1	ORDINANCE O-2020-		
2	A BILL FOR AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE		
3	CITY OF LONGMONT, COLORADO, AT A SPECIAL MUNICIPAL ELECTION TO BE		
4	HELD ON NOVEMBER 3, 2020, AN AMENDMENT TO THE CITY OF LONGMONT		
5	HOME RULE CHARTER TO ALLOW FOR THE LEASE OF CITY PROPERTY FOR UP TO		
6	30 YEARS		
7			
8	WHEREAS Section 13.12 of the City of Longmont Home Rule Charter ("Charter"		
9	provides that the Charter may be amended at any time in the manner provided by the Constitution		
10	and		
11	WHEREAS Section 9 of Article XX of the Colorado Constitution provides that the		
12	Colorado General Assembly shall provide, by statute, procedures under which the registered		
13	electors of any city may adopt, amend and repeal a municipal home rule charter; and		
14	WHEREAS the Colorado General Assembly has adopted Part 2 of Article 2 of Title 31 of		
15	the Colorado Revised Statutes ("C.R.S.") to implement Section 9 of Article XX of the Colorado		
16	Constitution, by providing statutory procedures to facilitate adoption and amendment of municipal		
17	home rule charters; and		
18	WHEREAS C.R.S. Section 31-2-210(1)(b), provides that proceedings to amend a home		
19	rule charter may be initiated by an ordinance adopted by the governing body, including a ballot		
20	title for the proposed amendment, submitting the proposed amendment to a vote of the registere		
21	electors of the municipality; and		
22	WHEREAS, Section 12.4 of the Charter currently states that leases of City property may		
23	not be granted for longer than 20 years; and		

- WHEREAS the Longmont City Council has determined that it is in the best interests of the
- 2 City to submit to the registered electors of Longmont a proposed amendment to the Charter to
- 3 allow for the lease of City property for up to 30 years.
- 4 NOW, THEREFORE, THE COUNCIL OF THE CITY OF LONGMONT, COLORADO,
- 5 ORDAINS:
- 6 Section 1
- 7 Under Section 13.12 of the Charter, Article XX, Section 9 of the Colorado Constitution
- 8 and C.R.S. Section 31-2-210, at a special municipal election to be held on November 3, 2020, there
- 9 shall appear on the ballot the question of approving the following proposed Charter amendment to
- amend Section 12.4 of the Charter, Term, compensation, restriction, to allow for leases of City
- property for up to 30 years, as follows:
- 12 12.4. Term, compensation, restriction.
- No franchise, or right to use the streets, or the public places or property of the city, shall be
- granted for longer than 20 years, except that leases of city property may be up to 30 years. Every
- 15 grant of a franchise shall fix the amount and manner of payment of the compensation to be paid
- by the grantee for the use of the same, and no other compensation of any kind shall be exacted for
- such use during the life of the franchise. This provision shall not exempt the grantee from any
- lawful taxation upon his or its property, nor from any license, charges, or other impositions levied
- by the council, not levied on account of the use granted by the franchise.
- 20 Section 2
- The ballot title for the proposed Charter amendment shall read as follows:

1 SHALL THE CITY OF LONGMONT HOME RULE CHARTER BE AMENDED BY 2 REVISING SECTION 12.4 OF THE CHARTER TO ALLOW FOR LEASES OF CITY 3 PROPERTY FOR UP TO 30 YEARS? 4 YES \_\_\_\_\_ NO \_\_\_\_\_ 5 6 Section 3 7 Pursuant to C.R.S. Section 31-2-210(4), the governing body shall, within 30 days of the 8 adoption of this ordinance, publish notice of an election on the proposed Charter amendment. The 9 notice shall contain the full text of the proposed Charter amendment set forth in Section 1 of this 10 Ordinance. The election shall be held not less than 60 nor more than 120 days after publication of 11 the notice. If a majority of the registered electors voting thereon approves the amendment, the 12 amendment shall be deemed approved. 13 Section 4 14 Pursuant to C.R.S. Section 31-2-208, a certified copy of the amendment shall be filed with 15 the City Clerk and Colorado Secretary of State within 20 days after approval of the Charter 16 amendment. The amendment shall take effect on the date of such filing. 17 Section 5 18 Pursuant to C.R.S. Section 31-2-211, the election shall be held as nearly as practicable in 19 compliance with the Colorado Municipal Election Code of 1965. 20 Section 6 21 The provisions of this ordinance are severable, and invalidity of any part shall not affect the validity or effectiveness of the rest of this ordinance. 22

	Introduced this	day of	, 2020.
	Passed and adopted this	day of	, 2020.
		MAYOR	
A'.	ΓTEST:		
$\overline{C}$	TY CLERK		
CI	II CLEKK		
N(	OTICE: THE COUNCIL WILL HO	OLD A PUBLIC HEARING	ON THIS ORDINANCE AT
	00 P.M. ON THE		
	ONGMONT CITY COUNCIL MEE		, 2020, 111 1112
Αl	PPROVED AS TO FORM:		
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DI	EPUTY CITY ATTORNEY	DATE	
DE	ROOFREAD	DATE	
ıľ	COOLICAD	DAIL	
ΑI	PPROVED AS TO FORM AND SU	BSTANCE:	
4 1.1			
OI	RIGINATING DEPARTMENT	DATE	
CA	File: 19-000414		