

ORDINANCE NO. 096, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE
CITY OF FORT COLLINS PROPOSED CHARTER AMENDMENT NO. 3,
REPEALING AND REENACTING ARTICLE X OF THE CITY CHARTER
RELATING TO INITIATIVE AND REFERENDUM

A. The City of Fort Collins Charter is the governing document that defines the City organization and the powers and functions of the City. The Charter was first created by a vote of the people of Fort Collins in 1954 and can only be amended by a vote of the people.

B. Over time, Charter provisions may become obsolete, contradictory, or warrant change to address current needs or trends.

C. Article IV, Section 8 of the Charter provides the Charter may be amended as provided by the laws of the State of Colorado. Colorado Revised Statutes Section 31-2-210 provides that charter amendments may be initiated by the adoption of an ordinance by the city council submitting a proposed amendment to a vote of the registered electors of the city.

D. The Council's Election Code Committee met several times during 2024 to receive information and consider potential City Charter amendment proposals related to the election and petition processes that are governed by the Charter. Article X of the Charter governs the City's initiative and referendum processes.

E. Recent experience with initiative and referendum processes have highlighted confusing and unnecessarily complicated language in Article X, and the improvement of these provisions would assist members of the public in exercising their rights of initiative and referendum and would reduce confusion and ambiguity for those involved in these processes.

F. Incorporated in the revised Article X, which does not reduce the time for circulation of petitions nor change the signature percentages required, are the following:

1. Clarified the usage of the term "shall" by replacing with "will," "must" or other appropriate language.
2. Modernized the language to be more inclusive by removing he/she language.
3. Revised and reorganized to make the description of the process and requirements flow better so they are easier to follow. The full process for initiatives and the full process for referenda are set out chronologically, rather than having a third section that combined some of the process requirements.

4. Updated method for setting the form of initiative and referendum petitions so that the Clerk is responsible for preparing a general statement of purpose, in consultation with the City Attorney, to fairly and accurately summarize the initiated measure or ordinance to be referred.
5. Removed the requirement that the entire ordinance be presented with each section of the petition when the referred ordinance exceeds two pages in length, instead the Clerk will prepare a summary of it.
6. Updated the timeframe allowed for the City Clerk to examine petitions because volumes (such as numbers of petition signatures to review) have increased since these current provisions were adopted. The new timeframes are more in line with the examination periods in state statutes.
7. Simplified the Petition Review Process (“Cure” Provisions) to conform to the Municipal Election Code, which does not allow for correction of technical deficiencies after submission of a petition.
8. Updated the Protest process for consistency between the two types of petitions, allowing more time for setting of the protest hearing and tightening timeframes for completion of the hearing and decision.
9. Updated the time for conduct of an election on a successful petition so they work with new election process timing and requirements. For a successful initiative petition, the measure would be set for the next November election the City is able to coordinate with the County. For a successful referendum petition, the measure would be set for the earliest regular or already called special election for which election deadlines can be met, unless Council opts to call an earlier special election.
10. Added computation of time provisions to clarify how deadlines are interpreted and setting updated deadlines based on business days (in increments of five) for actions the City must complete and calendar days (in increments of seven) for actions to be completed by others.

G. The Election Code Committee considered and supported similar revisions to Article VIII, regarding elections generally, and Article IX, regarding recall, which are also under consideration by the Council.

H. The Council finds that these proposed revisions to Article X of the City Charter, regarding the Initiative and Referendum processes, update, simplify and improve these processes and are for the benefit of the people of Fort Collins, and the Council desires to present the repealed and reenacted Article X set forth below to the voters for approval at the November 5, 2024, special municipal election.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the repeal of Article X of the City Charter and the reenactment of Article X of the City Charter as set forth below, shall be submitted to the registered electors of the City as "Proposed Charter Amendment No. 3" at the special municipal election to be held on Tuesday, November 5, 2024:

ARTICLE X. INITIATIVE AND REFERENDUM

Part I Initiative

Section 1. The initiative.

(a) Power. The registered electors of the city have the power at their option to propose ordinances or resolutions to the Council, and, if the Council fails to adopt a measure so proposed, to adopt or reject such ordinance or resolution at the polls. The procedure for initiative must be as provided in this Article.

(b) Commencement of proceedings; notice. One (1) or more registered electors may commence initiative proceedings by filing with the City Clerk a written notice of intent to circulate an initiative petition. The notice commencing proceedings must contain the full text of the proposed ordinance or resolution and state whether a special election is requested.

