

| Charter Section - Existing Language | Questions/Discussion | CRC Recommendation | Staff Recommendation |
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Prefatory Synopsis

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| <p>The Charter Convention elected on 21 April 1953, presents to the voters of the City of Littleton, Colorado, this Charter for their approval. Two objectives of the members of the Charter Convention have been: First - That the Charter must reserve to the people of the City absolute right and power of a self-government under the home rule provisions of the Constitution of the State of Colorado; Second - That the Charter must ensure the orderly and economical management of the City government guided and controlled by the people through their elected representatives. To accomplish these objectives, the Charter provides for the council-manager form of City government. The policy-making, legislative, and budget making powers are vested in a Council composed of seven qualified electors, elected by popular vote, four from districts and three from the City at large. Provisions are made for the recall of elected officers, for control of legislation by the people through initiative and referendum, and for the amendment of the Charter by popular vote. The rights of the people with respect to franchises are carefully safeguarded. Power to create and control necessary boards and commissions is vested in the Council. The administrative officers of the City will be a City Manager, appointed by the Council on the basis of his administrative abilities. Provision is made in the Charter for the removal of the City Manager at the pleasure of the Council. The City Manager will prepare a budget, but final approval and adoption of such budget and all appropriations of City funds will remain in the hands of the Council. The acts of the City Manager will be subject to review by the Council. In order to preserve the independence of the judicial arm of government, provision is made that the municipal judge will be appointed by the Council for a term of two years, subject to removal at any time by unanimous vote of the entire Council. The first election under the Charter will be held on 3 November 1959. Provision is made for orderly change from the present form of government to that of a home rule City. The members of the Charter Convention believe that this Charter will provide the basic law upon which the citizens of Littleton may build a sound and progressive City government.</p> | | | |
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Preamble

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| <p>We the people of the City of Littleton, Colorado, under the authority of the Constitution of the State of Colorado, do ordain, establish and adopt this Charter for our municipal government.</p> | | | |
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ARTICLE I. GENERAL PROVISIONS

Sec. 1. Name; Boundaries.

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| <p>The municipal corporation heretofore existing as a City of the second class in Arapahoe County, State of Colorado, and known as the City of Littleton, shall remain and continue as a body politic and corporate under this Charter, with the same name, seal, and boundaries until changed in a manner authorized by law. (July 28, 1959; Amended, Election of 11-3-2015)</p> | <p>Do we need definitions for "municipal corporation" and "City of the second class"?</p> | <p>Add both Douglas and Jefferson counties as reference. Replace reference to "city of the second class" with "Home Rule Municipality".</p> | |
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Sec. 2. Form of Government.

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| The municipal government provided by this Charter shall be the "council-manager" form of government, and shall not be changed except by Charter convention. Pursuant to the provisions of this Charter, and subject only to limitations imposed by the State Constitution, all powers of the City shall be vested in an elective council. (July 28, 1959; Amended, Election of 11-3-2015) | | Add definition of "Home Rule" to Sec. 7. Definitions | |
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Sec. 3. Powers.

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| The City shall have all powers, functions, rights and privileges in the operation of a municipality, except those powers, functions, rights and privileges expressly forbidden to home rule municipal corporations and cities by the Constitution of the State of Colorado. (July 28, 1959; Amended, Election of 11-3-2015) | | | |
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Sec. 4. Construction of Words.

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| Whenever such construction is applicable, words used in this Charter importing singular or plural number may be construed so that one number includes both; words importing masculine gender may be construed to apply to feminine gender as well; and the word person may extend to include persons, firms and corporations; provided that these rules of construction shall not apply to any part of this Charter containing express provisions excluding such construction or where subject matter or content is contrary thereto. (July 28, 1959) | | | |
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Sec. 5. Present Ordinances.

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| All ordinances of the City in force at the time this Charter becomes effective shall continue in force except insofar as they conflict with the provisions of this Charter, or until they shall be amended or repealed by ordinances enacted under authority of this Charter. (July 28, 1959) | | | |
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Sec. 6. Detachment From City.

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| Any newly annexed area or portion thereof may be detached by ordinance within ninety days after annexation by five affirmative votes of the Council. Thereafter, no tract or parcel of land within the boundary of the City shall be detached from the City by any owners, except upon majority vote of the registered electors voting. The question of detachment from the City shall be submitted to said vote upon deposit by said owners with the Finance Director of the expense of said municipal election as determined by the Finance Director. (Amended, Election of 11-5-1991; Amended, Election of 11-3-2015) | Should we define "owners"? | | |
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Sec. 7. Definitions.

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| <p>Agency. Any organizational unit of the City.</p> <p>Allotment. A portion of an appropriation made available for expenditure during a specified period.</p> <p>Appropriation. The authorized amount of funds set aside for expenditure during a specified time for a specific purpose.</p> <p>Candidate. A person seeking nomination or election to a City office.</p> <p>City. The City of Littleton, Colorado, a municipal corporation.</p> <p>Council. The Council of the City.</p> <p>Elector or Qualified Elector. Any person who is entitled to register to vote at a particular time.</p> <p>Emergency. An existing condition actually arising from unforeseen contingencies which immediately endangers public property, health, peace or safety.</p> <p>Emergency Ordinance. An ordinance, the immediate passage of which shall be necessary for the preservation or protection of public property, health, peace or safety.</p> <p>Employee. Any compensated person in municipal service who is not an officer.</p> <p>Franchise. A special privilege granted by the City permitting the continuing use of public property, such as City streets, and usually involving the elements of monopoly and regulation.</p> <p>Majority Vote. The greatest number of votes received by any candidate or issue.</p> <p>Officer. An elected member of the City government.</p> <p>Overlapping Terms. Terms of office are such that only a portion of the members will be appointed or elected at any one time, sometimes referred to as "staggered terms".</p> <p>Registered Elector. Any person who is registered to vote as required or prescribed by the statutes of the State of Colorado relating to municipal elections.</p> <p>Statutes. Applicable laws of the State of Colorado as they now exist and as they may be amended, changed, repealed or otherwise modified by legal procedure.</p> <p>(Amended, Election of 11-5-1991; Amended, Election of 11-3-2015)</p> | | <p>Add Mayor, Home Rule, Registered Elector, Meeting types (regular, study session, executive sessions), ordinances, resolutions, motions, public utility, public utility corporation.</p> | <p><i>The first CRC recommended several changes to this section including adding Home Rule and Publication. Was not referred to a ballot. Language unchanged.</i></p> |
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Sec. 8. Amending the Charter.

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| <p>Amendments to this Charter may be framed and submitted to the registered electors through petitioning the Council, or framed and submitted to the registered electors by Council on its own initiative, in accordance with the provisions of Article XX of the Constitution of the State of Colorado. Nothing herein contained shall be construed to prevent the submission to the people of more than one Charter amendment at any one election. (Amended, Election of 11-5-1991)</p> | <p>Review thresholds set by other cities above that of statute (Boulder/Denver given as examples). Signature thresholds for amending the city's charter should not be less than that for other types of citizen-initiated actions. Tie ability to amend charter to Sec. 38 which could limit (?) subjects to be included in charter. Recommendation to require a supermajority vote to pass any charter amendment.</p> | <p>Propose that any charter amendment, whether citizen or council initiated, only be passed by a supermajority vote vs a simple majority of votes cast for that ballot question.</p> | |
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Sec. 9. Constitutionality.

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| <p>In the event any word, phrase, sentence, paragraph, section or article of this Charter shall at any time be found to be unconstitutional, such finding shall not affect the remainder thereof, and the remainder of this Charter shall remain in full force and effect. (July 28, 1959)</p> | | | |
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ARTICLE II. ELECTIONS

Sec. 10. Generally.

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| <p>The Council shall provide by ordinance for the manner of holding City elections and such additional regulations in respect to elections not inconsistent with the provisions of this Charter or of the State Constitution, as may be necessary to accomplish the intent of this article. The Council by reference may adopt, with any modification, the Colorado municipal election law. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | | <p><i>The first CRC recommended to adopt title 31 to govern special elections and general municipal elections. Was not referred to a ballot. Language unchanged.</i></p> |
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Sec. 11. Election Commission.

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| <p>There is hereby created an Election Commission consisting of the City Clerk who shall be the nonvoting chair, and five qualified electors of the City. Said electors, during their tenure in office, shall not be City officials or employees or candidates for elective office in City, County, State or Federal elections. Commission Member appointments shall be for staggered four year terms. The Election Commission shall establish additional precincts only after the Council has held a public hearing on the additional precincts requested, following which the Council can approve or disapprove the additional precincts. The Election Commission shall appoint the election judges and clerks for each precinct and have charge of all other activities and duties required of it by law or this Charter. In case of a tie vote the Election Commission shall determine by lot the person or persons who shall be elected. Where municipal election procedure is in doubt, the Election Commission shall prescribe the procedure to be followed. (Amended, Election of 11-3-2015)</p> | <p>What happens with a tie vote. <i>Determination of tie vote refers to a municipal candidate race only, i.e., elections conducted by the municipality. As the city does not generally run independent candidate elections (we coordinate whenever possible with the county/ies), breaking a tie vote is a non-issue. Tie votes are determined in statewide elections by the Board of Canvassers and occurs after an automatic recount. Determination is done by “lot draw”, however there is no definitive process for how that lot draw occurs.</i></p> | | <p>Remove requirement for an election commission from our charter and assign the remaining functions of the body, by ordinance to another council-appointed commission. Sections impacted in the charter are: 11. Election Commission, 16. Voting, 20. Districts, and 35. Implementation (related to Article IV: Recall)</p> |
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Sec. 12. Municipal Elections.

