

CITY OF WHEAT RIDGE, COLORADO
Resolution No. 47
Series of 2019

TITLE: A RESOLUTION REFERRING ORDINANCE 1667, SERIES 2019 TO THE REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 5, 2019 AND SETTING A BALLOT QUESTION THEREFOR

WHEREAS, the City of Wheat Ridge is a Colorado municipal corporation operating under a Home Rule Charter and governed pursuant thereto by its elected City Council; and

WHEREAS, under Section 6.2 of the Home Rule Charter, the registered electors of the City may require that an adopted ordinance be repealed or in the alternative be referred to them at an election under the power reserved by Article V, Section 1(9) of the State Constitution; and

WHEREAS, a Referendum Petition requesting repeal or referral to an election of Ordinance No. 1667 Series 2019, approving the rezoning of certain real property lying within the City, was submitted to the City Clerk on June 26, 2019; and

WHEREAS, the Petition was determined by the City Clerk to be sufficient and in conformity with the applicable requirements of Section 6.4 of the Home Rule Charter and CRS 31-11-101, et. seq.; and

WHEREAS, a protest to the Petition was submitted pursuant to CRS 31-11-110, and in compliance with that statute, the City Council appointed a hearing officer to conduct the required hearing on the protest, and on August 21, 2019 the hearing officer issued amended findings and decision concluding that the Petition was sufficient; and

WHEREAS, pursuant to applicable law, the date of final determination of petition sufficiency was August 21, 2019; and

WHEREAS, pursuant to Charter Section 6.2(b), the City Council now must reconsider the Ordinance and either repeal the Ordinance as requested or submit the same to a vote of the registered electors of the City in a manner as provided in respect to the initiative at the next regular municipal election, or at a special election called therefor; and

WHEREAS, upon reconsideration as provided by law, the City Council wishes to refer the Ordinance to the registered electors of the City; and

WHEREAS, the Council desires to refer the Ordinance to the voters of the City at the next regular municipal election to be held on November 5, 2019, and to set a ballot question therefor.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Ordinance referred to voters; ballot question set

Pursuant to the Wheat Ridge Home Rule Charter Section 6.2, the City Council hereby refers to the registered electors of the City, Ordinance 1667, Series 2019, and sets a question to be placed on the regular municipal election ballot for November 5, 2019, held in coordination with the general election on that date, in the manner set forth below:

Ballot Question and Title:

SHALL ORDINANCE 1667, SERIES 2019, AN ORDINANCE REZONING REAL PROPERTY AT 4000-4066 UPHAM STREET, CITY OF WHEAT RIDGE, FROM RESIDENTIAL – THREE (R-3) TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) WITH AN OUTLINE DEVELOPMENT PLAN (ODP) ALLOWING FOR 38 TOWNHOME UNITS IN NINE BUILDINGS, GO INTO EFFECT?

FOR THE ORDINANCE: _____

AGAINST THE ORDINANCE: _____

Section 2. Effective date

This Resolution shall be effective upon adoption.

DONE AND RESOLVED this 26th day of August 2019.

Bud Starker, Mayor

ATTEST:

Janelle Shaver, City Clerk