Section 2. Petitions.

(a) Separate petitions required. A separate petition must be circulated and filed for each measure sought to be initiated.

(b) Form and content.

(1) Adoption of form. The Council will prescribe by ordinance, upon recommendation of the City Clerk, a general form of petition which will contain warnings and notices to signers as necessary.

(2) Petition content.

a. The petition must be addressed to Council.

b. An initiative petition must contain a general statement of purpose prepared by the City Clerk in consultation with the City Attorney to fairly and accurately summarize the proposed ordinance or resolution, without argument or prejudice, and indicating that the petition is to be circulated in support of the initiated ordinance or resolution and specifying whether a special election is requested.

- c. The petition must designate by name and address three (3) registered electors who will represent the signers of the petition in all matters affecting the petition.
 - d. The petition must contain a full and accurate copy of the text of the initiative.
 - e. Each section of the petition must be individually numbered and contain no less than thirty (30), and no more than one hundred (100) signature lines.
 - f. For each petition section, the circulator of the petition section must sign under oath before a notary public the affidavit of circulator attached at the end of the petition section. The affidavit must state the following:
 - (i) the circulator's address of residence;
 - (ii) that the circulator is eighteen (18) years of age or older;
 - (iii) that they personally circulated the section;
 - (iv) that each signature was affixed in the circulator's presence on the date stated with such signature;
 - (v) that to the best of the circulator's knowledge and belief each signer was at the time of signing a registered elector of the city;
 - (vi) that to the best of the circulator's knowledge and belief each signature is the genuine signature of the person whose name it purports to be;
 - (vii) that each signer had an opportunity before signing to read the full text of the petition; and
 - (viii) that the circulator has not paid or offered to pay any money or other thing of value to any signer for the purpose of inducing or causing the signer to affix his or her signature to the petition.
- (3) Approval of form for circulation.
- a. No petition may be circulated until the City Clerk has approved the form for circulation.
 - b. In considering whether to approve the form of a petition, the City Clerk will evaluate whether the petition form contains all matters required under this Article and only the matters required by this Article.

c. The City Clerk's approval under this Section does not constitute an approval of the content of the petition or its legality, but rather, starts the running of the time periods provided for circulation and filing of petitions.

(c) Circulation of petition.

(1) To be valid, the petition must be circulated and signed in sections with each section consisting of one (1) or more sheets securely fastened at the top, and containing all required elements as described in Section 2(b)(2) of this Article.

(2) Only persons eighteen (18) years of age or older may circulate the petition for signatures.

(3) The circulation of any petition by any medium other than personally by a circulator is prohibited. No person may receive any compensation whatever for signing an initiative petition.

(4) Only registered electors may sign the petitions authorized under this Article.

(5) Each signer must sign his or her own signature and each signature must be followed by the printed name of the signer, the street and number address of his or her residence, and the date of signing.

(6) No person may knowingly sign an initiative petition more than once.

(7) In the event that the signature of any person appears more than once on a petition authorized under this Article, the first signature verified will be counted and all other signatures of that person will be rejected.

(d) Number of signatures required.

(1) The petition must be signed by registered electors of the city equal in number to at least ten (10) percent of the total ballots cast in the last regular city election.

(2) If a special election is requested by the petitioners, the petition must be signed by registered electors equal in number to at least fifteen (15) percent of the total ballots cast in the last regular city election.

(e) Petition deadlines and submittal.

(1) To be valid, the initiative petition must be filed no more than sixty-three (63) days after the City Clerk's approval of the form for circulation.

(2) To be valid, all petition sections must be filed with the City Clerk together at the same time and those sections submitted together will collectively constitute the petition.

(3) Any petition section the City Clerk reasonably determines has been disassembled, whether or not it has been reassembled, will be deemed invalid.

(4) Upon submittal of a petition, the Clerk must not remove the signature of an elector from the petition.

(5) An initiative petition must be filed with the City Clerk within the requisite time or it will be deemed null and void.

(f) Examination of petition; protest; presentation.

(1) Within fifteen (15) business days of the filing of a petition the City Clerk will ascertain by examination of the petition and the registration books whether the petition is signed by the requisite number of registered electors and contains the required particulars and affidavits.

(2) Any petition section the City Clerk reasonably determines has been disassembled, whether or not it has been reassembled, will be deemed invalid.

(3) Upon submittal of a petition, the Clerk must not remove the signature of an elector from the petition.

