

## **ORDINANCE NO. 1143 (2023)**

### **AN ORDINANCE OF THE CITY OF CRAIG, COLORADO REFERRING A QUESTION TO THE REGISTERED ELECTORS APPROVING CHANGES TO THE CRAIG CITY CHARTER CONCERNING THE ABILITY TO GRANT REVOCABLE PERMITS FOR FRANCHISES AND PUBLIC UTILITIES; AND SETTING A BALLOT MEASURE FOR THE NOVEMBER 7, 2023 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 7, 2023, which would modify the Charter provision related to the ability to grant revocable permits for franchises and public utilities 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 an addition to Article VIII of the Home Rule Charter of the City of Craig which would modify the Charter provision related to franchises and public utilities is authorized for referral to the Craig City Clerk for inclusion on the ballot for the general election to be held on Tuesday, November 7, 2023, 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 THE ABILITY TO GRANT REVOCABLE PERMITS FOR FRANCHISES AND PUBLIC UTILITIES TO READ IN ITS ENTIRETY AS FOLLOWS:**

**Article VIII, Section 5. Revocable Permits.**

“The city manager or a designee may grant permits for the temporary use or occupation of any street, alley, or public place. Such permits shall be revocable at any time whether the right is expressly reserved in the permit.”

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 7, 2023 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 25<sup>th</sup> DAY OF JULY, 2023 BY THE CITY COUNCIL OF THE CITY OF CRAIG, COLORADO.

\_\_\_\_\_  
Derek Duran, Mayor

ATTEST:

\_\_\_\_\_  
Liz White, City Clerk

Votes in favor: \_\_\_\_

Votes opposed: \_\_\_\_

Abstained: \_\_\_\_

PASSED, APPROVED, AND ADOPTED AFTER HEARING ON SECOND READING THIS  
8<sup>th</sup> DAY OF AUGUST, 2023 BY THE CITY COUNCIL OF THE CITY OF CRAIG, COLORADO.

\_\_\_\_\_  
Derek Duran, Mayor

ATTEST:

\_\_\_\_\_  
Liz White, City Clerk

Votes in favor: \_\_\_\_  
Votes opposed: \_\_\_\_  
Abstained: \_\_\_\_