

ORDINANCE NO. 2015-20

AN ORDINANCE AMENDING SECTION 2.01.300 OF THE CASTLE ROCK MUNICIPAL CODE CONCERNING THE CONDUCT OF SPECIAL ELECTIONS; AND PROVIDING FOR ITS EMERGENCY ADOPTION ON SECOND AND FINAL READING

WHEREAS, pursuant to Article IV of the Home Rule Charter the Town has adopted a comprehensive election code codified as Chapter 2.01 of the Castle Rock Municipal Code (Election Code),

WHEREAS, under Section 2.01.100 of the Election Code, the Town Council may designate a special election to be conducted by Douglas County as a coordinated election,

WHEREAS, under certain circumstances it may be advisable for a special election to be conducted by Douglas County which is not a coordinated election on such terms and conditions as are prescribed in an intergovernmental agreement between the Town and Douglas County,

WHEREAS, the Douglas County Clerk and Recorder has indicated generally, that office is able to conduct such Town special elections under the Uniform Election Code of 1992, subject to the parties mutual approval of an intergovernmental agreement authorizing and governing such election.

WHEREAS, in order to be effective for a potential special election in 2015, it is necessary to adopt this ordinance on an emergency basis on second and final reading.

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

Section 1.

Article III. Coordinated and Contracted Elections

2.01.300 General.

A. The Town Council may determine that any special election shall be conducted as a coordinated election by ordinance adopted no later than 70 days prior to the date of the election. Coordinated elections shall be conducted in accordance with an intergovernmental agreement between the Town and the County Clerk and Recorder signed no later than 70 days prior to the election.

B. The Town Council may determine that any special election shall be conducted through Douglas County by ordinance adopted no later than 60 days prior to the date of the election. Such special elections shall be conducted in accordance with an intergovernmental agreement between the Town and the County Clerk and Recorder signed no later than 60 days prior to the

election and in accordance with the Uniform Election Code of 1992, as from time to time amended.

C. An ordinance is adopted under this Section 2.01.300 on the date the Town Council has taken final action on such ordinance, irrespective of any other provision in the Castle Rock Municipal Code.

Section 2. 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 3. Emergency Clause. For the reasons stated in the recitals to this Ordinance, it is declared that an emergency exists and it is necessary for the preservation of the immediate public health and safety for this Ordinance to take effect upon its adoption.

Section 4. 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 5th day of May, 2015 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 AS AN EMERGENCY ORDINANCE this 19th of May, 2015, by a vote of the Town Council of the Town of Castle Rock, Colorado of for and against constituting the extraordinary majority required by Section 2.02.100 of the Castle Rock Municipal Code.

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