(4) The Clerk will issue publicly and provide to the petition representatives the Clerk's initial determination of petition sufficiency. If the petition is insufficient, the City Clerk will so certify and forthwith notify all of the designated petition representatives in writing, specifying the particulars of insufficiency.

(5) Protests.

a. Registered electors desiring to protest a determination by the City Clerk that a petition is either sufficient or insufficient may file a written protest, under oath, in the office of the City Clerk within seven (7) days of the City Clerk's initial determination as to petition sufficiency. The protest must set forth with particularity the grounds of protest and any signatures and related defects in form protested.

b. Upon the filing of a protest, the City Clerk will send a copy of the protest to the designated petition representatives, the City Council and the City Manager. The City Manager will appoint a hearing officer, who, in conjunction with the City Clerk, will set a time for hearing such protest, which must be no more than ten (10) business days after the filing of a protest.

c. At least five (5) business days prior to the hearing, the City Clerk will send a notice of the date, time and location for the hearing and a copy of the protest

to all of the designated petition representatives, the person(s) who filed the protest, and the City Council.

d. All protest hearings will be before a hearing officer appointed by the City Manager. The hearing officer will have the power to issue subpoenas to compel the attendance of witnesses and the production of documents.

e. All records and hearings will be public, and all testimony must be under oath.

f. The hearing will be summary in nature and concluded no later than twenty (20) business days after the protest was filed.

g. The hearing officer must decide and certify the results of the hearing no later than ten (10) business days after the hearing is concluded, and no further protest regarding the petition may be filed.

h. The City Clerk will make any final determination regarding the sufficiency or insufficiency of a petition and must base such determination on the protest hearing results issued by the hearing officer.

(6) Certification and presentation to Council. When and if a petition is deemed sufficient, whether following the sufficiency determination by the City Clerk in the absence of a protest, or following protest proceedings, the City Clerk must so certify and then present the certified petition to the Council at the next regularly scheduled meeting or special meeting called for this purpose. The City Clerk's certificate will be the final determination as to the sufficiency of the petition.

Section 3. Action by Council.

(a) Upon presentation of an initiative petition certified as sufficient by the City Clerk, the Council must within twenty-five (25) business days either (1) adopt the proposed ordinance or resolution without alteration, or (2) submit such proposed measure, in the form petitioned for, to the registered electors of the city as provided in this subsection.

(1) For a proposed measure that requires voter approval in advance under Article X, Section 20 of the Colorado Constitution, the Council must submit the measure to a vote of the registered electors. If the initiative petition proposing such a measure requests a special election, the proposed measure must be submitted to a vote of the registered electors on the first possible date permitted by Article X, Section 20 of the Colorado Constitution. If a special election is not requested, the proposed measure must be submitted to a vote of the registered electors at the next regular city election or at the Council's option, may be submitted to a vote at an earlier special election that meets the constitutional requirements.

(2) For a proposed measure that does not require voter approval in advance under Article X, Section 20 of the Colorado Constitution, if not adopted by the Council under alternative (1) above, the Council must submit the measure to a vote of the registered electors at no later than the next regular or special city election scheduled for any other purpose for which election process requirements can be met. Alternatively, the Council may opt to call an earlier special election for the specific purpose of submitting the initiated measure to the voters.

(3) If the initiative petition proposing such measure requests a special election, the Council must submit the proposed measure to a vote of the registered electors at the next November election for which the City is able to coordinate an election with the Larimer County Clerk and Recorder, whether a special election or regular City election.

(b) All ordinances submitted to the Council by initiative petition and adopted by Council without the vote of the electors are subject to the referendum in the same manner as other ordinances.

Section 4. Council use of initiative.

The Council may submit any question or proposed ordinance or resolution to the vote of the people at a regular or special election to be conducted in accordance with the provisions of Article VIII, Section 2 of the Charter.

Section 5. Repeal or amendment of initiated measure.

An initiated measure submitted to the registered electors of the city by the Council, with or without a petition therefore, and adopted by electoral vote cannot be repealed or amended except by a subsequent electoral vote. This provision does not apply to ordinances or resolutions adopted by the City Council and referred to the voters.

Part II *Referendum*

Section 6. The referendum.

(a) Power. The registered electors of the city have the power at their option to approve or reject at the polls, any ordinance, or portion of ordinance, adopted by the Council, except ordinances making the annual property tax levy, making the annual appropriation, calling a special election, or ordering improvements initiated by petition and to be paid for by special assessments.

(b) Commencement of proceedings.

