

ORDINANCE NO. 1113 (2020)

AN ORDINANCE OF THE CITY OF CRAIG, COLORADO REFERRING A QUESTION TO THE REGISTERED ELECTORS APPROVING CHANGES TO THE CRAIG CITY CHARTER CONCERNING VACANCIES ON THE CITY COUNCIL; AND SETTING A BALLOT MEASURE FOR THE NOVEMBER 3, 2020 COORDINATED ELECTION.

RECITALS

WHEREAS, the City of Craig (the “City”) is a Colorado home rule city duly organized and existing under the laws of the State of Colorado;

WHEREAS, the members of the City Council of the City (the “City Council”) have been duly elected and qualified;

WHEREAS, the City operates based upon the home rule charter duly adopted by the citizens of the City of Craig, which is known as the Home Rule Charter of the City of Craig (“the Charter”);

WHEREAS, the Charter may only be amended by a vote of the registered electors of the City;

WHEREAS, the City Council from time to time appoints a charter review committee and considers charter provisions which may need to be updated, modified or improved, and submits such charter revisions to a vote of the registered electors;

WHEREAS, the Craig City Council is hereby referring a ballot measure for the coordinated election on November 3, 2020, which would modify the Charter provision related to the filling of vacancies on the City Council if passed by the registered electors of the City of Craig.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRAIG AS FOLLOWS:

1. The question of a change to Article II, Section 6 of the Home Rule Charter of the City of Craig concerning vacancies on the City Council is authorized for referral to the Craig City Clerk for inclusion on the ballot for the general election to be held on Tuesday, November 3, 2020, which shall be submitted for approval by the registered electors in the City of Craig. The measure referred by this Ordinance shall automatically take effect upon certification of the City Clerk, or Moffat County Clerk, as may be necessary, that a majority of the registered electors voting at that election have approved the question.

2. The ballot issue shall be substantially as follows:

BALLOT MEASURE (number to be determined):

**SHALL THE HOME RULE CHARTER OF THE CITY OF CRAIG BE
AMENDED CONCERNING VACANCIES ON THE CITY COUNCIL TO
READ IN ITS ENTIRETY AS FOLLOWS:**

Article II, Section 6. - Vacancies.

“A vacancy in the office of a Council member shall exist when: A Council member is recalled, dies, becomes incapacitated, resigns, is convicted of a felony, or ceases to be a resident of the City. In addition, a Council member shall forfeit his/her office upon failure to attend three (3) consecutive regular meetings of the City Council without being excused by the City Council. In case of a vacancy, the remaining Council members shall choose by a majority vote, within ninety (90) days after such vacancy occurs, a person qualified under Article II, Section 2, of this Charter to fill such vacancy. In the event of a tie vote the Mayor shall solely select the appropriate nominee to fill the vacant seat. If such vacancy occurs during the first two (2) years of the of a term, the person appointed by City Council shall serve only until the next municipal general election, at which time the seat shall be filled by election for a two (2) year term. If such vacancy occurs in the last two years of a term, the person appointed by City Council shall serve the remainder of the vacated term. If three (3) or more vacancies exist simultaneously, the Council may, by ordinance, establish a two-year term prior to the general election to the Council member who received the least amount of votes. Such two (2) year term shall not count as a full four-year term as it applies toward term limits under the Colorado Constitution.”

YES _____ NO _____

3. The City Council may submit additional ballot issues or other measures to appear on the ballot of the regular election by the adoption of appropriate ordinances as required by law.
4. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance. Upon approval on second reading, the City Clerk shall certify the ballot content to the Moffat County Clerk for inclusion on the ballot for the November 3, 2020 coordinated election.
5. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.
6. This Ordinance shall take effect ten (10) days after passage and upon publication of such ordinance after passage.
7. The City Council deems it appropriate to publish the title of this Ordinance, together with a summary of the Ordinance and with the statement that the text is available for public inspection and acquisition in the office of the City Clerk.

READ, APPROVED AND ORDERED PUBLISHED ON FIRST READING THIS _____
DAY OF _____, 2020 BY THE CITY COUNCIL OF THE CITY OF CRAIG,
COLORADO.

Jarrod Ogden, Mayor

ATTEST:

Liz White, City Clerk

PASSED, APPROVED, AND ADOPTED AFTER HEARING ON SECOND READING THIS
_____ DAY OF _____, 2020 BY THE CITY COUNCIL OF THE CITY OF
CRAIG, COLORADO.

Jarrod Ogden, Mayor

ATTEST:

Liz White, City Clerk