

ORDINANCE NO. 2016-010

AN ORDINANCE AMENDING CHAPTER 2.01 OF THE CASTLE ROCK MUNICIPAL CODE BY ADDING A NEW ARTICLE VIII INITIATIVE AND REFERENDUM AND PROVIDING FOR PROCEDURES FOR REMOVAL OF SIGNATURES FROM A REFERENDUM OR INITIATIVE PETITION

WHEREAS, at the November 3, 2015 Special Election, voters approved an amendment to the Castle Rock Home Rule Charter to allow a registered elector to withdraw his or her signature from an initiative or referendum petition; and

WHEREAS, pursuant to Sections 15-1(c) and 15-2(c) of the Castle Rock Home Rule Charter, it is necessary to establish a procedure for a registered elector to have his or her signature withdrawn from a referendum or initiative petition.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Amendment. Chapter 2.01 of the Castle Rock Municipal Code is hereby amended to add a new Article VIII – Initiative and Referendum, to read as follows:

Article VIII. Initiative and Referendum

2.01.800 Petition signature withdrawal.

A registered elector may request that his or her name be withdrawn from an initiative or referendum petition (“Petition”) on or before the date the Petition is filed with the Town Clerk for a determination of Petition sufficiency. Such request shall be made as follows:

A. The request for the withdrawal shall be in writing (by letter or on a form prescribed by the Town Clerk) and must contain the following information:

1. Statement that the registered elector is requesting their signature be withdrawn from the Petition.
2. Registered elector’s name
3. Registered elector’s address
4. Signature of elector
5. Date of signature

B. The request may be submitted to the Town Clerk via email, fax, regular mail, or hand delivery. If submitted by regular mail, the request must be postmarked on or before the date

the Petition is submitted to the Town Clerk. Requests by phone will not be accepted.

C. A request to have a signature removed from an initiative or referendum petition may be initiated by contacting the Town Clerk's office, whether by telephone, email, fax or in person. The Town Clerk will provide the voter instruction as to how to request removal of a signature from a petition, including the specific requirements outlined in subsection A and the standard form for making such request. The Town Clerk shall maintain on the Town's website a notice informing the public of the right to withdraw a petition signature in accordance with Section 2.01.800 of the Castle Rock Municipal Code, as well as the suggested form for making such request. The website notice shall also provide contact information for the Town Clerk's office for additional information on the withdrawal process.

D. Prior to removal of a signature, the Town Clerk shall compare the name, address and signature on the request to the information on the initiative or referendum petition -for verification purposes.

Section 4. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 5. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 15th day of March, 2016 by a vote of - 6- for and - 0 - against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 19th day of April, 2016, by the Town Council of the Town of Castle Rock 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

Sally A. Misare, Town Clerk