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| <p>A general municipal election shall be held on the first Tuesday in November in odd numbered years. Special municipal elections shall be held in accordance with the provisions of this Charter. City elections shall generally be conducted as mail ballot elections provided, however, the Council may determine, from time to time, to conduct required City elections at polling places. When polling place elections are conducted, polling places shall be open from seven A.M. to seven P.M. election days. (Amended, Election of 11-2-2004; Amended, Election of 11-3-2015)</p> | <p>Odd vs even year elections? Some members felt there is higher participation among all voters in even-year elections. <i>Municipal elections are non-partisan in nature whereas county/state/federal elections are partisan and are run in even numbered years. Running in even years would negate the opportunity for municipal elections to remain non-partisan.</i></p> | | |
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Sec. 13. Registration.

Eligibility to vote and registration shall be as required or prescribed by the statutes of the State of Colorado relating to municipal elections. Qualified electors may register at the Office of the County Clerk and Recorder or at the Office of the City Clerk at such times and on such dates as may be provided by statute. The registration books or lists of the County Clerk and Recorder shall be the registration books or lists of the City. Qualified electors who are unable to register as provided above may register as provided by statute for absentee registration if eligible to do so. (Amended 1969; Amended, Election of 11-3-2015)

The first CRC recommended to include minimum residency requirement to match statute. Was not referred to a ballot. Language unchanged in Charter.

Sec. 14. Absentee Registration.

Any qualified elector who is unable to register under the provisions of this Charter because of serious illness, physical disability, or service in the armed forces, or as otherwise provided by Colorado municipal election laws, may file with the City Clerk a verified application for such registration up to and including the twentieth day before any municipal election. Forms for the purpose of making such application shall be furnished by the City Clerk upon the request of any qualified elector. (July 28, 1959; Amended, Election of 11-3-2015)

Doesn't "twentieth day before" conflict with current law?
Yes. Colorado statute is 8 days prior to the election to make changes to their voter registration or to register to vote and still receive a mail ballot. Discussion was had that this section be removed or restated to adhere to statutory reference or the county/ies. Absentee registration is not handled by the city/city clerk's office. No recommendation made.

Sec. 15. Nominations for Elective Municipal Office

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| <p>Any qualified elector who is unable to register under the provisions of this Charter because of serious illness, physical disability, or service in the armed forces, or as otherwise provided by Colorado municipal election laws, may file with the City Clerk a verified application for such registration up to and including the twentieth day before any municipal election. Forms for the purpose of making such application shall be furnished by the City Clerk upon the request of any qualified elector. (July 28, 1959; Amended, Election of 11-3-2015)</p> | <p>Why 50 signatures? <i>Statute prescribes numbers for statutory towns and cities (10 for towns, 25 for cities), but not for Home Rule municipalities. Samples of other jurisdictions adopted signature requirements (Colorado Springs: at large = 100/district - 50; Cherry Hills Village: Mayoral = 25/district = 10; Fort Collins: Mayoral and district = 25; Boulder: Mayoral and district = not less than 25 and not more than 35.</i></p> | | <p>Should the CRC opt to recommend a change to this section, remove prescriptive number from charter and refer to a number/percentage adopted by ordinance and codified in the municipal code. This provides latitude for amendments if/when necessary.</p> |
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Sec. 16. Voting.

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| <p>The method of voting on all proposals and election of candidates shall be as the Election Commission directs. The names of the candidates nominated for public office shall be set up without party or other designation and shall be arranged by lot to be held by the City Clerk. (Amended, Election of 11-4-1997; Amended, Election of 11-3-2015)</p> | | | <p><i>The first CRC recommended that method of voting, with exception of recall elections, be made by council. Manner of voting in a Recall election to be determined by the Election Commission. Was not referred to a ballot. Language unchanged in Charter.</i></p> |
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Sec. 17. Absentee Voting.

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| <p>Provisions for absentee voting shall be in accordance with the Statutes of the State of Colorado relating to Municipal elections, and in accordance therewith an absentee voter must file with the City Clerk an application which may be in the form of a letter for an absentee voter's ballot which ballot shall be cast in the manner prescribed in State Election Laws. (Amended 1969; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 18. Electioneering Near Polls.

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| No person shall do any electioneering within one hundred feet of any polling place on Election Day. (July 28, 1959) | | | |
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ARTICLE III. LEGISLATIVE BODY

Sec. 19. The Council.

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| The legislative affairs of the City shall be vested in a Council consisting of seven Council Members, one to be elected from each of the four districts, two to be elected at large and the Mayor to be elected at large. (July 28, 1959; Amended, Election of 11-3-2015; Amended, Election of 11-3-2020) | | | |
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Sec. 20. Districts.

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| The four Council districts shall be contiguous, compact, as nearly rectangular as practicable and have approximately the same population. Every ten years following publication of the Federal decennial census, divisions, changes and consolidations shall be made by the Election Commission to carry out the intent of this article. Such redistricting shall be completed at least three months before the general Municipal election at which it is to become effective. (Amended, Election of 11-5-2013; Amended, Election of 11-3-2015) | Is redistricting "three months" before a municipal election feasible? <i>Yes, as this refers to the final act of redistricting, i.e., all districts have been reviewed and formally adopted as final. This allows for time to notify the county/ies of boundary changes and for the county/ies to upload up-to-date shape files to the SOS for updates to SCORE.</i> | | |
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Sec. 21. Salaries.

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| The monthly salaries of the Council Members shall be set by ordinance, but shall not be increased during the current term of Council Members enacting such ordinance. (Amended, Election of 11-3-2015) | | | |
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Sec. 22. Term.

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| <p>Terms of Council Members shall begin at eight P.M. on the second Tuesday following the election. General Municipal elections shall be held every two years with the Mayor and Council Members being elected for four-year terms, so that at each general Municipal election the voters shall elect a minimum of three members to serve on the Council. In elections when the Mayor is elected, a total of four council members shall be elected. Notwithstanding anything contained herein to the contrary, no Council Member including time served as Mayor shall be entitled to serve consecutive terms of office exceeding twelve years in duration unless said twelve year period expires during a term which said Mayor or Council Member is serving, in which case said Mayor or Council Member shall be entitled to serve out the remainder of his or her term. (Amended, Election of 11-3-2015; Amended, Election of 11-3-2020)</p> | <p>Committee question: Why do terms of Council Members begin at eight P.M. on the second Tuesday following the election? <i>Recommendation can be made to be less prescriptive to time, i.e., "terms of newly elected council members begin following the conclusion of old business on the second Tuesday following the election". An argument can also be made that terms would not commence until after the canvass and certification of the election (deadline is not more than 22 days after the election).</i></p> | | <p><i>The first CRC recommended that council members terms begin at the first regularly scheduled meeting in January following the election. Was not referred to a ballot. Language unchanged in Charter.</i></p> |
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Sec. 23. Qualifications of Council Members.

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| <p>No person shall be eligible for the office of Council member unless at the time of his or her election he or she is a citizen of the United States, at least twenty-one years of age, and shall have been for one year immediately preceding such election a qualified elector of the City. Council members elected by districts shall also be residents and qualified electors of their districts. No elected City official shall hold any other elective public office nor shall he or she be a paid employee of the City or any other municipality.</p> | <p>Committee question: why a requirement of 21 years of age?</p> <p><i>At the time of adoption of this Charter, the legal voting age was 21.</i></p> <p>Committee question: Do we need to ban all paid employees of any municipality? (If so, why doesn't the same logic apply to all county, state, or federal employees?)</p> <p><i>Likely that the crafters of the charter wanted to limit undue influence from other neighboring municipla electeds from our dais; other municipal employees may not have been perceived to have the same level of influence.</i></p> | | <p><i>The first CRC recommended to remove "... or any other municipality" from the last line. Was not referred to a ballot. Language unchanged in Charter.</i></p> |
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| <p>The voters shall elect the Mayor who will be the presiding officer and entitled to vote. He or she shall have no veto power. He or she shall be recognized as the head of the City government for all ceremonial purposes and shall execute and authenticate legal instruments requiring his or her signature as such official. If a seated council member with remaining years on their term wishes to run for the position of Mayor, that council member shall be required to provide written notice to the City Clerk by July 1st of that general municipal election year of his or her intent to step down from their current council seat and run for Mayor. That council member shall continue to serve in their elected capacity until their seat is filled at the next general municipal election. (July 28, 1959; Amended, Election of 11-3-2015; Amended, Election of 11-3-2020)</p> | | <p>Remove the second paragraph and replace with: If a seated council member with remaining years on their term wishes to run for the position of mayor and wins, the new city council would appoint a replacement to fill the remaining two (2) years of their term. If a seated council member with remaining years on their term wishes to run for the position of mayor and loses, they will retain their seat on city council for the remainder of their term.</p> | |
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Sec. 25. Mayor Pro Tem.

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| <p>After each general Municipal election, the Council shall elect a Mayor Pro Tem who shall act as Mayor during the absence of the Mayor. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 26. Oath of Office.

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| <p>Before entering upon the duties of his or her office, every officer and City employee shall take, subscribe before and file with the City Clerk an oath or affirmation that he or she will support the Constitution of the United States, the Constitution of the State of Colorado, this Charter and ordinances of the City, and will faithfully perform the duties of the office. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 27. Council Meetings; Open and Executive Sessions.

