

TOWN OF PARACHUTE, COLORADO
ORDINANCE NO. 750-2018

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO REFERRING TO THE ELIGIBLE ELECTORS OF THE TOWN AT THE COORDINATED ELECTION TO BE HELD NOVEMBER 6, 2018 A BALLOT QUESTION TO AMEND SECTION 1-8 OF THE TOWN HOME RULE CHARTER TO AUTHORIZE THAT PUBLIC NOTICE OF ORDINANCES BE MADE BY POSTING ON THE TOWN'S WEBSITE AND SETTING A BALLOT TITLE.

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

WHEREAS, Section 1-8 of the Parachute Home Rule Charter establishes the procedure for adoption of ordinances and requires notice to be published in a newspaper of general circulation within the Town;

WHEREAS, allowing for publication to the website provides a more effective means of notice for the following reasons: newspaper publication results in the Town incurring publication costs, there is not a newspaper that is widely available in Town, the Town's website is the primary communication source by which the public learns of governmental activities, and online publication will reach a larger sector of the public;

WHEREAS, the Board of Trustees, therefore, desires to amend the Home Rule Charter to eliminate newspaper publication of ordinances and provide for online publication;

WHEREAS, Article I, Section 5 of the Home Rule Charter states:

This Charter may be amended at any time in the manner provided in the Colorado Constitution and in Title 31, Article 2 of the Colorado Revised Statutes, as said provisions may be amended from time to time. Proceedings to amend the Charter may be initiated by the filing of a petition meeting the requirements of the Colorado Revised Statutes, or by the adoption of an ordinance by the Board of Trustees submitting the proposed amendment to a vote of the registered electors of the Town. Nothing herein contained shall be construed as preventing the submission to the people of more than one Charter amendment at any one election. If provisions of two or more proposed amendments adopted or approved at the same election conflict, the amendment receiving the highest affirmative vote shall become effective.

WHEREAS, the Charter and C.R.S. § 31-2-210 requires any Charter amendment to be

approved by the registered electors of the Town, and the Board of Trustees desires to place the proposed Charter Amendment on the ballot for the regular election to be held on November 6, 2018.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Amendment to Town Charter. Section 1-8 of the Town of Parachute Home Rule Charter is hereby amended to read as follows with additions shown in **bold, underlined** text and deletions shown as ~~strikethrough~~ text:

Section 1-8. Procedure for Ordinances.

Except for emergency ordinances, ordinances making general codification of existing ordinances, and ordinances adopting standard codes, the following procedure for enactment of ordinances shall be followed:

(a) The Ordinance shall be introduced and considered for adoption at a regular meeting of the Board of Trustees and shall either be available in written form for the Board of Trustees to review or shall be read in full. (Amended April 1, 2014)

(b) The Board of Trustees may amend, adopt, defeat or continue action on the ordinance.

(c) Except as otherwise provided in this Charter, the adoption of any ordinance shall require the affirmative vote of a majority of the members of the Board of Trustees present and voting but in no event less than three (3) members of the Board of Trustees.

(d) The ordinance shall take effect thirty (30) days following publication of the notice as provided for in this Charter, except for emergency ordinances which shall take effect immediately upon adoption. (Amended April 1, 2014)

(e) All ordinances shall be appropriately numbered and preserved in the official records of the Town. The adoption of the ordinance shall be authenticated by the signature of the Mayor or Mayor Pro Tem, the attestation of the Town Clerk, and placing the Town Seal on the ordinance.

(f) After final passage, the ordinance shall be posted **to the Town website along with a notice containing a summary of the subject matter of the ordinance and identifying the location where the ordinance is available for public inspection.**~~in a public place within the Town Hall and, whenever technologically feasible, on the internet, for thirty (30) days after passage. A notice shall be published in a newspaper of general circulation within the Town which shall include the number and title of the ordinance, a statement where the full text is available to the public (including the internet web address, if applicable), and a statement as to the effective date of the ordinance.~~

(g) The Board may adopt other requirements as they deem necessary or appropriate, as long as those requirements do not conflict with the provisions of this Section 1-8.

Section 3. Ballot Question. Before the Charter Amendment proposed in this Ordinance shall become effective, such amendment shall receive the approval of a majority of the registered electors of the Town of Parachute voting thereon and the Board of Trustees hereby submits to the registered electors of the Town of Parachute the following ballot question and title for the coordinated election to take place on November 6, 2018:

SHALL SECTION 1-8 OF THE TOWN OF PARACHUTE HOME RULE CHARTER BE AMENDED TO REQUIRE POSTING OF PUBLIC NOTICES OF ORDINANCES ON THE TOWN OF PARACHUTE WEBSITE RATHER THAN PUBLICATION IN A NEWSPAPER, AS PROVIDED IN ORDINANCE NO. ___-2018?

YES
 NO

Section 4. Publication. Pursuant to C.R.S. § 31-2-210(4), the Town Clerk shall, within thirty days of the date of adoption of this Ordinance, publish notice of an election upon the amendment, which notice shall contain the full text of the amendment as contained in the Ordinance.

Section 5. Conduct of Election. The officers and employees of the Town are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Ordinance.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 5 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 21 day of June, 2018 and approved by the Mayor on the 21 day of June, 2018.



ATTEST:

Lucy Cordova
Lucy Cordova, Town Clerk

BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO

Roy McClung
Roy McClung, Mayor

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

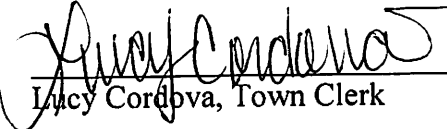
AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO REFERRING TO THE ELIGIBLE ELECTORS OF THE TOWN AT THE COORDINATED ELECTION TO BE HELD NOVEMBER 6, 2018 A BALLOT QUESTION TO AMEND SECTION 1-8 OF THE TOWN HOME RULE CHARTER TO AUTHORIZE THAT PUBLIC NOTICE OF ORDINANCES BE MADE BY POSTING ON THE TOWN'S WEBSITE AND SETTING A BALLOT TITLE.

was introduced before the Board of Trustees on June 21, 2018; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on June 21, 2018, and approved by the Mayor on June 21, 2018.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this 21 day of June 2018.

TOWN OF PARACHUTE



Lucy Cordova, Town Clerk