(1) One (1) or more registered electors may commence referendum proceedings by filing with the City Clerk no later than ten (10) days after final passage of the

ordinance in question, a notice of protest against the going into effect of the ordinance. The notice must be brief and need not state any reasons, but must identify the ordinance or part thereof, or code section it proposes to have repealed.

(2) Within ten (10) days after the filing of the notice, the proponents must present to the City Clerk the final form for the referendum petition conforming to the requirements of the Article.

Section 7. Petitions.

(a) Separate petitions required. A separate petition will be circulated and filed for each measure sought to be initiated.

(b) Form and content.

(1) Adoption of form. The Council will prescribe by ordinance, upon recommendation of the City Clerk, a general form of petition which must contain warnings and notices to signers as necessary.

(2) Petition content.

a. The petition must be addressed to Council.

b. A referendum petition must contain a general statement of purpose prepared by the City Clerk in consultation with the City Attorney to fairly and accurately summarize the ordinance or part thereof sought to be referred, without argument or prejudice, and indicating that the petition is to be circulated in support of the referendum.

c. The petition must designate by name and address three (3) registered electors who will represent the signers of the petition in all matters affecting the petition.

d. The petition must contain a full and accurate copy of the of the ordinance sought to referred, without any exhibits that may be a part of said ordinance, clearly identifying the protested portions if only a partial repeal is sought. In the case of an ordinance exceeding two (2) pages in length, a fair and accurate summary of the ordinance, prepared by the City Clerk in consultation with the City Attorney will replace said ordinance.

e. Each section of the petition must be individually numbered and must contain no less than thirty (30), and no more than one hundred (100), signature lines.

f. For each petition section, the circulator of the petition section must sign under oath before a notary public the affidavit of circulator attached at the end of the petition section. The affidavit must state the following:

- (i) the circulator's address of residence;
- (ii) that the circulator is eighteen (18) years of age or older;
- (iii) that they personally circulated the section;
- (iv) that each signature was affixed in the circulator's presence on the date stated with such signature;
- (v) that to the best of the circulator's knowledge and belief each signer was at the time of signing a registered elector of the city;
- (vi) that to the best of the circulator's knowledge and belief each signature is the genuine signature of the person whose name it purports to be;
- (vii) that each signer had an opportunity before signing to read the full text of the petition; and
- (viii) that the circulator has not paid or offered to pay any money or other thing of value to any signer for the purpose of inducing or causing the signer to affix his or her signature to the petition.

(3) Approval of form for circulation.

- a. A petition must not be circulated until the City Clerk has approved the form for circulation.
- b. The City Clerk will first determine that the petition form contains all matters required by this Article and only the matters required by this Article.
- c. The City Clerk's approval under this Section does not constitute an approval of the content of the petition or its legality, but rather, will start the running of the time periods provided for circulation and filing of a referendum petition.

(c) Circulation of petition.

- (1) The petition may be circulated and signed in sections with each section consisting of one (1) or more sheets securely fastened at the top, and containing all required elements as described in Section 2(b)(2) of this Article.

(2) Only persons eighteen (18) years of age or older may circulate the petition for signatures.

(3) The circulation of any petition by any medium other than personally by a circulator is prohibited. No person may receive any compensation whatever for signing a referendum petition.

(4) Only registered electors may sign the petitions authorized under this Article.

(5) Each signer must sign his or her own signature and each signature must be followed by the printed name of the signer, the street and number address of his or her residence, and the date of signing.

(6) No person may knowingly sign a referendum petition more than once.

(7) In the event that the signature of any person appears more than once on a petition authorized under this Article, the first signature verified will be counted and all other signatures of that person will be rejected.

(d) Number of signatures required. The petition must be signed by registered electors of the city equal in number to at least ten (10) percent of the total ballots cast in the last regular city election.

(e) Petition deadlines and submittal.

(1) The petition must be filed no more than twenty-one (21) days after the City Clerk's approval of the form for circulation.

(2) All petition sections must be filed with the City Clerk together at the same time and will collectively constitute the petition.

(3) Any petition section the City Clerk reasonably determines has been disassembled, whether or not it has been reassembled, will be deemed invalid.

(4) Upon submittal of a petition, the Clerk must not remove the signature of an elector from the petition.

(5) A referendum petition must be filed with the City Clerk within the requisite time or it will be deemed null and void.

(f) Examination of petition; protest; presentation.

