

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

COUNCIL BILL NUMBER: 21

ORDINANCE NUMBER: 2020-21

**TITLE: AN ORDINANCE SETTING A BALLOT QUESTION FOR THE
NOVEMBER 3, 2020 SPECIAL ELECTION TO BE CONDUCTED AS A
COORDINATED ELECTION WITH GILPIN COUNTY PURSUANT TO
THE COLORADO MUNICIPAL ELECTION CODE**

WHEREAS, the City of Black Hawk has previously determined to conduct a special election on November 3, 2020; and

WHEREAS, the City Council finds it is necessary to ask the registered electors of the City whether to authorize an excise tax on the wager or handle associated with the placing of a sports bet because Black Hawk is facing an unforeseen financial crisis due to the pandemic, and the proceeds from such an excise tax will assist the City in generally increasing tax revenue for the local community to offset the impacts of the pandemic.

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

Section 1. The following additional ballot question shall be submitted to the registered electors of the City of Black Hawk at the November 3, 2020 special election:

Ballot Question No. 2:

SHALL THE CITY OF BLACK HAWK'S TAXES BE INCREASED BY ONE MILLION DOLLARS (\$1,000,000.00) IN THE FIRST FULL FISCAL YEAR AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN EXCISE TAX AT THE RATE OF ONE QUARTER OF A PERCENT (.25%) ON THE HANDLE OR WAGER ON SPORTS BETTING ACTIVITIES, DEFINED AS THE TOTAL AMOUNT OF MONEY WAGERED ON A SPORTS EVENT WHICH HANDLE OR WAGER IS PLACED WITH A PERSON LICENSED TO CONDUCT SPORTS BETTING AT A DESIGNATED PHYSICAL LOCATION WITHIN THE CITY OR AN INTERNET SPORTS BETTING OPERATOR UNDER CONTRACT WITH A CASINO LOCATED WITHIN THE CITY TO CONDUCT SPORTS BETTING, WITH THE RATE OF THE EXCISE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE EXCISE TAX DOES NOT EXCEED ONE QUARTER OF A PERCENT (.25%) AND SHALL ALL SUCH TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN THE COLORADO CONSTITUTION OR OTHER LAW?

Yes _____

No _____

Section 2. 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 3. 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 4. 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 26th day of August, 2020.


David D. Spellman, Mayor

ATTEST:


Melissa A. Greiner, CMC, City Clerk

