



TOWN OF ELIZABETH

ADMINISTRATION

TO: Honorable Mayor and Board of Trustees
FROM: Patrick Davidson and Michelle Oeser Town Clerk
DATE: April 23 2024
SUBJECT: Publishing by Title Only

SUMMARY

When an ordinance is passed by the Board, it is published in full text in the newspaper in the public notice section. This can be costly depending on the size of the ordinance and the number of ordinances passed over a year. Staff would like to have this process changed to publishing by title only. The ordinance would be available in full text if people request to view it and it could be placed on the Town website if the Board chooses to do so. To change this process the question will need to go to the citizens for a vote on if they approve of this change. As people have modified how they seek out information, Staff believes this would not be an inconvenience to citizens as most go online and do not read the newspaper as they did in the past.

STAFF RECOMMENDATIONS

Staff recommends the Board approve attached Ordinance 24-04 and place the question of publishing by title only on the November ballot.

ATTACHMENT

Ordinance 24-04

TOWN OF ELIZABETH, COLORADO

ORDINANCE 24-04

AN ORDINANCE TO SUBMIT A BALLOT QUESTION ON WHETHER THE TOWN SHOULD BE PERMITTED TO PUBLISH ORDINANCES BY TITLE ONLY AND FIXING THE BALLOT TITLE FOR SAID REFERRED MEASURE

WHEREAS, the Town of Elizabeth, Colorado is a municipal corporation duly organized and operating as a statutory town under the Colorado Constitution and law of the State of Colorado; and

WHEREAS, pursuant to C.R.S. 31-11-111(2), the Town's Board of Trustees may refer any question to a vote of the registered electors of the Town by fixing a ballot title for such referred measure; and

WHEREAS, C.R.S. 31-16-105 requires all ordinances adopted by the Town's Board of Trustees to be published at least one time, in full, in a newspaper of general circulation in the Town; and

WHEREAS, C.R.S. 31-16-105 authorizes the Board of Trustees to refer a ballot question to the Town's electors seeking permission to publish ordinances by title only, rather than in full; and

WHEREAS, in order to reduce the Town expenditures, the Board of Trustees desires to submit to a vote of the registered electors of the Town a ballot question to determine whether the Town may publish ordinances by title only, with a full copy of the ordinances available for review by the public on file at Town Hall located at 151 S. Banner Street, Elizabeth, Colorado 80107, or such other places designated by the Town, instead of publishing each ordinance in full.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF ELIZABETH, COLORADO:

Section 1. At the November 5, 2024, coordinated election, the following question shall be submitted to the registered electors of the Town of Elizabeth, Colorado:

BALLOT TITLE: PUBLISH BY TITLE ONLY

BALLOT TEXT:

TO REDUCE THE TOWN'S FINANCIAL BURDEN CONCERNING PUBLISHING ORDINANCES IN FULL UPON ADOPTION, SHALL THE TOWN OF ELIZABETH BE PERMITTED TO PUBLISH SAID ORDINANCES BY TITLE ONLY, AS PERMITTED UNDER COLORADO LAW, PROVIDED THAT THE FULL TEXT OF ALL SUCH ORDINANCES BE MADE AVAILABLE FOR REVIEW AT ELIZABETH TOWN HALL,

LOCATED AT 151 S. BANNER, ELIZABETH, COLORADO 80107, TOWN OF ELIZABETH WEBSITE, OR OTHER LOCATIONS AS THE BOARD MAY DESIGNATE.

Yes _____

No _____

Section 2. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Elizabeth, 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 Board of Trustees 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. This ordinance shall be effective thirty days after its publication.

PASSED AND APPROVED on first reading at a regular meeting of the Town Board of the Town of Elizabeth on this 23rd day of April 2024.

PASSED AND ADOPTED, SIGNED AND APPROVED, at the regular meeting of the Town Board of the Town of Elizabeth on this _____ day of _____, 2024.

TOWN OF ELIZABETH, COLORADO

Tammy Payne, Mayor

ATTESTED:

Michelle M. Oeser, Town Clerk