

**TOWN OF LARKSPUR, COLORADO
ORDINANCE NO. 7.82**

**AN ORDINANCE APPROVING A FORM OF BALLOT ISSUE SEEKING
VOTER APPROVAL OF A REVENUE CHANGE TO ALLOW
THE TOWN TO RECEIVE GRANTS FROM THE STATE OF COLORADO
WITHOUT INCREASING TAXES**

WHEREAS, the Town of Larkspur is a home rule municipality, subject to the revenue and spending limitations of Article X, Section 20 of the Colorado Constitution, commonly referred to as the TABOR Amendment; and

WHEREAS, the TABOR Amendment prevents the Town from receiving and expending certain grants from the State of Colorado, without voter approval, if such receipts and expenditures exceed the limits otherwise established under the TABOR Amendment, and

WHEREAS, the Larkspur Town Council believes it is in the best interest of the people of the Town of Larkspur to enable the Town to receive and expend grants obtained from the State of Colorado in order to assist the Town in improving, repairing, and expanding its water and wastewater facilities, to provide recreational opportunities and for all other lawful municipal purposes.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF LARKSPUR, COLORADO AS FOLLOWS:**

1. A ballot question, substantially in the following form shall be placed on the November 7, 2006 coordinated election ballot, to be voted on by registered electors within the Town:

PROVIDED THAT NO LOCAL TAX RATE OR MILL LEVY SHALL BE INCREASED WITHOUT FURTHER VOTER APPROVAL, SHALL THE TOWN OF LARKSPUR, COLORADO BE AUTHORIZED TO COLLECT, RETAIN, AND EXPEND ALL REVENUES RECEIVED BY THE TOWN AS GRANTS FROM THE STATE OF COLORADO IN 2006 AND EACH SUBSEQUENT YEAR THEREAFTER, NOTWITHSTANDING THE LIMITATIONS OF ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, AND TO USE SUCH FUNDS TO IMPROVE, REPAIR AND EXPAND ITS WATER AND WASTEWATER FACILITIES, TO PROVIDE RECREATIONAL OPPORTUNITIES AND FOR ALL OTHER LAWFUL MUNICIPAL PURPOSES?

2. The Deputy Town Clerk, Penny Henson, or such other individual as the Town may designate in writing from time to time shall be the designated election official for the purpose of such election.
3. The designated election official, the Mayor and the Town attorney are hereby authorized and directed to take all necessary steps and executed all necessary documents in order to accomplish the placement of such issue on the November 7, 2006 coordinated election ballot, including but not limited to execution of the Intergovernmental Agreement Between Douglas County Clerk and Recorder and Town of Larkspur Regarding the Conduct and Administration of the November 7, 2006 General Election.
4. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
5. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

INTRODUCED, PASSED AND ADOPTED AT A SPECIAL MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR AFTER PUBLIC HEARING AND SIGNED THIS 28th DAY OF AUGUST, 2006.

(S E A L)

Votes Approving: _____
 Votes Opposed: _____
 Absent: _____
 Abstained: _____

ATTEST:

**TOWN COUNCIL OF THE
 TOWN OF LARKSPUR, COLORADO**

_____ By: _____

Pennye J. Henson, Town Clerk

Sherilyn K. West, Mayor