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| <p>The Council shall meet regularly at the City Hall or at such other place as Council may direct at least once each month. The meeting shall be set at a day and hour to be fixed from time to time by the rules and procedures of each Council. The Council shall determine the rules of procedure governing meetings. All meetings for the transaction of business shall be open to the public. Special meetings of the Council may be called in the manner and at the time provided for by the rules of procedure of the Council, provided that local public media are notified of the meeting at the same time that the Council members are notified. Four members of the Council shall constitute a quorum. All meetings of the Council or subcommittees of the Council, meetings of all boards, commissions and other advisory bodies of the City and the subcommittees thereof shall comply with the requirements of C.R.S. 24-6-402 (2012) otherwise known as the Open Meeting Law. An executive session may be called in accordance with C.R.S. 24-6-402 for the following reasons and no other. An executive session under this section may only be held by a majority vote of a quorum present plus one vote.</p> <p>1. To discuss matters required to be kept confidential by Federal and State laws or rules or regulations, including but not limited to specialized details of security arrangements or investigations, including defenses against terrorism or criminal acts, both foreign or domestic; and 2. To confer with an attorney regarding a legal action already filed in a court of law. The case name and number shall be cited for the public record. Any final settlement or final agreement shall be decided by a majority vote in a regular meeting of the Council. 3. The purchase, acquisition, lease, transfer or sale of any real or personal property. No executive session may be held for the purpose of concealing the fact that a member of the Council has a personal interest in such purchase, acquisition, lease, transfer or sale. All formal action on the agreements for such purchase, acquisition, lease, transfer or sale of any real or personal property must occur in an open session of the City Council. 4. Conference with the attorney(s) for the Council for the purpose of receiving legal advice on specific legal questions. The general substance of the legal question shall be part of the agenda for executive session. Mere presence or participation of the attorney(s) for the Council is not sufficient for an executive session under this subsection. No persons, other than members of the Council, the attorneys for the City, the City Manager and only any other person required in the judgment of the attorneys for the Council to provide factual information necessary for the formulation of the legal question may be present in the executive session. No formal action of the Council may be taken during an executive session held under this subsection. All formal action arising out of or resulting from an executive session held under this subsection must occur in an open session of the City Council. 5. Personnel matters are defined as the recruitment, evaluation, discipline, termination and employment of an employee that is appointed by the Council. The employee who is the subject of the executive session shall be given, in writing, no less than forty-eight hours' notice of the executive session. The employee may request, upon no less than twenty-four hours' notice, that the matter be held in an opening meeting session. All formal action arising out of or resulting from an executive session held under this subsection must occur in an open session of the City Council.</p> <p>The entire executive session shall be taped or digitally recorded in its entirety. The recording shall be maintained in the City Clerk's Office until those serving on the Council at the time of the recorded executive session are no longer serving on Council. (Ord. 25,</p> | | <p>Strike #2 and replace with "Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators" or something similar.</p> | <p>CAO concurs <i>The first CRC recommended removing reference to City Hall and replace with Littleton Center. Was not referred to a ballot. Language unchanged in Charter.</i></p> |
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Sec. 28. Vacancies.

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| <p>An elected officer shall continue to hold his or her office until his or her successor is duly qualified as provided in Sec. 23. An elective office shall become vacant whenever any officer becomes incapacitated, or if a Council member shall remove from or become a nonresident of the City or of the district in which he or she was elected, during the term of his or her office. In case of a vacancy, the remaining Council members shall choose, by majority vote and within thirty days after such vacancy occurs, a duly qualified person as provided in Sec. 23 to fill such vacancy. He or she shall serve until his or her successor, elected for the remainder of the term at the next ensuing general Municipal election, has been duly qualified. If three or more vacancies exist in the Council simultaneously, such vacancies shall be filled for the respective unexpired terms at a special election.</p> | | | <p><i>The first CRC recommended removing reference to an elected officer and replace with Council Member. Was not referred to a ballot. Language unchanged in Charter.</i></p> |
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Sec. 29. Council Membership Rules.

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| <p>Except as otherwise provided in this Charter, the Council shall be the judge of the election and qualifications of its own members, subject to judicial review.</p> | | | |
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Sec. 30. Powers.

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| <p>The Council shall have all Municipal legislative powers as conferred by general law, except as provided by this Charter and except those which may be exercised by the people through direct legislation. The Council shall have the power and authority, within constitutional limitations, to delegate by ordinance to boards and commissions such functions, powers or authority herein conferred upon the City as the Council shall deem proper and advisable within its discretion. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 31. Clerk of The Council.

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| <p>The City Manager shall appoint, with the approval of the Council, a City Clerk who shall act as Clerk of the Council. The City Clerk shall keep a journal of council proceedings which shall be open to the public at all times, record all ordinances and resolutions in full authenticated by his or her signature and the seal of the City, and shall perform such other duties as required by this Charter or by the City Manager. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | | <p><i>The first CRC recommended removing reference to “with the approval of the Council”. Was not referred to a ballot. Language unchanged in Charter.</i></p> |
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Sec. 32. Council Not To Interfere With Administrative Service.

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| <p>Except for purposes of inquiry, the Council and its members shall deal with the administrative service of the City solely through the City Manager, and neither the Council nor any member shall give orders to any subordinates of the City Manager either publicly or privately. (July 28, 1959; Amended, Election of 11-3-2015)</p> | <p>Consequences?</p> | <p>Recommendation to provide broader definition to include all of Council's direct reports (City Manager, City Attorney, Municipal Judge).</p> | |
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Sec. 33. Annual Independent Audit.

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| <p>An independent audit shall be made annually of all City accounts and more frequent audits may be made if deemed necessary by the Council. Such audits shall be made by public, registered or certified public accountants selected by the Council, provided the same accountants shall not serve more than five consecutive years. (Sec. 33; amd. Ord. 25, Series of 1979; Amended, Election of 11-3-2015)</p> | | <p>Remove verbiage: "...provided the same accountants shall not serve more than five consecutive years."</p> | |
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ARTICLE IV. RECALL.

Sec. 34. Procedures.

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| <p>Any elected officer may be removed from office by the registered electors of the City after he or she has held office for one year. The procedure shall be as follows: One or more registered electors shall file with the City Clerk an affidavit of not more than three hundred words stating the reasons for the recall of the officer sought to be removed. The City Clerk shall, within forty-eight hours after the filing of said affidavit, mail a copy by registered mail to the officer sought to be recalled, who may file with the City Clerk a sworn statement in defense of the charges made against him or her. After the affidavit has been filed, a petition may be circulated and when signed by at least twenty-five percent of the registered voters in the last general municipal election in the area which he or she represents, it is to be filed with the City Clerk, who shall set a date for a recall election to be held within ninety days unless a general or special election will be held within one hundred and twenty days following the filing of the petition. The elected officer to be recalled may either resign or file with the City Clerk a notice of his or her intention to be a candidate in the recall election. Other candidates for the office held by the elected officer to be recalled will make their intentions known in the manner prescribed in this Charter. The candidate receiving the highest number of votes in the election shall be declared holder of the office in question. If the successful candidate is the elected officer whose recall is requested, he or she shall continue in office until the expiration of his or her term. If the successful candidate is someone other than the recalled officer, he or she shall fill out the unexpired term of the recalled officer. (Amended, Election of 11-5-1991; Amended, Election of 11-3-2015)</p> | | <p>Add number of days to circulate the petition in this section.</p> | <p>Number of days is 60</p> |
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Sec. 35. Implementation.

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| <p>The Election Commission shall make such additional rules and regulations as are necessary to implement the procedures in ARTICLE IV. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | | |
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ARTICLE V. ORDINANCES

Sec. 36. Ordinances, Resolutions and Motions.

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| The Council shall act only by ordinance, resolution or motion. All legislative enactments must be in the form of ordinances; all other procedures may be in the form of resolutions or motions. All ordinances and resolutions shall be confined to one subject, except in the case of repealing ordinances. Ordinances making appropriations shall be confined to the subject of appropriations. (July 28, 1959; Amended, Election of 11-3-2015) | | Add definitions under Sec. 7 for all three: ordinance, resolution, motion | |
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Sec. 37. Voting.

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| The ayes and nays shall be taken upon the passage of all ordinances, resolutions and motions, and entered upon the journal of the Council proceedings. Every ordinance shall require the affirmative vote of the majority of the members present on first reading and a majority of the membership of the entire Council for final passage. Resolutions and motions shall require the affirmative vote of a majority of the quorum present. Every member, when present, must vote on ordinances, resolutions and motions, except he or she shall not vote on matters involving the consideration of his or her own official conduct or when his or her personal or financial interest is involved. Per C.R.S. 31-23-305 (2012) and C.R.S. 31-23-209 (2012) any zoning change shall not become effective except by the favorable vote of two-thirds of all the members of the Council if: 1. A protest is filed with the municipal clerk at least twenty four hours prior to the Council's vote on the change and is signed by the owners of twenty percent or more of the area of land which is subject to the proposed change or twenty percent or more of the area of land extending a radius of one hundred feet from the land which is subject to the proposed change, disregarding intervening public streets and alleys; or 2. The planning board has not recommended a favorable vote for the zoning change. (Amended, Election of 11-5-2013; Amended, Election of 11-3-2015) | Committee question: does this apply to a text amendment re: zoning change? | | |
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Sec. 38. When Required.

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| In addition to such acts of the Council as are required by general statute or by other provisions of this Charter to be by ordinance, every act making an appropriation, authorizing borrowing money, levying tax, establishing any rule or regulation for the violations of which a penalty is imposed or placing any burden upon or limiting the use of private property, shall be by ordinance. (July 28, 1959; Amended, Election of 11-3-2015) | | | |
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Sec. 39. Form.

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| Every ordinance shall be introduced in typewritten or printed form. The enacting clause of the ordinances shall be, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LITTLETON, COLORADO. Except as otherwise provided in this Charter, all ordinances shall take effect not less than seven days after publication following final passage. | | | |
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Sec. 40. Procedure for Passage of Ordinances.

