

CITY OF DELTA, COLORADO
ORDINANCE NO. 13, 2023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DELTA
REGARDING THE FORMATION OF A CHARTER COMMISSION BY ELECTION

WHEREAS, the City of Delta (“City”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Delta Home Rule Charter (“Charter”), as amended, and pursuant to Section 3, Article I of the Charter, the City has all the power of local self-government and home rule and all power possible for a municipality to have under the Constitution and laws of the State of Colorado; and

WHEREAS, the Charter was adopted by special election held on May 23, 1950; and

WHEREAS, since 1950 the Charter has been amended in minor respects from time to time; and

WHEREAS, the City Council finds that various provisions of the Charter have become obsolete or outdated and that the City would benefit from review of the Charter by an independent commission to propose such amendments and updates as the commission deems appropriate for consideration by the voters of the City; and

WHEREAS, the Charter provides, at Section 150, that it may be amended at any time in the manner provided by Article XX of the Constitution of the State of Colorado; and

WHEREAS, the Municipal Home Rule Act of 1971, C.R.S. § 31-2-201, *et seq.*, provides authority and procedures for the establishment of a charter commission to propose amendments to a home rule charter for consideration by the electors of the City; and

WHEREAS, the City Council desires to schedule an election to submit a decision to the eligible electors of the City to determine (1) if a charter commission should be formed, and (2) if so, which candidates should be elected to the commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO:

1. Recitals. The foregoing recitals are incorporated herein as findings and determinations of the City Council.
2. Election on Formation of Charter Commission. The City Council hereby directs the City Clerk to take all necessary steps to set an election on the following matters:
 - A. Should the City of Delta form a charter commission?
 - B. If the commission is formed, to elect nine (9) members of the commission.

3. Petitions, Public Notice and Information. The City Clerk is directed to prepare and make available nomination petitions for membership in the charter commission and to take appropriate steps to make information available to the general public regarding the election process, the purpose of the charter commission, and to solicit nominations for membership on the commission. The City Clerk shall publish notices of the election pursuant to C.R.S. §§ 31-2-204 and 210 and take all other steps necessary to carry out the purpose and intent of this Ordinance.

4. Effective Date. This Ordinance shall become effective thirty (30) days after final passage and publication pursuant to Section 19(c) of the Charter.

INTRODUCED on November 21, 2023, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published as required by the Charter.

CITY OF DELTA, COLORADO

/s/ Kevin Carlson

Mayor

ATTEST:

/s/ Jolene E. Nelson

City Clerk

INTRODUCED a second time at a meeting of the City Council on December 5, 2023, read by title and number, passed, approved, and ordered published as required by the Charter.

CITY OF DELTA, COLORADO

/s/ Kevin Carlson

Mayor

ATTEST:

/s/ Jolene E. Nelson

