

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 5
SERIES OF 2019**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REFERRING TO THE REGISTERED ELECTORS OF THE CITY OF RIFLE, AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON TUESDAY, SEPTEMBER 10, 2019, A QUESTION WHETHER SECTION 3.4 OF THE CITY CHARTER SHALL BE AMENDED TO ACCURATELY REFLECT THE COMMENCEMENT OF NEWLY ELECTED COUNCILMEMBERS TERMS OF OFFICE AS THE ORGANIZATIONAL MEETING OF THE CITY COUNCIL.

WHEREAS, the City of Rifle (the “City”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, by Section 2.1 of the Charter, the City has adopted the Colorado Municipal Election Code, C.R.S. § 31-10-101 *et seq.*; and

WHEREAS, Section 31-10-102.8 of the Colorado Municipal Election Code requires at least 10 days from the date of the election before results are certified in order to allow for the verification of signatures and the receipt of ballots cast pursuant to the state and federal Uniformed and Overseas Citizens Voting Act; and

WHEREAS, Section 3.8 of the City of Rifle Home Rule Charter was amended by a majority vote of the electorate at the 2017 regular municipal election to set the City’s Council’s organizational meeting by ordinance to be compatible with this 10-day requirement instead of 8:00 p.m. on the first Monday following the regular municipal election; and

WHEREAS, Section 3.4 of the City Charter contains a similar time certain for the commencement of the terms of office of newly elected Councilmembers that also needs to be amended to be compatible with the 10-day requirement of the Colorado Municipal Election Code; and

WHEREAS, the City Council desires to submit to the registered electors of the City at the regular municipal election to be held on September 10, 2019, a ballot question to amend the first sentence of Section 3.4 of the Charter so the terms of office of newly elected Councilmembers commence at the organizational meeting of the City Council.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO ORDAINS THAT:

1. Recitals. The City Council incorporates the foregoing recitals as conclusions, facts, determinations, and findings by the City Council.
2. Submission to Voters. The following question stated in Section 3 below shall be

submitted to the registered voters of the City of Rifle voting at the regular municipal election which shall be held on Tuesday, September 10, 2019.

3. Publication and Ballot Form. The City Clerk shall cause a notice of election for the following ballot question to be published as part of the municipal election publication in substantially the following form and add the question to the City's 2019 Municipal Election Ballot:

SHALL THE FIRST SENTENCE OF SECTION 3.4 OF THE CITY OF RIFLE HOME RULE CHARTER BE AMENDED TO READ AS FOLLOWS:

TERMS OF THE NEWLY ELECTED COUNCILMEN COUNCILMEMBERS SHALL BEGIN AT 8:00 P.M. ON THE FIRST MONDAY THE ORGANIZATION MEETING OF THE CITY COUNCIL FOLLOWING THE REGULAR MUNICIPAL ELECTION.

YES _____

NO _____

4. Amendment to Rifle Home Rule Charter. Subject to registered voter approval, Section 3.4 of the City of Rifle Home Rule Charter shall be amended to be consistent with the ballot question language in Section 3 above.

5. Severability. If any clause or provision of this ordinance is held to be invalid or unenforceable, the invalidity or unenforceability of the clause or provisions will not affect the validity of any of the remaining clauses or provisions of this ordinance, which, upon the date that it is to take effect, will become, and remain thereafter, in full force and effect.

6. Invalidity. If this ordinance does not for any reason become effective, or is declared invalid by a court, the provisions of this ordinance will have no force or effect, and all other acts, orders, or ordinances of the City will continue to be effective as if this ordinance was never adopted.

7. Rescission of Ballot Question. If at the regular municipal election on September 10, 2019 there are not more City Council candidates than seats to be filled, and this ballot question is the only matter before the electors, the City Council may rescind the submission of this ballot question to the electors by Resolution cancelling the regular election to save the costs of an election for this single matter.

INTRODUCED on June 5, 2017, read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on June 17, 2019, passed with amendments, approved, and ordered published in full as required by the Charter.

Dated this 17 day of June, 2019.

CITY OF RIFLE, COLORADO

By



Mayor

ATTEST:


City Clerk

