



TOWN OF LARKSPUR, COLORADO

ORDINANCE NO. 2024-03

AN ORDINANCE APPROVING BALLOT QUESTIONS TO BE SUBMITTED TO THE VOTERS OF THE TOWN OF LARKSPUR, COLORADO MUNICIPAL ELECTION APRIL 2, 2024 RELATED TO AMENDING SECTION 3.01 OF THE HOME RULE CHARTER OF THE TOWN OF LARKSPUR REGARDING THE NUMBER OF COUNCIL MEMBERS

WHEREAS, the Town of Larkspur is a Colorado home rule municipality, governed in part by the Larkspur Home Rule Charter (the "Charter"); and

WHEREAS, In Article III of the Charter, Section 3.01 of the Charter sets forth the powers and duties vested in the Town Council and establishes the Town Council shall consist of "six councilmembers and a mayor"; and

WHEREAS, the Town has historically experienced difficulty filling its boards, including the Town Council, due to a variety of factors including the relatively small population of the Town; and

WHEREAS, it is the intent of the Council for this provision to take effect April 2, 2024, if passed by the electors of the Town, with the two candidates receiving the highest number of votes filling the open Town Council positions resulting in a total of four Town Council members and one Mayor; and

WHEREAS, the Town Council has determined it is in the best interest of the Town to refer a ballot question to the voters concerning reducing the number of Council Members from six and a mayor as provided for in the Charter to four and a mayor.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO AS FOLLOWS:

1. The Town Council hereby approves the form and refers the following ballot question for submission to the registered electors and to appear on the Town of Larkspur Municipal Election, April 2, 2024:

SHALL THE TOWN OF LARKSPUR, COLORADO AMEND SECTION 3.01 OF THE LARKSPUR HOME RULE CHARTER BY REMOVING THE STRIKETHROUGH LANGUAGE AND ADDING THE **BOLD UNDERLINED** LANGUAGE TO READ IN THEIR ENTIRETY AS FOLLOWS:

Section 3.01. Council Powers

The legislative affairs of the Town shall be vested in a Council consisting of ~~six~~ **four** councilmembers and a mayor. The Council shall constitute the governing body of the Town and shall have all municipal powers including, without limitation, all powers conferred by general law, except as limited by this Charter. Council shall



have the power and authority to adopt such laws, ordinances, and resolutions as it shall deem proper in the exercise thereof. In addition to its legislative authority, the Council shall have administrative and executive authority to administer the affairs of the Town, which authority may be delegated, in whole or in part, to a Town Manager to the degree and in the manner deemed appropriate by the Town Council.

2. For purposes of C.R.S. § 31-11-111, this Ordinance shall serve to set the title and context for the ballot question set forth herein and the ballot title for such question shall be the text of the question itself.
3. The Town Clerk is authorized to correct typographical errors and omissions and to cause to be entered into any blanks of the ballot question the appropriate ballot question number or letter upon designation of the ballot number or letter by the appropriate election official.
4. The Mayor, the Town Attorney, and the Town Clerk are hereby authorized and directed to take all necessary and appropriate action to effectuate the provisions of this Ordinance including the taking of all reasonable and necessary action to cause such approved form of ballot question to be printed and placed on the ballot for the Larkspur Municipal Election, April 2, 2024.
5. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
6. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR AND SIGNED THIS 18th DAY OF JANUARY, 2024.


Votes Approving:	<u>6</u>
Votes Opposed:	<u>0</u>
Absent:	<u>1</u>
Abstained:	<u>0</u>

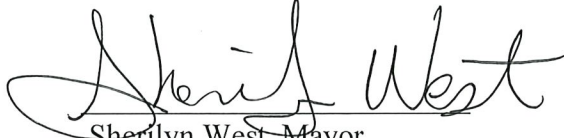
ATTEST:

TOWN COUNCIL OF THE

Town of **LARKSPUR**
Colorado

TOWN OF LARKSPUR,
COLORADO

By: 
Todd DeVoe, Town Clerk


Sherilyn West, Mayor