(1) Within fifteen (15) business days of the filing of a petition the City Clerk will ascertain by examination of the petition and the registration books whether the petition is signed by the requisite number of registered electors and contains the required particulars and affidavits.

(2) Any petition section the City Clerk reasonably determines has been disassembled, whether or not it has been reassembled, will be deemed invalid.

(3) Upon submittal of a petition, the Clerk must not remove the signature of an elector from the petition.

(4) The Clerk will issue publicly and provide to the petition representatives the Clerk's initial determination of petition sufficiency. If the petition is insufficient, the City Clerk will so certify and forthwith notify all of the designated petition representatives in writing, specifying the particulars of insufficiency.

(5) Protests.

a. Registered electors desiring to protest a determination by the City Clerk that a petition is either sufficient or insufficient may file a written protest, under oath, in the office of the City Clerk within seven (7) days of the City Clerk's initial determination as to sufficiency of the petition. The protest must set forth with particularity the grounds of protest and any signatures and related defects in form protested.

b. Upon the filing of a protest, the City Clerk will send a copy of the protest to the designated petition representatives, the City Council and the City Manager. The City Manager will appoint a hearing officer, who, in conjunction with the City Clerk, will set a time for hearing such protest, which must be no more than ten (10) business days after the filing of a protest.

c. At least five (5) business days prior to the hearing, the City Clerk will send a notice of the date, time and location for the hearing and a copy of the protest to all of the designated petition representatives, the person(s) who filed the protest, and the City Council.

d. All protest hearings will be before a hearing officer appointed by the City Manager. The hearing officer will have the power to issue subpoenas to compel the attendance of witnesses and the production of documents.

e. All records and hearings will be public, and all testimony must be under oath.

f. The hearing will be summary in nature and concluded no later than twenty (20) business days after the protest was filed.

g. The hearing officer must decide and certify the results of the hearing no later than ten (10) business days after the hearing is concluded, and no further protest regarding the petition may be filed.

h. The City Clerk will make any final determination regarding the sufficiency or insufficiency of a petition and must base such determination on the protest hearing results issued by the hearing officer.

(6) Certification and presentation to Council. When and if a petition is deemed sufficient, whether following the sufficiency determination by the City Clerk in the absence of a protest, or following protest proceedings, the City Clerk must so certify and then present the certified petition to the Council at the next regularly scheduled meeting or special meeting called for this purpose. The City Clerk's certificate will be the final determination as to the sufficiency of the petition.

Section 8. Action by Council.

(a) The City Clerk's certification of a petition as sufficient for referendum automatically suspends the operation of the ordinance in question, or portion sought to be repealed, pending repeal by Council or final determination by the electors.

(b) Following receipt of the City Clerk's certification of a petition as sufficient for referendum, the Council must either refer the ordinance or portion thereof that is the subject of the petition to the voters, as set forth below, or reconsider the ordinance at the next regular meeting of the Council, or at an earlier special meeting of the Council called for this purpose, and adopt an ordinance to repeal the ordinance in question, or part sought to be repealed, on first reading, with second reading at the next regular meeting.

(c) If the ordinance, or that part sought to be repealed, is not repealed, the Council must refer the same to a vote of the registered electors at no later than the next regular or special city election scheduled for any other purpose for which election process requirements can be met. Alternatively, the Council may opt to call an earlier special election for the specific purpose of submitting the referred measure to the voters.

Section 9. Council use of referendum.

The Council may refer any adopted ordinance or resolution, to the vote of the people at a regular or special election to be conducted in accordance with the provisions of Article VIII of the Charter.

Part III In General

Section 10. Elections.

(a) Generally. Elections on initiative and referendum measures must be conducted in the same manner as provided generally for regular or special city elections in this Charter.

(b) Ballot text. Upon ordering an election on any initiative or referendum measure, the Council must, after public hearing, adopt by resolution a ballot title and submission clause for each measure. The ballot title must contain information identifying the measure as a city initiated or referred measure or a citizen initiated or referred measure. The submission clause must be brief, must not conflict with those selected for any petition previously filed for the same election, and must unambiguously state the principle of the provision sought to be considered. The official ballot used when voting upon each proposed or referred measure must have printed on it the ballot title and submission clause and contain the words, "Yes/For" and "No/Against" in response to each measure.

(c) Publication; notice of election.

