

**A  
RESOLUTION  
OF THE CITY COUNCIL  
SETTING THE TITLE AND CONTENT OF A BALLOT QUESTION TO BE  
SUBMITTED TO THE CITY'S REGISTERED ELECTORS AT THE  
GENERAL ELECTION  
TO BE HELD ON NOVEMBER 5, 2002  
RELATED TO THE AMENDMENT OF SECTION 2.8 OF THE CHARTER FOR  
THE CITY OF CHERRY HILLS VILLAGE, COLORADO, PERTAINING TO  
NOMINATING PETITIONS AND DEADLINE FOR SUBMISSION**

WHEREAS, Article XX, section 6 of the Colorado Constitution and section 31-2-210 of the Colorado Revised Statutes authorizes the governing bodies of home rule municipalities to submit ballot questions for charter amendments to the registered electors of the municipality; and

WHEREAS, section 13.13 of the Charter for the City of Cherry Hills Village ("City Charter") authorizes the City Council to present to the registered electors a ballot question for a proposed amendment to the City Charter; and

WHEREAS, section 2.8 of the City Charter currently requires that nominating petitions be filed with the City not earlier than 60 days and not later than 25 days before the regular City election; and

WHEREAS, the City has adopted the Colorado Municipal Election Code of 1965 for the purposes of election administration and the City may, by resolution or ordinance, substitute for such Municipal Election Code the provisions of the Uniform Election Code of 1992 for individual elections; and

WHEREAS, the Colorado Municipal Election Code of 1965 and the Uniform Election Code of 1992 provide deadlines for the filing of nominating petitions that are different than the deadlines provided by section 2.8 of the Charter for the City of Cherry Hills Village; and

WHEREAS, section 2.8 of the City Charter uses the phrase "qualified electors" to refer to persons who are registered electors and who are eligible to sign a nominating petition; and

WHEREAS, both the Colorado Municipal Election Code of 1965 and the Uniform Election Code of 1992 employ the phrase "registered electors" to refer to persons who are eligible to sign a nominating petition; and

WHEREAS, the City Council deems it in the best interests of the City to ensure that the City's Charter conform to the requirements and terminology of state law; and

WHEREAS, the City Council called by Resolution No. 9, Series 2002, a municipal election to be held on the same date as the general election of November 5, 2002, and to have such municipal election coordinated by the Clerk and Recorder for Arapahoe County with the general election,



NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE:

Section 1. The City Council hereby refers and approves the following Proposed Amendment and the accompanying Ballot Title for submission to the City's registered electors and to appear on the ballot for the municipal election to be held on November 5, 2002:

**Proposed Charter Amendment.**

Amend Subsection 2.8 of the Charter for Cherry Hills Village as follows:

**Sec. 2.8 Nominating Petitions -- Required Signatures**

The nominating petition for each candidate for Mayor shall be signed by not fewer than 25 ~~qualified~~ registered electors, and for each candidate for the Council to be elected from a district not fewer than 10 ~~qualified~~ registered electors from such district. Petitions shall be filed ~~not earlier than 60 days and not later than 25 days before the regular City election~~ in accordance with the deadlines for the filing of nominating petitions as provided by the applicable state municipal election laws.

**Ballot Title.** The ballot title for the proposed Charter Amendment shall read as follows:

**BALLOT QUESTION \_\_\_\_\_:**

**SHALL SECTION 2.8 OF THE CHARTER OF THE CITY OF CHERRY HILLS VILLAGE BE AMENDED TO MAKE THE DEADLINE FOR THE FILING OF NOMINATING PETITIONS FOR CANDIDATES FOR THE OFFICE OF MAYOR AND CITY COUNCIL CONSISTENT WITH THE FILING DEADLINES IMPOSED BY STATE LAW AND TO CHANGE THE PHRASE "QUALIFIED ELECTORS" TO "REGISTERED ELECTORS" IN ORDER TO MAKE THE TERMINOLOGY CONSISTENT WITH STATE LAW?**

**YES \_\_\_\_\_**  
**NO \_\_\_\_\_**

Section 2. For purposes of C.R.S. § 31-11-111, this Resolution shall serve to set the title and content for the ballot question set forth herein and the ballot title for such question shall be the text of the question itself. Any protest to the ballot title shall be filed in writing with the City Clerk within five (5) business days following the date of adoption of this Resolution and shall be resolved thereafter by the City Council following a hearing with published notice.

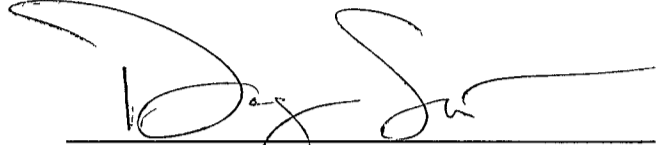
Section 3. This Resolution shall be effective immediately upon approval of the City Council for the City of Cherry Hills Village.

Section 4. The City Clerk is authorized to correct typographical errors and omissions and to cause to be entered into the blanks of the ballot question the appropriate ballot question number or letter upon designation of the ballot number or letter by the Clerk and Recorder for Arapahoe County.



Section 5. The City Manager and City Clerk are hereby authorized and directed to take all necessary and appropriate action to effectuate the provisions of this Resolution including all reasonable and necessary action to cause such approved ballot question to be printed and placed on the ballot for the City's election.

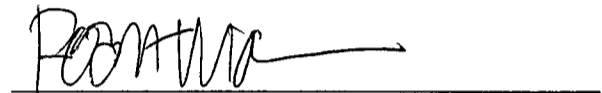
DONE AND RESOLVED this 3<sup>rd</sup> day of September, 2002.



Douglas Scott, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Jennifer Pettinger, City Clerk  
Robert C. Widner, City Attorney



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