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| <p>The following procedure for enactment of ordinances shall be followed:</p> <p>a. The ordinance shall be introduced at any regular or special meeting of the Council by any member thereof.</p> <p>b. Except for an ordinance making a general codification of ordinances, or adopting a standard code, the ordinance shall be read in full, or in cases where copies of the ordinance are available to the Council, and to those in attendance at said Council meeting, said ordinance may be read by title only. In those cases where an ordinance is adopting a standard code or recodifying existing ordinances, copies of said code shall be available for inspection at the Office of the City Clerk.</p> <p>c. After the introduction of the ordinance, the same shall be approved or rejected by a vote of the Council.</p> <p>d. If the ordinance is approved on first introduction, it shall be published in full unless otherwise provided herein. The Council shall set a date, hour and place at which Council shall hold a public hearing on the ordinance and notice of said day, hour and place shall be included in the first publication.</p> <p>e. The ordinance shall be introduced at Council the second time, at a meeting not earlier than seven days after first publication for final approval, rejection or other action as may be taken by vote of the Council. This meeting may be the same meeting at which the public hearing on the ordinance is held. The ordinance may be amended before final approval by vote of the Council.</p> <p>f. Except as otherwise provided in this Charter, an ordinance, if amended in substance, shall be published in full after final passage, but if not amended in substance, it shall be published either by title or in full as the Council may determine.</p> <p>g. Whenever an ordinance shall be published by reference or by title, the publication shall contain a summary of the subject matter of said ordinance, and shall contain a notice to the public that copies of the proposed ordinance are available at the Office of the City Clerk. (Amended, Election of 11-4-1975)</p> | | | |
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Sec. 41. Emergency Ordinances.

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| <p>Emergency ordinances for the preservation of public property, health, peace or safety shall be approved only by a majority vote of a quorum present plus one vote. The facts showing such urgency and need shall be specifically stated in the measure itself. No ordinance making a grant of any special privilege, levying taxes, incurring indebtedness, authorizing borrowing money, or fixing rates charged by any City owned utility shall ever be passed as an emergency measure. An emergency ordinance shall take effect upon passage and shall be published within seven days thereof. An emergency ordinance shall be in effect for no more than ninety days after passage, and shall not again be passed as an emergency ordinance. (Sec. 41; amd. Ord. 26, Series of 1983; Amended, Election of 11-3-2015)</p> | | | <p><i>The first CRC recommended removing “levying taxes, incurring indebtedness, authorizing borrowing money”. Was not referred to a ballot. Language unchanged in Charter.</i></p> |
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Sec. 42. Disposition.

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| <p>A true copy of every ordinance, as adopted by the Council, shall be numbered and recorded, and adopting and publication shall be authenticated by the signature of the Mayor and the City Clerk and by affixing the seal of the City, and by the certificate of publication. A true copy of every ordinance as adopted by the vote of the registered electors of the City shall be separately numbered and recorded commencing with "Peoples' Ordinance No. 1". (Amended, Election of 11-5-1991; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 43. Codification.

The Council shall cause the permanent ordinances to be codified within one year after the effective date of this Charter, and may thereafter recodify them as deemed necessary or desirable. The codification shall be amended or supplemented as permanent ordinances are passed by adding or deleting those ordinances adopted or repealed by the Council and designated as affecting the municipal code. (July 28, 1959)

(July 28, 1959)

Sec. 44. Codes Published.

Standard codes promulgated by the Federal government, the State of Colorado, or by any agency of either of them, or by recognized trade or professional organizations, or amendments or revisions thereof, may be adopted by reference following a public hearing, provided the publication of the bill or ordinance adopting any said code shall advise that copies thereof are available for inspection at the Office of the City Clerk, and provided that any penalty clause in said codes may be adopted only if set forth in full and published in the adopting ordinance. Primary codes thus adopted may in turn adopt secondary codes. (July 28, 1959)

ARTICLE VI. INITIATIVE AND REFERENDUM

Sec. 45. Initiative.

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| <p>Any proposed ordinance may be submitted to the Council by a petition signed by registered electors of the City equal in number to the percentage hereinafter required. (Amended, Election of 11-5-1991)</p> | <p>Broad discussion on inequities in this and following sections against Sec. 8 Amending the Charter.</p> | <p>Recommend referring to statute or city code vs prescriptive language in the charter for Sec. 45 through 47.</p> | <p>Sec. 45-47 were subject of citizen-initiated ballot question resulting in a 2023 special election. Ballot question: "Shall Section 45. Initiative of the Littleton City Charter be repealed and reenacted as Section 45. Initiative and Referendum, to require the adoption of Colorado Revised Statutes §31-11-103 through 118 and future modifications thereof, excepting 31-11-105(1) as related to municipal initiatives, referenda and referred measures, and repealing Sections 46 and 47, in order to provide consistency with state law, including setting the percentage of signatures required for a citizen initiative and referendum at 5% and requiring the city to follow the timeframes required by statute for the timing of elections?" <i>Failed 3/7/2023</i></p> |
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Sec. 46. Submissions.

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| <p>If the petition accompanying the proposed ordinance is signed by at least fifteen percent of the number of registered electors registered to vote in the last general municipal election, and requests that such proposed ordinance be submitted to the vote of the people, the Council shall either pass said ordinance (subject to the referendum) without alteration of meaning or intent within thirty days after the petition is filed or call a special municipal election, unless a general or special municipal election is to occur within one hundred and twenty days thereafter. At such special or general municipal election the Council shall submit said proposed ordinance without alteration of meaning or intent to a vote of the registered electors of the City. If the petition is signed by at least five percent of the number of registered electors registered to vote in the last general municipal election, and is filed with the City Clerk at least ninety days before any general municipal election, the Council shall pass said proposed ordinance without alteration of meaning or intent within thirty days, or shall submit same to a vote of the registered electors at the next general municipal election. An initiated ordinance shall be published in the same manner as other proposed ordinances. The ballot upon which such proposed ordinance is submitted shall state briefly its nature and shall contain the words "For the Ordinance" and "Against the Ordinance". If a majority of the registered electors voting thereon shall vote in favor thereof the same shall immediately, without further publication, become an ordinance of the City. Any number of proposed ordinances may be submitted at the same election. Not more than one special election under this article shall be held in any twelve months. (Amended, Election of 11-5-1991; Election of 11-4-1997)</p> | | | |
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Sec. 47. Referendum.

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| <p>The referendum shall apply to all ordinances passed by the Council, except ordinances making the tax levy, the annual appropriation ordinance or the ordering of improvements initiated by petition and to be paid for by special assessments. If within thirty days after publication following the final passage of an ordinance to which the referendum is applicable, a petition, signed by registered electors equal in number to at least ten percent of the number registered to vote in the last general municipal election is presented to the Council, protesting any ordinance going into effect, it shall thereupon be suspended, and the Council shall reconsider such ordinance. If the ordinance is not entirely repealed, the Council shall submit it to a vote of the registered electors of the City, as provided in the initiative, at the next general municipal election or at a special election called therefor. Such ordinance shall then go into effect without further publication if a majority of the registered electors voting thereon vote in favor of it. The Council, on its own motion, shall have the power to submit any proposed ordinance to a vote of the people at a general or special election as provided in this Charter. If provisions of two or more proposed ordinances adopted or approved at the same election conflict, the ordinance receiving the highest affirmative vote shall become effective. (Amended, Election of 11-5-1991)</p> | | | |
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Sec. 48. Amendments.

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| An ordinance, adopted or rejected by electoral vote under either the initiative or referendum, cannot be revised, repealed or amended except by electoral vote; but the Council shall have power to submit a proposal to revise, repeal or amend such ordinances without a petition therefor, provided that any question so submitted at a special election shall not again be submitted at a special election within two years thereafter. (July 28, 1959) | | | |
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ARTICLE VII. CITY MANAGER

Sec. 49. Appointment.

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| The Council shall employ a City Manager who shall be the administrative head of the municipal government under the direction and supervision of the Council and shall hold office during its pleasure. He or she shall be appointed without regard to any consideration other than his or her fitness and competency. No member of the Council shall be appointed City Manager or acting City Manager during the term for which elected. (July 28, 1959; Amended, Election of 11-3-2015) | | | |
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Sec. 50. Absence.

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| The City Manager shall designate immediately on his or her appointment, a qualified City employee to perform his or her duties during his or her temporary absence or disability. Such designation shall be made by letter and filed with the City Clerk. If he or she fails to make such designation, the Council may by resolution appoint a qualified City employee to perform the duties of Manager until he or she shall return. In the event that the position of City Manager becomes vacant, the Council may appoint an acting City Manager for not more than one year. (July 28, 1959; Amended, Election of 11-3-2015) | | | <i>The first CRC recommended removal of “immediately on his or her appointment”. Was not referred to a ballot. Language unchanged in Charter.</i> |
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Sec. 51. Removal; Severance Pay.

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| The Council shall appoint the City Manager for an indefinite term, and shall have power to remove him or her by majority vote of its members. Upon his or her removal, the City Manager shall be paid the balance of his or her salary for the current month and his or her salary for the next calendar month. (July 28, 1959; Amended, Election of 11-3-2015) | Concerns about severance structure creating limitations of future qualified applicants. <i>Actual severance structure is addressed in employment contract and subsequent amendments.</i> | | Repeal or amend. If amended, replace severance structure with reference to code (section not yet adopted). If repealed, reference severance clause in standard employment agreement/contract. |
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Sec. 52. Powers and Duties.

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| <p>The City Manager shall be the head of the administrative branch of the City government. He or she shall be responsible to the Council for the proper administration of all affairs of the City and to that end, subject to the personnel provisions of this Charter, he or she shall have power and shall be required to:</p> <p>A. Appoint and, when necessary for the good of the service, remove all officers and employees of the City except as otherwise provided by this Charter and except as he or she may authorize the head of a department or office to appoint and remove subordinates in such department or office;</p> <p>B. Prepare the budget annually, submit it to the Council, and be responsible for its administration after adoption;</p> <p>C. Prepare and submit to the Council, as of the end of the fiscal year, a complete report on the finances and administrative activities of the City for the preceding year;</p> <p>D. Keep the Council advised of the financial condition and future needs of the City and make such recommendations as may seem to him or her desirable;</p> <p>E. Be responsible for enforcement of the laws and ordinances of the City;</p> <p>F. Inform the public concerning plans and activities of the City administration;</p> <p>G. Establish a system of accounting and auditing for the City to conform with the uniform system of municipal accounting and auditing; show that legal provisions have been complied with and reflect the financial condition and financial operation of the City; establish cost accounting systems whenever practicable;</p> <p>H. Perform such other duties as may be prescribed by this Charter, or required of him or her by the Council not inconsistent with this Charter;</p> <p>I. Establish, implement and administer: personnel policies and procedures; administrative regulations; pay and position classification plans and procedures; and departmental goals and policies. (Section 52; amd. Ord. 26, Series 1983; Amended, Election of 11-3-2015)</p> | <p>Re: "F" – how is this being done? Is there a better way/best practice?</p> | | |
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ARTICLE VIII. BOARDS AND COMMISSIONS

Sec. 53. General Provisions.

