

**ORDINANCE NO. 10
SERIES 2014**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING THE RESIDENCY REQUIREMENTS OF SECTION 2.14 OF THE CITY OF GUNNISON MUNICIPAL HOME RULE CHARTER AS AUTHORIZED BY SECTION 2.1 OF THE CITY OF GUNNISON MUNICIPAL HOME RULE CHARTER, FOR THE COORDINATED GENERAL ELECTION TO BE HELD ON NOVEMBER 4, 2014

WHEREAS, the City of Gunnison has referred three ballot measures to the registered electors of the City of Gunnison, Colorado, styled as Ballot Issue 2A, and Ballot Questions 2B and 2C, to be determined by registered voters of the City at the November 4, 2014 General Election; and

WHEREAS, the City of Gunnison has executed an Intergovernmental Agreement (“IGA”) with Gunnison County dated September 2, 2014, to conduct a coordinated election with the County;

WHEREAS, pursuant to such IGA, the City and County have accepted the ballot measures of the City, ballots have been printed, and costs have and will be incurred by both the City and County in conducting the coordinated election; and

WHEREAS, it has been determined in recent days that the State residency requirement for voter registration, which law is followed by the County, is different from the City’s residency requirement for voter registration, in that the State law requires 22-day residency, and the City requires 32-day residency; and

WHEREAS, if the City does not amend its residency requirements to conform to the State requirements for the November 4, 2014 coordinated election, additional costs and time will be incurred by the City and County to reformat, republish and reprint ballot issues, and calls into doubt whether the City and County could successfully conduct an election on the City’s ballot issues due in part to the lack of time between today’s date and the election date; and

WHEREAS, the City Charter, at Section 2.1, states that, “The Council shall provide by ordinance for the manner of holding City elections and such additional regulations in respect to elections as may be necessary to accomplish the intent of this article.”; and

WHEREAS, the City Council has determined that, due to the time limitations involved in addressing the residency requirement conflict between the County and City, and as an emergency ordinance pursuant to Section 6.3(I) of the City Charter, that an ordinance amending the residency requirements of Section 2.14 of the City Charter to require a 22-day residency requirement, is appropriate; and

WHEREAS, approving such amendment to the residency requirement will allow City residents more time to register and vote on City ballot measures in the November 4, 2014 coordinated election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS:

Section 1. Section 2.14(B) of the City of Gunnison Municipal Home Rule Charter, is hereby amended to require a person who is otherwise qualified to register to vote in the City, to reside in the City for a minimum of 22-days prior to the election.

Section 2. This Ordinance shall take effect immediately upon passage of three-quarters of the Council members present, shall be in effect for no more than 90 days from the date of passage as an emergency ordinance under Section 6.3(I) of the City of Gunnison Municipal Home Rule Charter, and shall be effective only for the November 4, 2014 coordinated election with the County of Gunnison.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED this 14th day of October, 2014.



ATTEST:


Gail A. Davidson, City Clerk


Robert E. Drexel, Mayor

Published in its entirety in the
Gunnison Country Times Newspaper
October 16, 2014