

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 2.01.100 OF THE CASTLE ROCK  
MUNICIPAL CODE REGARDING THE AUTHORITY OF THE CASTLE ROCK  
ELECTION COMMISSION**

**WHEREAS**, under Section 4-5 of the Castle Rock Town Charter (“Charter”), the Castle Rock Election Commission (the “Commission”) has the authority to review the boundaries of Town Council districts every six years to determine if an adjustment in district boundaries is required and, if so, to make the necessary adjustments to conform to the requirements of federal, state, and local law; and

**WHEREAS**, both the Charter and the Castle Rock Municipal Code (the “Code”) are silent as to how district boundary adjustments are made when property is annexed into the Town boundaries; and

**WHEREAS**, the Town Council wishes to amend the Code to grant authority to the Commission to make such adjustments under these limited circumstances.

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

**Section 1. Amendment.** Section 2.01.100 of the Castle Rock Municipal Code is amended to read as follows:

2.01.100 - Town elections; Election Commission; powers of TOWN clerk ~~and deputy~~ OR DESIGNEE.

A. All Town elections shall be held pursuant to this Chapter.

B. In accordance with the Town Charter, the Election Commission shall have charge of all activities and duties required of it by the Charter and this Chapter relating to the conduct of elections in the Town. In any case where election procedure is in doubt, the Election Commission shall prescribe the procedure to be followed.

C. THE ELECTION COMMISSION SHALL HAVE SUCH AUTHORITY TO ADJUST THE BOUNDARIES OF DISTRICTS AS IS PROVIDED FOR BY SECTION 4-5 OF THE TOWN CHARTER. IN ADDITION, UPON THE ANNEXATION OF TERRITORY INTO THE TOWN, THE ELECTION COMMISSION SHALL DETERMINE INTO WHICH DISTRICT SUCH TERRITORY SHALL BE INCLUDED; PROVIDED, HOWEVER, THAT NO SUCH DETERMINATION SHALL BE MADE WITHIN THE 120 DAYS BEFORE A REGULAR TOWN ELECTION.

D. The Election Commission shall have the power to adopt reasonable rules and regulations not inconsistent with the Constitution and the State of Colorado, the Town's Charter and this Chapter. It is unlawful for any person to violate any rule or regulation of the Election Commission.

~~C. E.~~ Except where otherwise provided in this Chapter, the Town Clerk shall render all interpretations and shall make all initial decisions as to controversies or other matters arising in the operation of this Chapter 2.01. All powers and authority granted to the Town Clerk by this Chapter may be exercised by ~~a deputy clerk~~ THE TOWN CLERK'S DESIGNEE in the absence of the Town Clerk or in the event the Town Clerk for any reason is unable to perform his or her duties.

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. **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 \_\_\_\_ day of \_\_\_\_\_, 2022 by a vote of \_\_\_\_ for and \_\_\_\_ against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022, by the Town Council of the Town of Castle Rock by a vote of \_\_\_\_ for and \_\_\_\_ against.

ATTEST:

TOWN OF CASTLE ROCK

\_\_\_\_\_  
Lisa Anderson, Town Clerk

\_\_\_\_\_  
Jason Gray, Mayor

Approved as to form:

\_\_\_\_\_  
Michael J. Hyman, Town Attorney