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| <p>Unless otherwise required by law or this Charter, all boards and commissions shall be appointed by the Council and have such powers and perform such duties as are required by this Charter or by ordinance. Initial appointments by the Council shall specify the term of office of each individual in order to achieve overlapping tenure. All members shall be subject to removal by the appointing authority. The Council shall make appointments to fill vacancies for unexpired terms. Except as otherwise provided in this Charter, each board and commission shall choose its own chairman and vice-chairman from citizens-at-large members and operate in accordance with the rules of procedure set forth by the appointing authority. All regular meetings shall be open to the public. Copies of all records and minutes of all meetings shall be kept and placed in the Office of the City Clerk for public inspection. Reports shall be made to the Council as the Council shall require. (July 28, 1959)</p> | | | <p><i>The first CRC recommended inclusion of "and Authorities" to title as well as changing "appointing authority" to Council. Was not referred to a ballot. Language unchanged in Charter.</i></p> |
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ARTICLE IX. LEGAL DEPARTMENT

PART I. CITY ATTORNEY

Sec. 54. Appointment; Evaluation.

The Council shall appoint a City Attorney who shall be the legal representative of the City and who shall advise the Council and City officials in matters relating to their official powers and duties. The City Attorney shall be an attorney at law admitted to practice in Colorado and have a minimum of two years of legal experience. The Council may provide the City Attorney with such assistants as the Council may deem necessary. All attorneys who reside or maintain offices in the City shall be given first consideration for appointment. The Council shall establish compensation for the City Attorney, his or her assistants and special counsel. The City Attorney shall serve at the pleasure of the Council.

“The City Attorney shall have a minimum of 2 years of legal experience.” This should be increased to at least 5 years.
“Attorneys maintaining an office in Littleton shall be given first consideration.” This should be removed because it is too limiting and does not provide the necessary experience and perspective warranted for the position.”

Sec. 55. Duties.

The City Attorney shall:

- A. Represent the City in all legal proceedings; and
 - B. Supervise the drafting of all ordinances and other legal documents.
 - C. Settle claims against the City and may make appropriations therefor.
 - D. When directed by the Council, the City Attorney shall institute or defend any suit, action or proceeding on behalf of the City or any of its agencies.
- He or she shall attend all Council meetings and shall perform all services required by the Council, this Charter or the ordinances of the City. The Council may authorize the City Attorney to settle claims against the City and may make appropriations therefor.

Sec. 56. Suits.

When directed by the Council, the City Attorney shall institute or defend any suit, action or proceeding on behalf of the City of any of its agencies. (July 28, 1959; Amended, Election of 11-3-2015)

Sec. 57. Special Counsel.

The Council may also employ other counsel whose compensation shall be fixed by the Council at the time of employment.

PART II. MUNICIPAL COURT

Sec. 58. Establishment; Appointment, Qualifications, Term, Etc., Of Judge.

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| A. There shall be a Municipal Court vested with exclusive original jurisdiction of all violations of the Charter and the ordinances of the City. The judge of the court shall be a person admitted to practice law in Colorado. The Judge shall be appointed by the Council for a term of two years from the date of appointment, and may be removed at any time by unanimous vote of the entire Council. The Judge shall receive such compensation as shall be fixed by the Council. Such compensation shall in no manner be contingent upon the amount of fees charged or collected. If, in the discretion of the Council, more than one judge is necessary, one or more additional judges may be appointed. | | “Judge is appointed for a term of two years from the date of appointment.” This should be changed to 4 years as 2 years is too short to allow for continuity in the service of the needs of the City of Littleton.” | After discussion, neither staff nor the CRC wishes to move forward with this recommendation. |
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PART III. MISCELLANEOUS LEGAL PROVISIONS

Sec. 59. Contracts and Conveyances.

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| Except as otherwise provided by this Charter, all contracts in writing binding the City and all conveyances of an interest in land by the City shall be signed by the Mayor and attested by the City Clerk under the seal of the City. (Sec. 59; amd. Ord. 26, Series of 1983; Amended, Election of 11-3-2015) | | | |
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Sec. 60. Restrictions On Sale of Land And Water Rights.

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| Lands granted to, purchased, acquired by the City for use, or used by the City, for park or open space purposes, shall not be sold or conveyed without a majority vote of the people, except they may be sold or conveyed for other public use by ordinance adopted in regular procedure. No water rights granted to, purchased or acquired by the City shall be sold or conveyed without a majority vote of the people. Nothing in this provision, however, shall prevent the City from exchanging water rights without a vote of the people. Other real property of the City shall be sold only by ordinance adopted in regular procedure, not using the emergency provision. (Amended, Election of 11-3-2015) | | | |
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Sec. 61. Recovery Of Compensation.

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| (Amended, Election of 11-5-1991) | | Change from “Amended” to “Repealed” for accuracy. Scrivener’s error |
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Sec. 62. Bonding.

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| <p>Before permitting an employee or an officer handling City funds to enter upon the duties of his or her office, the Council shall obtain a fidelity bond from a bonding company authorized to do business in the state of Colorado, in sufficient amount to be fixed by the Council. (July 28, 1959; Amended, Election of 11-3-2015)</p> | <p>Committee question: How is this fixed by council? Does this need to be included in the Charter?</p> | | |
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Sec. 63. Previous Contracts.

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| <p>Nothing in this Charter shall abridge the rights, duties or obligations heretofore obtained or incurred by contract or ordinance and legally entered into or passed by the City. (Amended, Election of 11-5-1991; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 64. Right Of Eminent Domain.

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| <p>The City shall have the right of eminent domain as provided by the statutes of the State of Colorado; provided, however, the Council cannot authorize the use of eminent domain and condemnation in an urban renewal plan except at the request of a property owner. (Amended, Election of 3-3-2015; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 64.5. Urban Renewal.

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| <p>Any Council action approving or modifying an urban renewal plan pursuant to part 1 of the Colorado urban renewal law must be ratified by the registered electors of the City of Littleton if the approval or modification of the urban renewal plan proposes the use of or change to eminent domain, condemnation, tax increment financing, revenue sharing, or cost sharing. (Amended, Election of 3-3-2015; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 65. Right To Combine, Consolidate Or Merge.

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| <p>The Council may combine, consolidate, or merge the City with any other contiguous municipality upon such terms and conditions as it shall deem necessary and expedient, subject to ratification by the registered electors at a special election called for that purpose. (Amended, Election of 11-5-1991; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 65.5. Preservation Of Neighborhood Land Use Restrictions.

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| <p>To preserve single-family residential land use and ensure that current and future owners of property in certain residential zoning districts may rely on restrictions on land uses that protect their properties. Accordingly, land uses of properties presently permitted under the Littleton Unified Land Use Code (ULUC) within zoning districts Small Lot Residential (SLR), Medium Lot Residential (MLR), Large Lot Residential (LLR), and Acreage Residential (ACR) are limited to uses specified therein as of January 1, 2025. Furthermore, any action by council to initiate any comprehensive rezoning and official zoning map amendments, including text changes, shall first require notification to all affected property owners by first class mail delivered by the United States Postal Service. Nothing herein shall prohibit or prevent a property owner from seeking rezoning of the owner’s property. (Added Election of 11-04-2025)</p> | | <p>Suggestions to change effective date so as not to cause conflict with ADU ordinance; Suggestion to change class of mail from first class to ?</p> | |
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Sec. 66. Authority to Levy Taxes.

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| <p>The Council may levy such taxes and excises as may be necessary to obtain revenue for the operation of the City, subject to the right of referendum as in this Charter provided. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 67. Cooperative Contracts.

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| <p>The Council, by resolution, may enter into contracts with other governmental bodies to furnish or receive governmental services, to make or pay charges for such services, and to enter into cooperative or other joint activities with other governmental bodies. (Amended, Election of 11-5-1991; Amended, Election of 11-3-2015)</p> | <p>Does this need to be included in the charter?</p> | | |
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Sec. 68. Bequests, Gifts And Donations.

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| <p>The Council, on behalf of the City, may receive bequests, gifts and donations of all kinds of property with power to manage, sell, lease or otherwise dispose of the same. (July 28, 1959; Amended, Election of 11-3-2015)</p> | <p>Does this need to be included in the charter?</p> | | |
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ARTICLE X. FINANCE ADMINISTRATION

PART I. BUDGET

Sec. 69. Fiscal Year.

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| <p>The fiscal year of the City government shall begin January first and end December thirty-first each year. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 70. Submission Of The Budget.

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| <p>Not later than September fifteenth of each year, the City Manager shall submit to the Council: A. An annual or current expense budget of all City funds, hereafter referred to as the "budget", which shall be a complete financial plan for the ensuing fiscal year, consisting of the budget proper and the budget message. B. A capital budget. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | <p>Budget to be adopted before seating of new council (refer back to Sec. 22. Term.)</p> | <p>Remove reference to 9/15 ; Range of dates?</p> |
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Sec. 71. Scope Of Annual Budget.

