

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB17

ORDINANCE NUMBER: 2019-17

TITLE: AN ORDINANCE SETTING BALLOT QUESTIONS FOR A NOVEMBER 5, 2019 SPECIAL ELECTION TO BE CONDUCTED AS AN INDEPENDENT POLLING PLACE ELECTION PURSUANT TO THE COLORADO MUNICIPAL ELECTION CODE

WHEREAS, the City of Black desires to conduct a special election on November 5, 2019;

WHEREAS, Section 2 of Article III of the City of Black Hawk Home Rule Charter adopts by reference the Colorado Municipal Election Code of 1965; and

WHEREAS, pursuant to the provisions of the Colorado Municipal Election Code and the City's home rule authority regarding the conduct of its elections, the City desires to conduct its November 5, 2019 special election as an independent polling place election.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The City Council of the City of Black Hawk does hereby call a special municipal election to be conducted on November 5, 2019.

Section 2. The City Council of the City of Black Hawk further states it will submit various questions to the registered electors of the City of Black Hawk at the November 5, 2019, special election, such special election to be conducted as an independent, non-coordinated polling place election pursuant to the Colorado Municipal Election Code, C.R.S. § 31-10-101, *et seq.*, and the City's home rule authority.

Section 3. The following ballot questions shall be submitted to the registered electors of the City of Black Hawk at the November 5, 2019 special election:

Ballot Question No. 1:

SHALL CITY OF BLACK HAWK TAXES BE INCREASED BY UP TO EIGHT HUNDRED THOUSAND DOLLARS (\$800,000.00) ANNUALLY IN THE FIRST FULL FISCAL YEAR (2020), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY INCREASING THE RATE OF THE DEVICE TAX LEVIED BY THE CITY BY UP TO \$200 PER DEVICE (WHICH TAX RATE MAY FLUCTUATE FROM TIME TO TIME AS DETERMINED BY THE COUNCIL SO LONG AS IT DOES NOT EXCEED \$200), TO BE USED FOR ANY LAWFUL PURPOSE OF THE CITY INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

- FUNDING THE CITY'S COMMUNITY RESTORATION AND PRESERVATION GUIDE TO PROGRAMS AND OTHER RELATED PROGRAMS FOR THE REHABILITATION OF EXISTING RESIDENTIAL HOMES; AND
- FUNDING RESORT DESTINATION DEVELOPMENT OPPORTUNITIES THROUGHOUT THE CITY, INCLUDING BUT NOT LIMITED TO, VERTICAL AND HORIZONTAL IMPROVEMENTS AND AMENITIES ON GREGORY STREET;

AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND THE FULL PROCEEDS OF SUCH TAX WITHOUT LIMITATION AND WITHOUT LIMITING THE EXPENDITURE OF ANY OTHER REVENUES OR FUNDS UNDER ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?

Yes _____

No _____

Ballot Question No. 2:

SHALL THE CITY OF BLACK HAWK ALLOW SPORTS BETTING WITHIN THE CITY CONSISTENT WITH THE PROVISIONS OF C.R.S. § 44-30-1505(5)(d) OF HOUSE BILL 19-1327, PROVIDED THAT SPORTS BETTING IS ALSO CONCURRENTLY AUTHORIZED AT THE STATEWIDE ELECTION SUBMITTED PURSUANT TO C.R.S. § 44-30-1514?

Yes _____

No _____

Section 4. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, 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 City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 5. 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 6. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 14th day of August, 2019.


David D. Spellman, Mayor

ATTEST:


Melissa Greiner, CMC, City Clerk

