

CITY OF WHEAT RIDGE, COLORADO  
INTRODUCED BY COUNCIL MEMBER DAVIS

Council Bill No. 15  
Ordinance No. 1519

Series 2012

**TITLE: AN ORDINANCE SUBMITTING A PROPOSED AMENDMENT OF THE WHEAT RIDGE HOME RULE CHARTER TO THE VOTERS OF THE CITY PURSUANT TO CHARTER SECTION 16.8 (b) AND SETTING THE BALLOT TITLE FOR THE SAME**

**WHEREAS**, Section 16.8 (b) of the City Charter ("Charter") of the City of Wheat Ridge ("City") permits the City Council to initiate Charter amendments; and

**WHEREAS**, the City Council wishes to place before the voters at the November 6, 2012 coordinated election a ballot question to amend the City Charter concerning the vote required for election of all City officials.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1. Full text of Amendment.** Pursuant to Charter Section 16.8 (b) and C.R.S. 31-2-210(1)(b) the following proposed amendment to the Wheat Ridge Home Rule Charter is hereby submitted to the voters of the City for consideration at the coordinated election to be held November 6, 2012.

Amend Charter Section 3.1 as follows:

**Sec. 3.1 Election of mayor.**

The mayor shall be elected by ~~a majority vote of~~ THE GREATEST NUMBER OF VOTES CAST FOR THAT OFFICE BY the electors of the City of Wheat Ridge at each general municipal election, and shall have the same qualifications as members of the council. Commencing with the general municipal election held on the first Tuesday after the first Monday in November, 1997, his term of office shall be for four (4) years and shall commence on his taking the oath of office at the ensuing organizational meeting of the city council held after the election in the year elected and shall continue during the term for which he shall have been elected until his successor shall have been elected and duly qualified.

No person shall serve in the office of mayor for more than two (2) consecutive terms of office. This limitation on the number of consecutive terms shall apply to terms of office commencing on or after November 4, 1997. Any person who succeeds to the office of mayor, and who serves at least one-half of a term in the office, shall be considered to have served a

full term in that office. Terms are considered consecutive unless separated by at least four (4) full years.

Amend Charter Section 3.7 as follows:

**Sec. 3.7 Election of city clerk.**

The city clerk shall be elected by ~~a majority vote of~~ THE GREATEST NUMBER OF VOTES CAST FOR THAT OFFICE BY the electors of the City of Wheat Ridge at each general municipal election, and shall have the same qualifications as members of the council. Commencing with the general municipal election held on the first Tuesday after the first Monday in November, 1999, his/her term of office shall be for four (4) years and shall commence on his/her taking the oath of office at the ensuing organizational meeting of the city council held after the election in the year elected and shall continue during the term for which he/she shall have been elected until his/her successor shall have been elected and duly qualified.

Amend Charter Section 3.9 as follows:

**Sec. 3.9 Election of treasurer.**

The treasurer shall be elected by ~~a majority vote of~~ THE GREATEST NUMBER OF VOTES CAST FOR THAT OFFICE BY the electors of the City of Wheat Ridge at each general municipal election, and shall have the same qualifications as members of the council. Commencing with the general municipal election held on the first Tuesday after the first Monday in November, 1999, his/her term of office shall be for four (4) years and shall commence on his/her taking the oath of office at the ensuing organizational meeting of the city council held after the election in the year elected and shall continue during the term for which he/she shall have been elected until his/her successor shall have been elected and duly qualified.

Amend Charter Section 4.3 to delete subsection (b), to revise subsection (c), and to re-letter all subsections as follows:

**Sec. 4.3 Terms of office.**

- (a) The terms of office of the councilmembers hereafter to be elected in accordance with the provisions of this Charter shall commence on their taking the oath of office at the ensuing organizational meeting of the city council held after the election in the year elected and shall continue during the term for which they shall have been elected until their successors shall have been elected and duly qualified.

- (b) ~~At the general municipal election held on the first Tuesday after the first Monday in November, 1997, two (2) councilmembers shall be elected from each of the four (4) council districts, as follows: The candidate receiving the highest number of votes in each district shall be elected to a four-year term of office, and the candidate receiving the second highest number of votes in each district shall be elected to a two-year term of office.~~
- (b) At the general municipal election held on the first Tuesday after the first Monday in November OF EACH ODD-NUMBERED CALENDAR YEAR, 1999, and every two (2) years thereafter, one councilmember from each of the four (4) council districts shall be elected to a four-year term of office BY THE GREATEST NUMBER OF THE VOTES CAST FOR THAT OFFICE.
- (c) It is the intent of this section that councilmembers serve four-year staggered terms of office with four (4) councilmembers elected at each general municipal election.

**Section 2. Ballot Title and Question.** The ballot title and question for the proposed Charter amendment shall read as follows:

SHALL THE HOME RULE CHARTER OF THE CITY OF WHEAT RIDGE, COLORADO, BE AMENDED TO PROVIDE FOR THE ELECTION OF ALL ELECTED OFFICIALS OF THE CITY BY THE GREATEST NUMBER OF VOTES CAST?

YES: \_\_\_\_ NO: \_\_\_\_

**Section 3. Notice and Call of Election.** Pursuant to Charter Section 16.8 and C.R.S. 31-2-210(4), the Council hereby directs the City Clerk to give notice of and call an election upon the proposed amendment. The election on the proposed amendment shall be coordinated with Jefferson County as part of the November 6, 2012 election.


**Section 4. Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 5. Effective Date** This Ordinance shall take effect upon adoption, as permitted by Section 5.11 of the Charter.


**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 7 to 0 on this 13th day of August, 2012, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for August 27, 2012 at 7:00 p.m., in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 8 to 0, this 27<sup>th</sup> day of August, 2012.

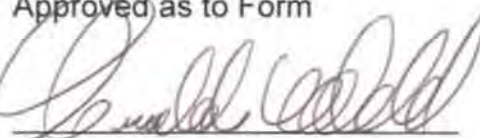
**SIGNED** by the Mayor on this 27<sup>th</sup> day of August, 2012.

  
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Jerry D. Tullio, Mayor

ATTEST:

  
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Janelle Shaver, City Clerk



Approved as to Form  
  
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Gerald E. Dahl, City Attorney

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