(1) Initiative. An initiated measure being considered for adoption by Council must be published as part of the appropriate Council meeting agenda in like manner as other proposed ordinances and resolutions. If the initiated measure is submitted to a vote of the people, the City Clerk must publish a notice of election in conformity with the laws of the State of Colorado relating to municipal elections, together with the ballot title, submission clause and full text of the proposed ordinance or resolution. The text of a successful initiative measure need not be published in full after the election.

(2) Referendum. If the referred measure is to be submitted to a vote of the people, the City Clerk must publish a notice of election in conformity with the laws of the State of Colorado relating to municipal elections, together with the ballot title, submission clause and full text of the referred ordinance, specifying the portion to be referred if only a portion of the ordinance has been referred. If the ordinance in question exceeds two (2) pages in length, the summary from the petition may be published in place of the full text. The City Clerk will make the full text of a referred ordinance, together with all exhibits, generally available to the public. The full text of an ordinance passed on referendum need not be published after the election.

(d) Election results. If a majority of the registered electors voting on the initiated measure vote in favor, the measure is adopted as an ordinance or resolution of the city upon certification of the election results. If a majority of the registered electors voting on a referred ordinance, vote in favor of the referred ordinance, or referred portion of the ordinance, such referred ordinance or portion thereof will go into effect without further publication upon certification of the election results, or at such later date as may be set forth in the ordinance itself. If the provisions of two (2) or more proposed or referred measures adopted or approved at the same election conflict, the measure receiving the highest affirmative vote will become effective.

(e) Frequency of elections. Any number of proposed ordinances or resolutions or referred ordinances may be submitted at the same election.

Section 11. Computation of time.

(a) Except when business days are specified, all computations of time made under the provisions of this article will be based on calendar days.

(b) Except when computing business days, Saturdays, Sundays, City holidays and days City Hall is closed for business for a full or partial day due to inclement weather or other emergency circumstances will be included, but, if the time for any act to be done or the last day of any period is a Saturday, Sunday, City holiday or day City Hall is closed for business for a full or partial day due to inclement weather or other emergency circumstances, the period is extended to include the next day that is not a Saturday, Sunday, or City holiday.

(c) In computing time for any act to be done before any regular or special election, the first day will be included, and the last or election day will be excluded.

(d) If the time for an act to be done under this article is referred to in business days, the time will be computed by excluding Saturdays, Sundays, City holidays, and any day City Hall is closed for business for a full or partial day due to inclement weather or other emergency circumstances.

(e) If a provision requires doing an act in "not less than" or "no later than" or "at least" a certain number of days or "prior to" a certain number of days or a certain number of months "before" the date of an election, or any phrase that suggests a similar meaning, if that period would end on a Saturday, Sunday or City holiday, it will instead shift to end on the prior business day that is not a Saturday, Sunday, or City holiday. If the period ends on a day City Hall is closed for business for a full or partial day due to inclement weather or other emergency circumstances, the period will end on the next business day on which City Hall is open for business.

(f) Except when otherwise specified, an act must be completed by 5:00 p.m. Mountain time on the last day for that action.

Section 12. Further regulations.

The Council may, by ordinance, make such further rules and regulations as are consistent with this Charter and the Colorado Constitution in order to carry out the provisions of this Article.

Section 2. That the following ballot title and submission clause are hereby adopted for submitting Proposed Charter Amendment No. 3 to the voters at said election:

**CITY-INITIATED
PROPOSED CHARTER AMENDMENT NO. 3**

Shall Article X of the Charter of the City of Fort Collins, regarding the initiative process and referendum process, be repealed and reenacted in the form set forth in Ordinance No. 096, 2024, which makes edits for clarity and consistency and:

- Clarifies the usage of the term “shall” by replacing with “will,” “must” or other appropriate language;
- modernizes the language to be more inclusive by removing he/she language;
- revises and reorganizes Article X to be simpler and easier to follow;
- makes the City Clerk responsible for preparing a general statement for inclusion in a petition and limits requirement to include entire ordinance in each petition section;
- increases time for City Clerk petition review and scheduling protests;
- simplifies review process and removes technical “cure” provision to conform to Municipal Election Code;
- tightens timeframe for protest hearing and decision;
- requires Council to set initiative measures for vote at next timely November election;
- requires Council to set referendum measure for vote no later than next regular or special municipal election; and
- adds rules for computation of time and consistent deadline timeframes?

_____ Yes/For
_____ No/Against

Introduced, considered favorably on first reading on July 2, 2024, and approved on second reading for final passage on July 16, 2024.

Mayor

ATTEST:

City Clerk

Effective Date: July 26, 2024
Approving Attorney: Carrie Daggett