declares that it is necessary for this Ordinance to take effect immediately upon adoption.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN
FULL this ____ day of _____, 2020.

TOWN OF KEENESBURG, COLORADO

Kenneth Gfeller, Mayor

ATTEST:

Christina Fernandez, Town Clerk