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| <p>The budget shall contain:</p> <p>A. An estimate of anticipated revenue from all sources other than the tax levy of the ensuing fiscal year.</p> <p>B. An estimate of the cash surplus in each fund at the end of the current fiscal year or of the deficits in each fund to be made up by appropriation.</p> <p>C. The estimated expenditures necessary for the operation of the several departments, offices and agencies of the City.</p> <p>D. Debt service requirements for the ensuing fiscal year.</p> <p>E. An estimate of the sum required to be raised by the tax levy for the ensuing fiscal year, and the rate of levy necessary to produce such sum, based on a percentage of collection not exceeding the lowest percentage of current levy collection experienced during the three preceding complete fiscal years.</p> <p>F. A balance between the total estimated expenditures and total anticipated revenue from all sources, taking into account the estimated cash surpluses or deficits in the various funds at the end of the current fiscal year. All estimates shall be in detail, showing revenues by sources and expenditures by organizational units, activities, character or object. The budget shall be arranged to show comparative figures for receipts and expenditures for at least two prior years and for the current year, and the City Manager's recommendations for the ensuing year. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 72. Budget Message.

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| <p>The budget message shall contain the recommendations of the City Manager concerning the fiscal policy of the City, a description of the important features of the budget plan, an explanation of all major increases or decreases in budget recommendations as compared with prior years, and a summary of the proposed budget showing comparisons similar to those required in the budget proper, itemized by principal sources of revenue and the main items of expenditure. In a separate report attached thereto, the City Manager shall present a program of proposed capital projects with estimates of cost and sources of revenue. (July 28, 1959)</p> | | | |
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Sec. 73. Public Record.

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| <p>The proposed budget of the City Manager and the budget message shall be a public record in the Office of the City Clerk and shall be open to public inspection. Sufficient copies shall be made available by the City Manager for the use of the Council and the public simultaneously. (July 28, 1959)</p> | | | |
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Sec. 74. Public Hearing.

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| <p>Before its final adoption, a public hearing on the proposed budget shall be held at such time and place as the Council shall direct. Notice of such hearing shall be at least three column inches in size and published at least one week in advance of the hearing. (July 28, 1959)</p> | | <p>Remove reference to "at least three column inches in size".</p> | <p>Catch-all ordinance to clean up sections: 74, <i>Compile all references to outdated notification sizes and technology</i></p> |
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Sec. 75. Public Hearing.

Sec. 75. Changes By Council.

After such public hearing, the Council may insert new items of expenditure or may increase, decrease or strike out items of expenditure, except that no item of appropriation for debt service shall be reduced. If the Council shall decrease the total proposed expenditures, such decrease shall be reflected in full in the tax levy. If the Council shall increase the total proposed expenditures, such increase shall be reflected in the tax levy or by appropriate provision in other revenues. If the Council increases the total proposed expenditures by more than five percent, another public hearing shall be held as provided in this Charter. (July 28, 1959)

Sec. 76. Certification Of Tax Levy.

Not later than October sixteenth, or such date as may be required by State law, the Council shall introduce a tax levy ordinance. Such ordinance shall establish a tax levy, in mills, upon each dollar of the assessed valuation of taxable property within the corporate limits of the City, and shall certify same as required by law. If the Council fails in any year to make such tax levy as above provided, the rate last fixed shall be the rate for the ensuing fiscal year, and such rate shall be certified by the City Manager. (Amended 1969)

Sec. 77. Adoption Of Budget And Appropriation Ordinance.

Not less than thirty days prior to the first day of the next fiscal year, the Council shall adopt the budget and a bill for the appropriation ordinance, which ordinance shall become effective five days after final publication. (July 28, 1959)

Sec. 78. Transfers Of Appropriations.

The City Manager with consent of Council may at any time transfer any unencumbered appropriation balance or portion thereof from one classification of expenditure to another within the same department, office or agency. At the request of the City Manager, the Council may by resolution, passed by five affirmative votes of Council, transfer any unencumbered appropriation balance or portion thereof from one department, office or agency to another. However, this section shall not be interpreted to permit the transfer of water or sewer or other utility funds to other departments or to the general fund, except that the funds generated by the sale of surplus real property of the City's old sewer plant (including personal property associated herewith) on West Belleview Avenue, which is hereby authorized, shall be transferred to the capital improvement fund. (Sec. 78; amd. Ord. 26, Series of 1983)

Sec. 79. Additional Appropriations.

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| <p>Appropriations in addition to those contained in the budget may be made to apply to the meeting of a public emergency caused by an act of God or public enemy, or some catastrophe, to satisfy an immediate public need when failure to do so would create a serious and substantial financial or other burden for the City, or to appropriate unanticipated revenues received by the City. If sufficient money is not available to meet the authorized excess expenditure, the Council may make a temporary loan through the issuance of registered warrants to provide for such excess expenditures. The total amount of such temporary loans shall not exceed the amount which can be raised by a two mill levy on the assessed valuation of the taxable property within the City. (Sec. 79; amd. Ord. 26, Series of 1983)</p> | <p>Is the figure for temporary loans and the amount of a 2-mill levy cap on assessed valuation still appropriate or should it be raised?</p> <p>Yes</p> | | |
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Sec. 80. Appropriations To Lapse.

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| <p>Any annual appropriation or any portion thereof remaining unexpended and unencumbered at the close of the budget year shall lapse and revert to the general fund, or to a special fund, as the Council may direct, except that transfer of water, sewer or utility funds shall not be authorized except by approval of four-fifths of the Council present. (July 28, 1959)</p> | | | |
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Sec. 81. Public Works Fund; Tax Levy For And Appropriations From Fund.

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| <p>For the purpose of providing and accumulating funds for the construction of public buildings or additions thereto, or the acquisition of land for public purposes, or for permanent improvement of park, library or recreational facilities, the Council is authorized to create by ordinance a public works fund, setting forth in such ordinance the description and the location of the building or addition thereto, land or improvement, the estimated cost of the same, the annual tax levy required, and the number of years such a levy should be made, and fixing the time for a public hearing.</p> <p>If the amount needed does not require a tax levy for all such purposes in excess of two mills, the Council is authorized, after a public hearing, to make such a levy without putting the proposition to a vote of the registered electors. If a special levy in excess of two mills for all such purposes for any fiscal year is required, the Council may by ordinance submit to the registered electors the question of making such a special levy. The special election may be held on the same day as any other special or general election. In submitting the question to the voters, a ballot shall be printed giving the description and location of the proposed public building or addition thereto, lands or improvement, the estimated maximum amount to be expended for such a single purpose, and the maximum mill levy required for each specified year.</p> <p>The money derived from the special levy authorized shall be credited by the Finance Director to a special fund to be known as the public works fund. Such fund shall be used only for the public works authorized; however, the Council may by ordinance change the purpose for which the fund may be expended, after holding a public hearing; provided however, that if the fund originally was established by a vote of the registered electors, the recommended change must be submitted to a vote of the registered electors at a special or general election before such change can be made.</p> <p>Appropriations from the public works fund shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned. Any project shall be deemed to have been abandoned if five fiscal years elapse without any expenditure from the appropriation therefor. Any unappropriated balance in the public works fund shall be transferred by the Council for the payment of outstanding bonded indebtedness of the City. If no outstanding bonds exist, any unappropriated balance in the public works fund shall be transferred by the Council to the general fund. (Amended, Election of 11-5-1991; Amended, Election of 11-3-2015)²</p> | | | |
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PART II. FINANCE DIRECTOR

Sec. 82. Appointment And Qualifications.

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| <p>The Finance Director shall be appointed by the City Manager with approval of the Council. He or she shall have knowledge of municipal accounting and taxation, and shall have had experience in budgeting and financial control.</p> <p>The Finance Director and the City Clerk may be the same person. (July 28, 1959; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 83. Powers And Duties.

Sec. 83. Powers And Duties.

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| <p>The Finance Director, under jurisdiction of the City Manager, shall have charge of administration of the financial affairs of the City and to that end he or she shall have authority and shall be required to:</p> <p>A. Compile the expense estimates and capital estimates for the annual budgets; B. Disburse funds in a manner which will assure that budget appropriations are not exceeded and that payments are not illegally made;</p> <p>C. Examine and approve as correct all purchase contracts, orders and other documents by which the City incurs financial obligations, except petty cash transactions and field orders of limited amount, having previously ascertained that monies have been appropriated and allotted and will be available when the obligations become due and payable; and he or she shall audit, before payment, all bills, invoices, payrolls and other evidences of claim, demands or charges against the City; D. Maintain a general accounting system for the City and each of its offices, departments and agencies; E. Receive from the County Treasurer all funds due the City from taxes, special assessments and other items which are collected for the City by the County Treasurer. Collect such other taxes, special assessments, license fees, and other revenues of the City or for whose collection the City is responsible and receive all money receivable by the City from the State or Federal government, or from any court, or from any office, department or agency of the City, or any other agency, office or source which is not now in existence but which may, in the future, be created or provided for; F. Arrange for the preparation of tax maps and give such notice of taxes and special assessments as may be required; G. Have custody of all public funds belonging to or under the control of the City, or any office, department or agency of the City government, and deposit or invest all funds coming into his or her hands as shall be designated by resolution of the Council, subject to the requirements of law as to surety and payment of interest on deposits or investments. All interest shall be the property of the City and shall be accounted for and credited to the proper account; H. Have custody of all investments and invested funds of the City, or in possession of the City in a fiduciary capacity, and have the safekeeping of all bonds, notes and other evidences of indebtedness due the City and the receipt and delivery of City bonds and notes for transfer, registration or exchange; I. Compile periodic expense estimates as required by the City Manager; J. Submit to the Council, through the City Manager, a monthly report of all accounts or funds including trust and custodial funds, such report to show receipts and disbursements and remaining budget allotments sufficiently itemized in detail to show the exact financial condition of the City and make such report available for public inspection, and shall publish monthly all disbursements of five hundred dollars or over in a legal newspaper, listing the person, amount and purpose of each item;</p> | | <p>Clean up publication requirements in sub-section J. Remove reference to legal newspaper.</p> | <p>Would be considered published under the first annual resolution of council noting where notices are to be posted and published, when required by our code or statute.</p> |
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The Finance Director shall prepare a list of all employees and their respective annual gross salaries at the beginning of each year, which list shall be published in a legal newspaper and available for public inspection as listed in the following paragraph no later than January 15 of each year. In addition, the Finance Director shall submit to the Council, through the City Manager, a monthly report of all accounts or funds including trust and custodial funds, such report to show receipt and disbursements and remaining budget allotments sufficiently itemized in detail to show the exact condition of the City and make such report available for public inspection in the public library of the City, in the Office of the City Clerk, and in the Offices of the Finance Director of the City of Littleton; K. Prepare and make available for public inspection, by the end of the first quarter of each year, a complete annual financial statement and report of the City; L. Advise the Council, through the City Manager, of any financial irregularities in any department; M. Supervise all accounts, inventories and reconciliation of inventories. (Section 83; amd. Ord. 25, Series of 1979; Amended, Election of 11-3-2015)

Sec. 84. Separate Utilities Account.

