

1 **CITY OF LITTLETON, COLORADO**

2 **Ordinance No. 04**

3 **Series of 2015**

4 **INTRODUCED BY COUNCIL MEMBERS**

5 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**
6 **LITTLETON, COLORADO, CHANGING THE DEFINITION OF OWNER**
7 **AS IT PERTAINS TO REFUNDS FOR THE ELDERLY**

8 **WHEREAS**, property owners commonly transfer their primary residential
9 property to a trust, corporate partnership or other legal entity for estate planning purposes;

10 **WHEREAS**, the City of Littleton currently provides a refund for persons age 65
11 years and older, who have resided in a city-located dwelling for the preceding year and have paid
12 ad valorem taxes in the refund year;

13 **WHEREAS**, the Littleton city code does not provide for a refund for property
14 owners who have transferred their primary residential property to a trust, corporate partnership,
15 or other legal entity for estate planning purposes; and

16 **WHEREAS**, the city council finds that expanding the refund to residents who
17 have transferred their property in this manner is in the best interests of the health safety and
18 welfare of the inhabitants of the City of Littleton;

19 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**
20 **THE CITY OF LITTLETON, COLORADO, THAT:**

21 **Section 1:** The definition of "Owner" in section 2 of chapter 11 of title 1 is
22 hereby revised as follows:

23 **1-11-2: OWNER:**

24 The person of record in whom is vested ownership, dominion and title of said dwelling,
25 OR THE PERSON WHO IS NOT THE OWNER OF RECORD OF SAID DWELLING
26 ONLY BECAUSE THE PROPERTY HAS BEEN PURCHASED BY OR
27 TRANSFERRED TO A TRUST, A CORPORATE PARTNERSHIP, OR ANY OTHER
28 LEGAL ENTITY SOLELY FOR ESTATE PLANNING PURPOSES AND IS THE
29 MAKER OF THE TRUST OR OTHER LEGAL ENTITY.

30 **Section 2:** Severability. If any part, section, subsection, sentence, clause or
31 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
32 validity of the remaining sections of this ordinance. The City Council hereby declares that it
33 would have passed this ordinance, including each part, section, subsection, sentence, clause or

1 phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences,
2 clauses or phrases may be declared invalid.

3
4 **Section 3:** Repealer. All ordinances or resolutions, or parts thereof, in
5 conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the
6 repealer clauses of such ordinance nor revive any ordinance thereby.

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9 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council
10 of the City of Littleton on the ____ day of February 2015, passed on first reading by a vote of ____
11 FOR and ____ AGAINST; and ordered published by posting at Littleton Center, Bemis Library,
12 the Municipal Courthouse and on the City of Littleton Website on the _____ day of
13 _____, 2015.

14 PUBLIC HEARING on the Ordinance to take place on the ____ day of February,
15 2015, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado,
16 at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

17 PASSED on second and final reading, following public hearing, by a vote of ____
18 FOR and _____ AGAINST on the ____ day of February, 2015, and ordered published by posting
19 at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton
20 Website.

21 ATTEST:

22
23 _____
24 Colleen Norton
25 ACTING CITY CLERK

Phil Cernanec
PRESIDENT OF CITY COUNCIL

26
27 APPROVED AS TO FORM:

28
29 _____
30 Kristin Schledorn
31 CITY ATTORNEY
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