

ORDINANCE NO. 1115 (2020)

AN ORDINANCE OF THE CITY OF CRAIG, COLORADO REFERRING A QUESTION TO THE REGISTERED ELECTORS APPROVING CHANGES TO THE CRAIG CITY CHARTER CONCERNING RESIDENCY REQUIREMENTS FOR THE MUNICIPAL JUDGE; 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 residency requirements for the municipal judge 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 Articles IV, Section 1 of the Home Rule Charter of the City of Craig concerning residency requirements for the Municipal Judge 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 RESIDENCY REQUIREMENT FOR THE MUNICIPAL JUDGE TO READ IN ITS ENTIRETY AS FOLLOWS:

Article IV, Section 1. – Municipal Court.

“There shall be Municipal Court vested with jurisdiction of all causes arising under the Charter and the ordinances of the City of violation or enforcement thereof with the exception of those offenses which are handled by administrative hearing procedures as provided by ordinance. The Judge of the Court shall be a licensed attorney in the State of Colorado. The Judge shall be a resident of the City of Craig or Moffat County. The Judge shall meet this residency requirement within six (6) months of commencement of his or her employment. He or she shall be appointed by a majority of the entire Council for a term of two (2) years and shall receive such compensation and other terms of employment as shall be fixed by the Council. Such compensation shall in no manner be contingent upon the amount of fees charged or collected as a result of Court action. In his or her absence, the Council shall designate a reputable person possessing the qualifications for the office to serve in his or her stead. The Municipal Judge may be removed for cause by a majority of the entire Council.

Rules and procedure, costs and fees shall be enacted by the Council with the advice of the Municipal Judge.”

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