

Intentions of the Charter for the Town of Erie

Article 1 General Provisions: The intent of this Article is to provide the form of government (Council/Manager) for the Town of Erie, Colorado when operating as a Home Rule Municipality, and to specify the authority, rights, and liabilities of the Town.

Article 2 Elective Offices: The intent of this Article is to specify the roles and responsibilities, as well as qualifications, of Town Officers who are elected by the residents of the Town of Erie. This Article includes the rules for apportioning the Town into districts (also known as wards), to enable for representation at a level smaller than the entire Town. Districts are to be of relatively equal size and contiguous, without gerrymandering for any purpose. Redistricting should occur whenever the sizes of the districts become out of balance due to changes in population, including due to annexation of additional area into the Town. A fair and reasonable process for filling vacancies is specified, along with the requirement for a Code of Conduct and Ethics. Finally, compensation is addressed with the goal being to balance the community service nature of the Offices with a fair remuneration for the time commitment of the office, and to increase the candidate pool by not limiting the candidates to those who can afford to spend the time required to serve the Town through completely independent means.

Article 3 Elections: The intent of this Article is to specify how elections will be conducted within the Town of Erie. All Erie elections are non-partisan, meaning that there are no political party affiliations associated with candidates or issues. Campaign finance restrictions are also specified in this Article, with the intent being for the Town to limit donors to the extent practical to residents and business owners within the Town, and to maintain reporting requirements to verify this intent. There are two key changes to the Town election cycle as part of this Charter. First, the Charter moves the elections from April to November. The second is to move the Town to an even-year election cycle from an odd-year cycle. The purpose for these changes is to increase the number of registered voters who participate in our municipal elections. Historical trends have demonstrated that the greatest turnout is in even-year elections that correspond to National elections. [do we want to address partisanship?]

Article 4 Ordinances: The intent of this Article is to set the process for the Town Council to pass ordinances for the Town. This includes the power to set fines and penalties for violations of the ordinances.

Article 5 Initiative, Referendum and Recall: The intent of this Article is to specify the process by which Town residents can influence the Town Government in three key ways. Initiatives allow residents to put measures and issues on the ballot for a Town election, while referendums allow residents to repeal current ordinances. Additionally, residents can vote to remove an elected official through a recall.

Article 6 Emergency Powers and Town Officers: The intent of this Article is to specify the appointed Town Officers and their roles and responsibilities. Additionally, temporary powers are granted during declared emergencies, along with checks and balances to ensure these powers aren't abused.

NOTE: *I am wondering if we should list the Offices first and the Emergence Powers second, or perhaps move the Emergency Powers to a different Article as they apply to the Elected Officials as well as Town Officers.*

Article 7 Municipal Court: The intent of this Article is to establish the Municipal Court and to describe the Court's powers.

Article 8 Boards and Commissions: The intent of this Article is to grant the authority for the Town to establish and remove Boards and Commissions, which are typically composed of residents of the Town and provide advisory services to the Town Council. Given the strong support for Open Space and Trails in the Town, an Open Space and Trails Advisory Board is mandated. [we need words to cover the Planning Commission and Board of Adjustment if we add them to the Charter]

Article 9 Open Space and Trails: The intent of this Article is to define the roles and responsibilities of the Opens Space and Trails Advisory Board, which is mandated in Article 8.

Article 10 Taxation: The intent of this Article is to establish the power for the Town to create and collect taxes. The Town must also receive voter approval for tax increases, which will apply even if the State of Colorado repeals the Taxpayer Bill of Rights (TABOR).

Article 11 Town Finances and Borrowing: The intent of this Article is to specify the Town budget and financing process, along with authority to borrow. The right to create special districts, such as Metropolitan Districts, in included in this Article.

Article 12 Public Utilities, Franchises, and Use of Public Property: This Article provides the authority for the Town to run public utilities, either directly or through the licensing of franchises.

Article 13 Miscellaneous Provisions: The intent of this Article is to cover items that don't naturally fit into any of the other Articles. This includes items such as acquisition and sale of property, eminent domain, and receipt of gifts bestowed unto the Town.

Article 14 Transition Provisions: The intent of this Article is to guide the Town through the process of transitioning from Statutory Rule to Home Rule. One of the key issues addressed is the one-time, short-term extension of the terms of the current Mayor and Board of Trustees (who will be Town Council members upon approval of the Charter).