

ORDINANCE NO. 947

AN ORDINANCE AMENDING THE CITY CHARTER TO REQUIRE THE CITY CLERK TO RESTRICT ACCESS TO ELECTION EQUIPMENT AND MATERIALS, AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE NOVEMBER 7, 2023 REGULAR ELECTION.

WHEREAS, the City Council finds that security of election equipment and materials is important to maintaining the integrity of City elections; and

WHEREAS, the City Council finds that requiring the City Clerk to restrict access by City Councilmembers, City staff, and others not performing election activities to areas of City buildings where election equipment and materials are kept or stored will help preserve the integrity of City elections.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:

Section 1. Section 4-4(b) of the City's Home Rule Charter is hereby amended to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 4-4 Conduct of Elections

(b) The City Clerk shall provide for ballots, sample ballots, voting machines or electronic voting equipment, for determination of the winner by lot in the event of a tie vote, for canvass of returns, and for issuance of appropriate certificates. The City Clerk shall restrict access by Councilmembers, City staff, and others not performing election activities from areas of City buildings where election equipment and materials are kept or stored.

Section 2. The charter amendment provided for herein shall be submitted to a vote of the registered electors at the November 7, 2023 regular municipal election to determine whether the amendment shall take effect.

Section 3. The charter amendment provided for herein shall not take effect unless and until a majority of the registered voters voting at the November 7, 2023 regular election vote "yes" in response to the following ballot title:

SHALL THE CITY OF DACONO HOME RULE CHARTER BE AMENDED TO PROVIDE THE CITY CLERK SHALL RESTRICT ACCESS BY COUNCILMEMBERS, CITY STAFF AND OTHERS NOT PERFORMING ELECTION ACTIVITIES FROM AREAS OF CITY BUILDINGS WHERE ELECTION MATERIALS ARE KEPT OR STORED?

YES _____
NO _____

Section 4. 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance, or any portion hereof, are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED AND POSTED BY TITLE THIS 14th day of August, 2023.

PUBLIC HEARING AND SECOND READING WILL BE THE 28th day of August, 2023 AT 6:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, BUILDING C, DACONO, CO.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE THIS _____ day of _____, 2023.

CITY OF DACONO, COLORADO

Adam Morehead, Mayor

ATTEST:

Valerie Taylor, City Clerk

Summary of Ordinance No. 947, **“AN ORDINANCE AMENDING THE CITY CHARTER TO REQUIRE THE CITY CLERK TO RESTRICT ACCESS TO ELECTION EQUIPMENT AND MATERIALS, AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE NOVEMBER 7, 2023 REGULAR ELECTION.”**: Submits to the registered electors at the November 7, 2023 regular election an amendment to the City’s Home Rule Charter to require the City Clerk to restrict access to election equipment and materials to only those performing election activities.