

**TOWN OF BLUE RIVER, COLORADO**

**RESOLUTION 2023-12**

**A RESOLUTION OF THE TOWN OF BLUE RIVER, COLORADO, SUBMITTING A  
BALLOT QUESTION TO THE ELIGIBLE ELECTORS OF THE TOWN,  
AUTHORIZING A PERMANENT WAIVER OF THE 5.5% STATUTORY  
LIMITATION ON PROPERTY TAX UNDER C.R.S. SECTION 29-1-302, AND  
SETTING THE TITLE FOR THE BALLOT QUESTION**

WHEREAS, the Town of Blue River (the “Town”) is a statutory town duly organized and existing under Colorado law; and

WHEREAS, Section 29-1-301, C.R.S., requires that the property tax levy be reduced as needed each year so that revenue that may be collected by the levy is not greater than the amount of revenue collected by the preceding year levy plus 5.5% (“5.5% Statutory Limit on Tax Levy Increases”); and

WHEREAS, Section 29-1-302(2)(b), C.R.S., provides an exception to the revenue limitation set forth in the 5.5% Statutory Limit on Tax Levy Increases if the qualified electors approve an increased levy at election; and

WHEREAS, to continue to adequately fund its services, including street repair and maintenance, public safety, and parks, the Board of Trustees has determined that it is in the interest of the residents of the Town to refer to the eligible electors a ballot question at the April 2, 2024, regular Town election to seek approval to permanently waive the 5.5% Statutory Limit on Tax Levy Increases on Town revenues; and

WHEREAS, in accordance with Section 31-11-111(2), C.R.S., the Town Board has authority to submit any question to a vote of the registered electors of the Town; and

WHEREAS, for purposes of Section 31-11-111, C.R.S., the Town Board of Trustees finds that the titles set forth herein are not misleading, clearly identify the effect of a “yes” or “no” vote, do not conflict with the title of any other measure that will appear on the ballot, and correctly and fairly express the true intent and meaning of each measure.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF  
THE TOWN OF BLUE RIVER THAT,**

**Section 1.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

**Section 2.** The Board of Trustees hereby refers and approves the following ballot question for submission to the qualified electors to appear on the ballot for the election to be held on April 2, 2024, with (for purposes of Section 31-11-111, C.R.S.) this Resolution serving to set the title and content of the ballot question set forth herein, such ballot title being the text of the question itself:

WITHOUT CREATING ANY NEW TAXES OR INCREASING ANY TAX RATE, FOR PROPERTY TAX REVENUE COLLECTED IN CALENDAR YEAR 2024 AND ALL FUTURE PROPERTY TAX REVENUE, SHALL THE TOWN OF BLUE RIVER BE AUTHORIZED TO LEVY, RETAIN, AND SPEND SUCH TOWN REVENUES WITHOUT THE LIMITATIONS THAT WOULD OTHERWISE BE IMPOSED BY THE 5.5% LIMITATION UNDER C.R.S. SECTION 29-1-301?

YES    \_\_\_  
NO     \_\_\_

**Section 3.** The Designated Election Official and Town Attorney are hereby authorized and directed to take all necessary and appropriate action to effectuate the provisions of this Resolution including all reasonable and necessary action to cause such approved ballot issue to be printed and placed on the ballot for the election.

**Section 4.** If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this Resolution.

**Section 5.** This Resolution shall take effect immediately upon its approval.

**INTRODUCED, READ, AND ADOPTED THIS 19<sup>th</sup> DAY OF DECEMBER, 2023.**

**TOWN OF BLUE RIVER**

\_\_\_\_\_  
Toby Babich, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Eddy, Town Clerk