

**RESOLUTION NO. 2015-**

**A RESOLUTION REGARDING CONDUCT OF BALLOT TITLE PROTEST  
FOR INITIATIVES, REFERENDA AND REFERRED MEASURES**

**WHEREAS**, Article XV of the Charter for the Town of Castle Rock extends to the Town’s registered electors powers of initiative and referendum as to ordinances of the Town, pursuant to procedures set forth in the Charter and in those state statutes that do not conflict with the Charter; and

**WHEREAS**, Title 31, Article 11 of the Colorado Revised Statutes sets forth the procedures for exercising the initiative and referendum powers reserved to municipal electors in Article V, § 1(9) of the Colorado Constitution, and applies to municipal initiatives, referenda and referred measures unless alternate procedures are provided by charter, ordinance or resolution; and

**WHEREAS**, C.R.S. § 31-11-111 provides that after an election has been ordered for any initiative or referendum, the Town Council shall promptly fix a ballot title for each initiative or referendum, and that any protest concerning a ballot title shall be conducted as provided by local charter, ordinance or resolution; and

**WHEREAS**, the Town’s Charter, ordinances and resolutions do not set forth any procedure for the conduct of a protest filed concerning a ballot title; and

**WHEREAS**, Title 1, Articles 1 to 13 of the Colorado Revised Statutes comprise what is commonly referred to as the “Uniform Election Code”;

**WHEREAS**, C.R.S. § 1-11-203.5 sets forth a procedure for summary adjudication prior to an election of contests concerning ballot titles by the district court sitting for the political subdivision within which the contest arises; and

**WHEREAS**, the Town Council finds that such procedure would promote and serve the best interests of the Town and its electors by providing a means of swift determination of any controversies or protests concerning any ballot title set by the Town Council, and by this resolution desires to adopt the same as the exclusive procedure to protest, contest or otherwise challenge the form or content of a ballot title set by the Town Council for municipal initiatives, referenda or referred measures.

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF  
THE TOWN OF CASTLE ROCK AS FOLLOWS:**

**Section 1.** Any protest, contest or other challenge concerning a ballot title set by the Town Council for an initiative, referendum or referred measure shall be conducted as set forth in C.R.S. § 1-11-203.5, as the same may from time to time be amended.

**PASSED, APPROVED AND ADOPTED** this 2<sup>nd</sup> day of June, 2015, by the Town Council of the Town of Castle Rock, Colorado, on first and final reading by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

\_\_\_\_\_  
Sally A. Misare Town Clerk

\_\_\_\_\_  
Paul Donahue, Mayor

**Approved as to form:**

**Approved as to content:**

\_\_\_\_\_  
Robert J. Slentz, Town Attorney

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