The accounts of each utility owned and operated by the City shall be kept separate and distinct from all other accounts of the City and in such manner as to show the true and complete financial result of such City ownership and operation including all assets, liabilities, revenues and expenses in accordance with a uniform classification of accounts and shall contain proportionate charges for all services performed by other departments for such utility, as well as proportionate credits for all services rendered. (July 28, 1959)

Sec. 85. Responsibility For Funds.

All City funds, except petty cash, received by City employees shall be delivered to the Finance Director.

Sec. 86. General Fund; Receipts And Expenditures.

There is hereby established a general fund which shall comprise all revenues of the City not specifically belonging to any other fund. All general functions of the City shall be financed by appropriations from the general fund. (July 28, 1959)

Sec. 87. Special Funds.

Additional funds, which shall be known as special funds, may be created by ordinances that shall specify sources of receipts and purposes for which expenditures from the special fund shall be made. Special funds created by ordinance may be abolished by ordinance, subject to existing trusts, and the remaining assets may be transferred to other funds. The ordinances creating special funds may provide for annual, periodic or continuing appropriations from such funds. The ordinances providing for the issuance of revenue bonds may provide that they be issued in such form that principal and interest thereon may be payable out of special funds. Special funds derived from sources other than the proceeds of taxes may be used for making any public improvement. Fiscal and budgetary rules may exempt special funds from allotment procedure. All special funds shall be audited annually in accordance with the provisions of Sec. 33. (July 28, 1959)

Sec. 88. Land Improvement Records.

The Finance Director shall institute and maintain a record, indexed by legal description, of all land and improvements in which the City has a record interest. Such record shall indicate the conveyance or other instrument by which the City acquired its interest and shall be referenced to the records in the Office of the County Recorder. (July 28, 1959; Amended, Election of 11-3-2015)

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PART III. BONDED INDEBTEDNESS

Sec. 89. General Obligation Bonds.

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| <p>Indebtedness and obligations of the City shall be incurred and limited as provided in Article XI of the Constitution of the State of Colorado applicable to towns and cities except as otherwise provided in this Charter. The Council shall have power to issue general obligation bonds of the City for any public capital purpose upon majority vote of the registered electors of the City voting at any special or general election. However, water and/or sewer-extension and water and/or sewer improvement bonds may be issued without an election if the total of existing and proposed such bonds shall not exceed five percent of the assessed valuation of the taxable property within the City as shown by the last preceding assessment for tax purposes. The total outstanding general obligation indebtedness of the City, other than for water and/or sewer bonds, shall not at any time exceed three and seven-tenths percent of the assessed valuation of the taxable property within the City as shown by the last preceding assessment for tax purposes. Bonds of the City, other than water and/or sewer bonds, shall be payable in installments commencing not later than two years after the date of said bonds. Water and/or sewer bonds shall mature and be payable as provided by the ordinance authorizing the issuance of said bonds. (Amended, Election of 7-8-1986; Election of 11-5-1991)</p> | <p>Would it be better to tie the GO debt ceiling for the City to its economic capacity and revenue projections where there could be debt payments where there is a limited capacity to repay the debt if there are extenuating circumstances or significant and questionable project or obligations? Is there a debt service level and accompanying percentage of general revenue that should be looked at? Should a more complex and flexible formula be prepared and reviewed to make the appropriate determination about a balanced debt portfolio for the various enterprise funds with specific uses and repayment structures?</p> | <p>Recommendation that existing language is too prescriptive; recommend change (reference state limit?). Increase with staff/council direction. Recommend "plain language" ballot language and education.</p> | |
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Sec. 90. Revenue Bonds.

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| <p>The City may issue revenue bonds as now or hereafter provided by the statutes of the State of Colorado for municipalities of every class. (July 28, 1959)</p> | | | |
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Sec. 91. Refunding Bonds.

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| <p>The Council may authorize by ordinance, without an election, issuance of refunding bonds for the purpose of paying outstanding bonds of the City. (July 28, 1959)</p> | | | |
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Sec. 92. Special Or Local Improvement District Bonds - Issuance.

When all outstanding bonds have been paid in a public improvement district and any money remains to the credit of said district, it shall be transferred to a special surplus and deficiency fund. Whenever there is a deficiency in any improvement district to meet payment of outstanding bonds and interest due thereon, it shall be paid out of said fund. Whenever:

A. A public improvement district has paid and canceled four-fifths of its outstanding bonds; and

B. For any reason the remaining assessments are not paid in time to take up the final bonds of the district and interest due thereon; and

C. There is not sufficient money in said special surplus and deficiency fund; then the City shall pay said bonds when due and interest due thereon and reimburse itself by collecting the unpaid assessments due said district.

The provisions of this section shall not apply to any special improvement district created after January 1, 1999, unless the ordinance authorizing the issuance of the bonds provides that this section shall apply. (Amended, Election of 11-3-1998)

Does this conflict with state law?

Maybe - pending legal opinion

Sec. 93. Same – Special Surplus And Deficiency Fund.

The City shall have power to construct or install special or local improvements of every character within designated districts in the City by:

A. Order of the Council; or

B. On a petition by the owners of more than fifty percent of the area of such territory who shall also comprise a majority of the landowners residing in the territory; subject, in either event, to protest by the owners of the frontage or area to be assessed. Right to protest and notice of public hearing shall be given as provided by the Council by ordinance. All protests shall be considered, but the Council shall have final decision. Such improvements shall confer special benefits to the real property within said district and general benefits to the City at large. The Council shall by ordinance prescribe the method of making such improvements, of assessing the cost thereof, and of issuing and paying bonds for costs of constructing or installing such improvements. (July 28, 1959)

How is this fixed by council?
Does this need to be included in the Charter?

Do we have any special districts formed before 1999? If not, recommend removal.

If no longer applies, or not required to be in the charter, recommend removal of this section.

Sec. 94. Bond Sales Limitations.

Unless Council determines by resolution that it can negotiate the sale of bonds consistent with the best interests of the City, the bonds shall be sold only after they have been advertised in a newspaper of general circulation in the State of Colorado or notices have been sent to at least five Colorado underwriters and at least five out of state municipal bond underwriters. The bonds shall be sold, after competitive bidding, to the highest and best bidder for cash, and to the best advantage of the City. Bonds may contain provisions for calling same at designated periods prior to the final due date. (Sec. 94; amd. Ord. 26, Series of 1983; Amended, Election of 11-3-2015)

PART IV. PURCHASES AND SALES

Sec. 95. Purchases.

The City Manager shall be responsible for contracting for and purchasing all supplies, materials, equipment and service required by any department, office or agency of the City. The purchasing officer shall be the City Manager or such person as he or she may designate. It shall be cause for dismissal for any City employee to accept gratuities or gifts from a person or firm doing business with the City under this section. (July 28, 1959; Amended, Election of 11-3-2015)

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Sec. 96. Powers And Duties.

It shall be the responsibility of the purchasing officer to purchase, receive, distribute and store supplies, materials and equipment required or used by departments and agencies of the City, including businesses and enterprises operated by the City. The purchasing officer shall have power and be required to establish and enforce specifications for supplies, materials and equipment; receive and inspect deliveries for quantity, quality and condition; and refuse delivery if the same fail to conform to specifications. (July 28, 1959)

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Sec. 97. Competitive Bidding.

City Council, by way of ordinance, and after a public hearing shall have the authority to establish competitive bidding thresholds. (Sec. 97; amd. Ord. 26, Series of 1983; Amended, Election of 11-3-2015; Amended, Election of 11-8-2022)

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Sec. 98. Local Purchases.

Whenever a product not subject to competitive bidding is available within the City and the price, specification, quantity, and quality are comparable with an outside supplier's product, the purchase shall be made from local sources. (July 28, 1959)

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Sec. 99. Property Identification.

Unless otherwise provided by ordinance, the purchasing officer shall require all nonexpendable City property to be marked with identification or number to prevent misuse thereof, and shall cause all automobiles, trucks and movable road and street machinery to be marked by conspicuous means with the term "City of Littleton". It shall be unlawful for any unauthorized person to have City property in his or her possession at any time; the use of City property for unauthorized private purposes is hereby prohibited. (July 28, 1959; Amended, Election of 11-3-2015)

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Sec. 100. Capital Improvements.

City Council, by way of ordinance, shall have the authority to establish the limits and methods to award capital improvement projects. (Sec. 100; amd. Ord. 25, Series of 1979; Amended, Election of 11-8-2022)

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| Redundant w/103 | | |
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Sec. 101. Sales.

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| The purchasing officer shall advertise for bids to dispose of any surplus, junk or articles of value no longer of use to the City. If the bids are disadvantageous to the City, the purchasing officer may reject any or all bids. If no bids are received for said articles, he or she may dispose of them to the best advantage of the City. (July 28, 1959; Amended, Election of 11-3-2015) | | | |
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Sec. 102. Emergency Procurements.

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| In case of emergency affecting the public property, health, peace or safety, the Council may waive all provisions for competitive bidding and direct the purchasing officer to procure necessary supplies or services in the open market at not more than commercial prices. (July 28, 1959) | | | |
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Sec. 103. Contracts For Service.

