

ORDINANCE NO. 675

AN ORDINANCE OF THE TOWN OF HAYDEN, COLORADO SUBMITTING TO THE REGISTERED ELECTORS VOTING IN THE REGULAR TOWN ELECTION TO BE HELD NOVEMBER 8, 2016, A BALLOT ISSUE CONCERNING THE IMPOSITION OF AN INCREASE IN THE REAL PROPERTY TAX MILL LEVY FROM 25.067 TO 32.587

RECITALS

1. The Town of Hayden, Colorado ("Town") is a municipal corporation duly organized and existing under the laws of the State of Colorado.
2. The members of the Town Council ("Council") have been duly elected and qualified.
3. Pursuant to Article XX, Section 6 of the Colorado Constitution, the Town has adopted the 2009 Town of Hayden Home Rule Charter and has the full right of self-government in both local and municipal matters, including the authority to impose real property taxes and to increase the mill levy above that for the prior year, with voter approval.
4. Article X, Section 20, of the Colorado Constitution ("TABOR") and Section 8-16 of the Town of Hayden Home Rule Charter authorizes the Town to submit ballot issues proposing new taxes to its eligible electors at an election to be held on November 8, 2016.
5. The Council hereby determines that both the Town's interest and the public interest and necessity require that the Town impose an increase in the existing mill levy from 25.067 mills to 32.587 mills (the "Mill Levy Increase") utilized to compute the amount of real estate taxes presently existing upon real property within the Town.
6. The Council has determined and hereby determines and declares that the interest of the Town and the public interest and necessity require that the Town be allowed to collect, retain and spend all revenues generated from such Mill Levy Increase, if such tax is approved, regardless of the provisions and restrictions set forth in Article X, Section 20 of the Colorado Constitution.
7. It is appropriate for voters to approve collection, retention and expenditure of the full amount collected from the tax proposed by the ballot issue described below.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Hayden, Colorado:

Section 1. Mill Levy Rate Increase Imposed. Subject to voter approval as provided in Section 4 of this Ordinance, the mill levy rate utilized to compute the amount of real estate taxes presently existing is hereby increased from 25.067 to 32.587 (the "Mill Levy Increase")

Section 2. Use of Revenues. The revenues derived from the Mill Levy Increase shall be expended for all purposes and uses permitted by the Town of Hayden Home Rule Charter.

Section 3. Duration. The Mill Levy Increase shall commence for collection purposes beginning January 1, 2017 and continue until repealed by ordinance.

Section 4. Election. Before the Mill Levy Increase provided in this Ordinance shall become effective, it shall be submitted to and receive the approval of a majority of the eligible electors of the Town voting thereon at the election to be held on Tuesday, November 8, 2016.

(a) **Conduct of Election.** The election shall be held and conducted in accordance with Section 29-2-102, C.R.S., and in accordance with Article X, Section 20 of the Colorado Constitution. The Town Council hereby approves and authorizes the Town Manager and Town Clerk to execute and enter into such agreements or amendments to agreements, on behalf of the Town, with Routt County, Colorado, regarding the conduct of the election. The Town Council hereby designates the Town Clerk as the Designated Election Official for the conduct of the election on behalf of the Town, with the authority and direction to proceed with any action necessary or appropriate to effectuate the provisions of this Ordinance and all constitutional and statutory provisions governing the conduct of this election.

(b) **Ballot Title.** The ballot title for the Mill Levy Increase shall be in substantially the following form:

SHALL THE TOWN OF HAYDEN MILL LEVY RATE UTILIZED TO COMPUTE THE AMOUNT OF REAL ESTATE TAXES BE INCREASED FROM 25.067 TO 32.587 RESULTING IN AN ESTIMATED \$142,714.45 ANNUALLY IN FIRST FULL FISCAL YEAR COMMENCING JANUARY 1, 2017 AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR?

AND IN CONNECTION THEREWITH,

SHALL THE FULL PROCEEDS OF THE MILL LEVY AT SUCH RATE AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE TOWN OF HAYDEN UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

YES

NO

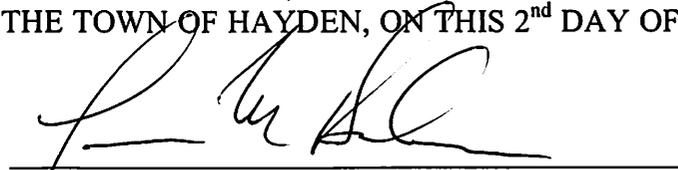
Section 5. Authorization. The officers of the Town are authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance.

Section 6. Severability. If any portion of this Ordinance or the ballot title is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

Section 7. Effective Date. This Ordinance shall become effective and be in force immediately upon final passage at second reading, and the Mill Levy Increase provided for herein shall be effective January 1, 2017, contingent upon approval by the eligible electors at the November 8, 2016 election.

Section 8. Public hearing. A public hearing on this Ordinance shall be held on the 16th day of June, 2016, at 7:30 p.m. at the Hayden Town Hall, 178 West Jefferson Ave, Hayden, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THIS 2nd DAY OF JUNE, 2016.



James M. Haskins, Mayor

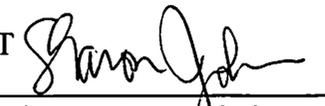
ATTEST 

Sharon Johnson, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 16th DAY OF JUNE, 2016.



James M. Haskins, Mayor

ATTEST 

Sharon Johnson, Town Clerk

