

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 06-04
Series of 2006

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TITLE: A BILL FOR AN ORDINANCE INITIATING THE PROCEEDINGS TO ADOPT A HOME RULE CHARTER FOR THE TOWN OF HUDSON AND CALLING A SPECIAL ELECTION FOR TUESDAY, JULY 11, 2006

WHEREAS, Article XX, Section 9, of the Colorado Constitution vests any city, city and county, or town of the state with the power to adopt a home rule charter; and

WHEREAS, C.R.S. § 31-2-201, *et seq.*, the "Municipal Home Rule Act of 1971," sets forth the process by which the Town may adopt a home rule charter; and

WHEREAS, it is the desire of the Board to initiate the home rule process;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Proceedings to adopt a home rule charter pursuant to C.R.S. § 31-2-201, *et seq.*, are hereby initiated by the adoption of this Ordinance pursuant to C.R.S. § 31-2-204(1)(b).

Section 2. There shall be held a special election on Tuesday, July 11, 2006, to submit to the eligible electors of the Town of Hudson the question of whether to form a home rule charter commission, and, if the charter commission is so formed, to elect persons to serve on that charter commission to frame a home rule charter for the Town of Hudson. The election is called pursuant to C.R.S. § 31-2-204(2).

Section 3. The special election shall be conducted at polling places using paper ballots.

Section 4. Pursuant to C.R.S. § 31-2-206(1)(a), the Town shall elect nine (9) members to serve on the charter commission, and all eligible electors of the Town are eligible to serve on the committee. Candidates for the charter commission shall be nominated by filing a nomination petition with the Town Clerk, as required by C.R.S. § 32-2-204(3). Nomination petitions shall be filed with the Town Clerk within thirty (30) days after publication of the first election notice, as described in Section 5., below.

Section 5. The Town Clerk is hereby directed to first publish notice of the election not less than sixty (60) days prior to the election, or not later than May 12, 2006, as is required by C.R.S. § 31-2-204(2), and again as soon as possible after the filing of nomination petitions, which second

filing of nomination petitions, which second publication shall include the names of the candidates for the charter commission, as is required by C.R.S. § 31-2-204(3).

Section 6. The following ballot question shall be submitted to the registered electors of the Town of Hudson at the special election of July 11, 2006:

Question No. 1

SHALL THE TOWN OF HUDSON FORM A HOME RULE CHARTER COMMISSION FOR THE PURPOSE OF DRAFTING A HOME RULE CHARTER?

YES _____ NO _____

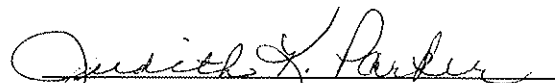
Section 7. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 8. 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 application to other persons or circumstances.

Section 9. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 1st day of March, 2006.

TOWN OF HUDSON, COLORADO


Charles E. Rossi, Mayor



ATTEST:


Judy Larson, Town Clerk

PASSED ON SECOND AND FINAL READING this 15th day of March,
2006, AND ORDERED PUBLISHED ONCE IN FULL.



TOWN OF HUDSON, COLORADO

Charles E Rossi
Charles E. Rossi, Mayor

ATTEST:

Judy Larson
Judy Larson, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann
Corey Y. Hoffmann, Town Attorney