

**INITIATED ORDINANCE PETITION PROCESS
NOVEMBER 8, 2022 SPECIAL MUNICIPAL ELECTION**

To formally propose an Ordinance or Ballot Issue or Question; or to modify, change, or repeal an Ordinance adopted by a City Council is called an "Initiative."

Any proposed Ordinance may be submitted to the City Council by first filing written notice of intent to circulate with the first draft of the proposed Ordinance with the City Clerk, and within 180 days after approval of the petition pursuant to section 31-11-106(1), by filing a petition signed by at least five (5) percent of the total vote cast in the last general city election (Sections 18-1 and 18-2 City Charter).

Initiative General Information

Section 18-2 City Charter: If the Petition accompanying the proposed Ordinance is signed by Registered Electors equal in number to five (5%) percent of the total vote cast in the last General Municipal Election, and requests that such proposed Ordinance be submitted to a vote of the people, the Council shall either pass said Ordinance within 30 days without alterations or refer the proposed Ordinance to the registered electors of the City at a regular or special city election to be held not less than sixty (60) days and not more than one hundred fifty (150) days after the final determination of petition sufficiency by the City Clerk. The ballot title shall be fixed by Council.

Colorado Revised Statutes

31-11-104 (1). Any proposed ordinance may be submitted to the legislative body of any municipality by filing written notice of the proposed ordinance with the City Clerk and within one hundred eighty (180) days after approval of the petition as to form (per 31-11-106 CRS).

31-11-106. Form of Petition

No petition section shall be printed or circulated unless the form and the first printer's proof of the petition section have first been approved by the Clerk. The Clerk shall approve or reject the form and the first printer's proof of the petition no later than five business days following the date on which the clerk received such material.

Each petition section shall designate by name and mailing address two persons who shall represent the proponents thereof in all matters affecting the petition and to whom all notices or information concerning the petition shall be mailed.

(a) At the top of each page of every initiative petition section, the following shall be printed, in a form as prescribed by the Clerk:

**"WARNING:
IT IS AGAINST THE LAW:**

For anyone to sign any initiative petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign a petition when not a registered elector who is eligible to vote on the measure.

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A
REGISTERED ELECTOR
AND ELIGIBLE TO VOTE ON THIS MEASURE.**

**TO BE A REGISTERED ELECTOR
YOU MUST BE A CITIZEN OF COLORADO,
AND REGISTERED TO VOTE IN THE CITY OF PUEBLO**

Do not sign this petition unless you have read or have had read to you the proposed initiative or referred measure or the summary in its entirety and understand its meaning."

(b) A summary of the proposed initiative or ordinance that is the subject of a petition shall be printed following the warning on each page of a petition section. The summary shall be true and impartial and shall not be an argument, or likely to create prejudice, either for or against the measure. The summary shall be prepared by the Clerk.

(c) The full text of the proposed initiated measure or ordinance that is the subject of a petition shall be printed following the summary on the first page or pages of the petition section that precede the signature page. Notwithstanding the requirement of paragraph (a), if the text of the proposed initiated measure or ordinance requires more than one page of a petition section, the warning and summary need not appear at the top of other than the initial text page.

(d) The signature pages shall consist of the warning and the summary, followed by ruled lines numbered consecutively for registered electors' signatures. If a petition section contains multiple signature pages, all signature lines shall be numbered consecutively, from the first signature page through the last. The signature pages shall follow the page or pages on which the full text of the proposed initiated measure or ordinance that is the subject of the petition is printed.

(e) Following the signature pages of each petition section, there shall be attached a signed, notarized, and dated affidavit executed by the person who circulated the petition section, which shall include the following:

1. The affiant's printed name, the address at which the affiant resides, including the street name and number, the municipality, the county, and the date the affiant signed the affidavit;
2. That the affiant has read and understands the laws governing the circulation of petition;
3. That the affiant was eighteen years of age or older at the time the section of the petition was circulated and signed by the listed electors;
4. That the affiant circulated the section of the petition;
5. That each signature thereon was affixed in the affiant's presence;
6. That each signature thereon is the signature of the person whose name it purports to be;
7. That, to the best of the affiant's knowledge and belief, each of the persons signing the petition section was, at the time of signing, a registered elector; and
8. That the affiant has not paid or will not in the future pay and that the affiant believes that no other person has paid or will pay, directly or indirectly, any money or other

thing of value to any signer for the purpose of inducing or causing such signer to affix the signer's signature to the petition.

Importantly, there are specific deadlines, procedures, and formal requirements associated with an initiative that, if not followed in a timely manner and correctly, can cause your initiative effort to be declared invalid and to fail. Additionally Colorado's Taxpayer Bill of Rights (TABOR) imposes additional requirements and restrictions.

31-11-109. The Clerk shall inspect timely filed initiated petitions and the attached affidavits and may do so by examining the information on signature lines for patent defects, by comparing the information on signature lines against list of registered electors provide by the County.

After examining the petition, the Clerk shall issue a statement as to whether a sufficient number of valid signatures have been submitted. A copy of the statement shall be mailed to the persons designated as representing the petition proponents.

The statement of sufficiency or insufficiency shall be issued no later than 30 calendar days after the petition has been filed. If the clerk fails to issue a statement within thirty calendar days, the petition shall be deemed sufficient.

Within 40 days after an initiative or referendum petition is filed, a protest in writing may be filed in the office of the City Clerk by any elector who resides within the City of Pueblo.

Ballot Content must be certified to the County Clerk by September 9, 2022.

2021 GENERAL MUNICIPAL ELECTION:

22,180 TOTAL VOTES CAST – 5% = 1,109 VALID Signatures

- **The first day to file a petition for an Initiated Ordinance for the 2022 Special Municipal Election is May 12, 2022.**
- **The last day to file a petition for an Initiated Ordinance for the 2022 Special Municipal Election is August 8, 2022.**

If the petition is declared insufficient, there is no right to withdraw the petition and re-file an amended petition with additional signatures.

YOU ARE STRONGLY URGEED TO CONTACT AN ATTORNEY OR OTHER INDEPENDENT ADVISOR WITH EXPERIENCE IN INITIATIVE AND ELECTION LAW TO GUIDE YOU THROUGH ALL THE REQUIREMENTS.

The preceding information is informational only. For complete and accurate information you should consult your own legal counsel. The City is not allowed to provide legal advice, and the preceding should not be perceived as such.