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| City Council, by way of ordinance, shall have the authority to establish the limits, term limits, and methods to award capital improvement projects. (July 28, 1959; Amended, Election of 11-8-2022) | Redundant w/100 | Removal of either Sec. 100 or Sec. 103 | |
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ARTICLE XI. FIRE, POLICE AND HEALTH SERVICES

Sec. 104. Provision for Services.

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| The Council shall provide by ordinance fire, police and health services for the preservation of the rights of persons and for the preservation of public and private property, health, peace and safety. These functions shall include the enforcement of the laws of the State and the ordinances of the City, the prevention of crime and the apprehension of criminals. In a separate ordinance, the Council shall, for so long as it deems necessary, provide for the formation and operation of a volunteer fire department. Such ordinance shall clearly define the authorities, duties and responsibilities of the department; provided however, that such ordinance shall not in any manner restrict the authority of the City Manager over any paid employees or property of the City. (July 28, 1959) | Remove reference to volunteer fire department. Are health services referred to/included in agreement with SMFR? | | Ballot Question 2P: "Shall Section 104 of the Littleton City Charter be amended to delete the requirements that the City provide health services and a volunteer fire department?" Failed 11/3/2015 |
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ARTICLE XII. PARKS AND RECREATION

Sec. 105. Services Provided.

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| The Council may provide by ordinance for the planning, establishment and supervision of a community recreation program and for equipping and maintaining City owned or controlled parks, recreational areas and facilities, in and outside the City, which functions shall be under the direction of the City Manager. The City may cooperate with other public authorities, organizations or individuals in or outside the City to implement the operations of this program. (July 28, 1959) | | | |
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ARTICLE XIII. CITY OWNED UTILITIES

Sec. 106. Authority And Powers.

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| <p>The City shall have and exercise with regard to City owned utilities, including water and water rights and the acquisition thereof and bonded indebtedness in connection therewith, all of the authority and powers provided by the statutes of the State of Colorado, including those hereinafter established by act of the legislature. In addition, the City shall have the power to exchange water rights owned by it for other water rights owned by other persons, associations, corporations, municipalities, or quasi-municipal bodies. No water rights or physical assets of the waterworks and distribution system or sewer plant and collection system shall be sold or otherwise disposed of without a vote of the registered electors of the City. The provisions of this section shall not apply to the sale or exchange of any equipment which may be worn out or useless, or which could with advantage to the service be replaced by new or improved machinery or equipment. The Council shall have the power to approve and authorize by resolution the entry into a contract or contracts with the Denver board of water commissioners under the terms of which water customers of Littleton shall receive water service from the Denver board of water commissioners, and Littleton shall sell, transfer, assign and convey to the Denver board of water commissioners its water rights, real estate, personal property, rights under contracts and other physical assets of the water utility. (Amended 1969; Election of 11-5-1991; Amended, Election of 11-3-2015)</p> | | | |
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Sec. 107. Administration.

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| <p>Except as otherwise provided by ordinance, the City Manager shall have administrative charge over the collection and distribution facilities of the water and sewer systems and all physical properties in connection therewith. Such duties shall consist of: Operating the municipal waterworks, sewer systems and other City owned utilities; Meter reading, billing and collecting of charges for water, sewer and other services; Keeping all records in connection with all such physical facilities; Designing and supervising construction, maintenance, repair and replacement of all such physical facilities; and Enforcing all rules and regulations in connection with such services. (July 28, 1959)</p> | | | |
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Sec. 108. Rates.

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| <p>The Council shall have the power and duty by ordinance to establish rates for connection fees and services provided by City owned utilities in and outside the City. (July 28, 1959)</p> | | | |
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Sec. 109. Sale Of Water Or Water Services.

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| <p>The Council shall have the power to enter into temporary contracts for sale of water or water services in and outside the City whenever it determines that the available water supply exceeds that necessary for the present needs of the inhabitants of the City. Said contracts for water and water services shall be for periods not exceeding one year and subject to the present and future needs and requirements of the City and its inhabitants. (July 28, 1959)</p> | | | <p>Recommend removing section from charter; no longer relevant. Ballot Question 2T: Shall Section 109 of the Littleton City Charter, concerning the sale of water or water services, be deleted in its entirety?" Failed 11/3/2015</p> |
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Sec. 110. Sale Of Sewer Service.

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| <p>The Council shall have the power to enter into temporary contracts for sale of sewer services in and outside the City. Contracts for sewer services shall be subject to periodic renegotiation upon terms and conditions that assure the capacity of the sewage treatment plant for the use of the inhabitants of the City. (July 28, 1959)</p> | | | |
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ARTICLE XIV. FRANCHISES AND PUBLIC UTILITIES

Sec. 111. Generally.

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| <p>The term "public utility" or "public utility corporation" in this Charter shall mean any person, firm or corporation operating gas or electric light systems, telephone, telegraph or other communication systems, pay television systems, water, sewer or heating systems or transportation systems, serving or supplying the public. The term shall not include: Any person, firm or corporation owning or operating side tracks or switches for the accommodation of manufacturing plants and business houses; Private telephone lines; and Municipally owned utilities. (July 28, 1959)</p> | | <p>Move definitions to Article I. Sec. 7 "Defiitions".</p> | |
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Sec. 112. Present Franchise.

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| <p>All franchise ordinances of the City in effect at the time this Charter is adopted shall remain in full force and effect according to the terms of said franchise ordinances until the expiration dates provided therein. (July 28, 1959)</p> | | | |
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Sec. 113. Franchises Granted By Ordinance.

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| <p>No franchise shall be granted except by ordinance. No exclusive franchise shall ever be granted. (Amended 1987)</p> | | | |
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Sec. 113. Franchises Granted By Ordinance.

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| <p>No franchise shall be granted except by ordinance. No exclusive franchise shall ever be granted. (Amended 1987)</p> | | | |
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Sec. 114 Book Of Record.

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| <p>The Council shall cause to be kept in the Office of the City Clerk an indexed franchise record containing copies of all public utility franchises heretofore or hereafter granted. The index shall give the name of the grantee and any assignees. The record shall be a complete history, which shall be open to the public, of all such franchises and shall include a comprehensive and convenient reference to all legal actions affecting the same, and copies of all annual and inspection reports and such other matters of information and public interest as the Council may require. (July 28, 1959)</p> | | | |
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Sec. 115. Term; Compensation; Restrictions.

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| <p>No franchise shall be granted for a period longer than twenty-five years. No franchise shall be granted without reserving to the City such fair fee arising from the use thereof as shall be fixed in the grant of said franchise. This compensation shall not exempt the grantee or his or her assignees from any lawful assessment upon his or her property or from any other tax not related to the franchise privilege or pertaining to the physical operation thereof, but shall exempt the grantee or his or her assignees from any occupancy tax, license tax, or similar tax on the privilege of doing business or in connection with the physical operation thereof as shall be fixed in the grant of any franchise. The franchise fee established by ordinance shall be paid as provided and be subject to mutual periodic renegotiation. Failure to pay such fee shall result in forfeiture of franchise at the option of the Council.</p> | <p>How many franchises does the city currently have?</p> | | |
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Sec. 116. Railroad Tracks And Crossings.

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| <p>Subject to arbitration, the Council may require, by ordinance and by fair apportionment of the cost, any railroad or other transportation system to raise or lower any of its right of way or tracks running over, under, along or across any public thoroughfare, and to construct and maintain all street crossings, bridges, viaducts or other conveniences in good condition with proper approaches and safety devices. (July 28, 1959)</p> | | | <p>Recommend removing section from charter; no longer relevant. Ballot Question 2R: "Shall Sections 116 and 117 of the Littleton City Charter, concerning railroad tracks, crossings and switches along or across public thoroughfares, be deleted in their entirety?" Failed 11/3/2015</p> |
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Sec. 117. Revocable Licenses.

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| <p>A. The Council by ordinance may grant a license, revocable for cause, to lay side tracks and switches along or across any public thoroughfare when the application therefor is accompanied by the assent in writing of the owners of two-thirds of the frontage on each side of the public thoroughfare or part thereof.</p> <p>B. The Council may grant permits for the temporary use or occupation of any street, alley or public place. Such permits are revocable by the Council whether the right is expressly reserved in the permit or not.</p> | | | |
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Sec. 118. Revocable Permits.

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| <p>The Council may grant permits for the temporary use or occupation of any street, alley or public place. Such permits are revocable by the Council whether the right is expressly reserved in the permit or not.</p> | | | |
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Sec. 119. Extension Of Territory.

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| <p>The Council may by ordinance extend the area or include streets, alleys, public places and property, not embraced in such franchise, when public convenience and necessity require, subject to all of the terms and conditions of such original franchise and coextensive with the terms thereof, without a vote of the registered electors. (Amended, Election of 11-5-1991)</p> | | | |
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Sec. 120. Condemnation Of Purchase.

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| <p>The right of the City to construct, purchase or condemn any public utility, work or way as provided by the Constitution of the State of Colorado and applicable State Statutes, is expressly reserved. (July 28, 1959)</p> | | | |
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Sec. 121. Assignment.

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| <p>Assignment or leasing of a franchise shall be considered a forfeiture unless application therefor is made to the City and consent given by the Council by ordinance with such change of conditions or terms as it deems necessary. The Council reserves the right to deny any assignment or leasing of franchise. (July 28, 1959)</p> | | | |
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ARTICLE XV. COMMITTEES

Sec. 124. Charter Review Committee

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| <p>The Council shall periodically appoint a Charter Review Committee for the purpose of performing a comprehensive review of the Charter, making recommendations to the Council for amendments, deletions or other changes to the Charter and submitting such recommendations in writing to the Council. The committee shall consist of at least fourteen registered electors of the City, or such greater number as the Council deems appropriate. (Election of 11-3-2015)</p> | | <p>Replace periodically w/not to exceed 10 years.</p> | |
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