

AN ORDINANCE

CALLING FOR A COORDINATED SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2026, TO SUBMIT TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF LAKEWOOD, COLORADO, A BALLOT QUESTION FOR THE PURPOSE OF AUTHORIZING VOTER-APPROVED AMENDMENTS TO THE CITY'S HOME RULE CHARTER TO REPLACE THE LANGUAGE ESTABLISHING TIME FRAMES FOR HOLDING REGULAR OR SPECIAL ELECTIONS AS ESTABLISHED WITHIN SECTION 13.1(d) REGARDING INITIATIVE PROCEDURES AND SECTION 13.2(e) REGARDING REFERENDUM PROCEDURES, AND ADOPTING THE BALLOT TITLE THEREFOR

WHEREAS, the Lakewood Home Rule Charter (Charter) was adopted on November 1, 1983, to establish the basic practices and procedures of the City and to serve as the primary document establishing the governance and vision of the City;

WHEREAS, Charter Section 14.9 allows for the Charter to be amended in the manner provided by Article XX of the Colorado Constitution and any statute enacted by the Colorado General Assembly;

WHEREAS, C.R.S. § 31-2-210(1)(b) authorizes the City Council to adopt an ordinance submitting a proposed charter amendment to a vote of the registered electors of the City;

WHEREAS, previous amendments to the Charter have sought to revise language to bring the Charter into conformance with revised State election laws, including on November 2, 1999, when voters approved a ballot question amending Charter Section 13, regarding initiative and referendum procedures;

WHEREAS, subsequent to the November 1999 amendment, the State has revised numerous provisions of the Municipal Election Code enacted under Title 31 of the Colorado Revised Statutes to recognize the additional procedural steps required for mail ballot elections, as opposed to traditional in-person elections, including securing a qualified ballot printing company, printing and delivering ballots and envelopes to the City, mailing ballots to voters, and receiving completed ballots, especially as pertains to active and overseas military electors, a group that requires additional time to receive and return their ballots as described within C.R.S. 31-10-102.8;

WHEREAS, Charter Sections 13.1(d) regarding initiative procedures and 13.2(e) regarding referendum procedures continue to mandate that elections for both initiative ordinances and referendums be held between thirty (30) and ninety (90) days following a sufficiency determination by the City Clerk and presentation to the City Council, a time frame that was workable for traditional in-person elections but is impractical for modern mail ballot elections, and complying with these outdated time frames creates significant logistical challenges in completing the essential steps of a mail ballot election;

WHEREAS, C.R.S. 31-11-104, which establishes the election procedures for initiative ordinances, and C.R.S. 31-11-105, which establishes the election provisions for referendums, authorize elections to be held not less than sixty (60) days and not more than one hundred fifty (150) days after the City Clerk's final determination of petition sufficiency;

WHEREAS, amending the Lakewood Home Rule Charter to provide a sufficient time frame for conducting elections associated with both initiative ordinances and referendums is essential to supporting the City's use of mail ballot elections and ensuring full participation by all residents, including military personnel residing and serving outside Lakewood and overseas; and

WHEREAS, the City Council wishes to refer to the electorate the proposed amendments to the Charter that reflect and affirm the City's values and priorities, including the goal of ensuring that Lakewood remains the best place to live, work, and play in Colorado by establishing initiative and referendum election processes that are actively inclusive of all residents.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

Section 1. Pursuant to Article XX, Section 9 of the Constitution of the State of Colorado and § 31-2-210(1)(b) of the Colorado Revised Statutes, a coordinated, special municipal election is hereby called for Tuesday, November 3, 2026, at which the following proposed amendments to Charter Section 13.1(d) regarding initiative procedures, and Section 13.2(e) regarding referendum procedures, shall be submitted to the registered electors of the City of Lakewood, Colorado. If approved, these amendments shall become effective on January 1, 2027. (STRIKE-THROUGH DENOTES REPEAL OR DELETION OF CHARTER SECTIONS AND UNDERSCORE DENOTES ADDITIONS TO CHARTER SECTIONS)

Section 13.1 INITIATIVE PROCEDURES.

- (a) Any initiated measure shall be in the form of an ordinance, which shall be legislative in character.
- (b) An initiated ordinance may be submitted to the City Council by filing a petition with the City Clerk. The petition shall be signed by registered electors of the City in a number at least equal to five percent of the total number of registered electors of the City on the date of the last regular municipal election.
- (c) If the petition is found to be sufficient upon examination by the City Clerk, the City Clerk shall present the petition to the City Council at the first regular meeting held more than thirty days after the date the petition was filed or at a special meeting held on the first Monday more than thirty days after the date the petition was filed.
- (d) Within thirty days after the petition is presented by the City Clerk, the City Council shall either adopt the initiated ordinance by a majority vote of all members of City Council without any change to the initiated ordinance or submit the initiated

ordinance to a vote of the registered electors of the City at a special election to be held ~~within ninety days, but not less than thirty~~ sixty (60) days and not more than one hundred and fifty (150) days, after the final determination of petition sufficiency ~~the petition is presented to the City Council~~; or at any regular municipal election to be held not more than ~~ninety~~ one hundred and fifty (150) days after the final determination of petition sufficiency ~~presentation of the petition to the City Council~~.

- (e) The initiated ordinance shall be published in full not less than ten days prior to the election. The ballot shall have printed on it the ordinance title and submission clause, and on separate lines under the submission clause, the words, "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE".
- (f) If a majority of the registered electors voting vote "for" the ordinance, it shall be adopted and take effect upon certification of the election results, or at such later date as may be set forth in the ordinance.
- (g) In the event that initiated ordinances containing conflicting provisions are approved at the same election, the initiated ordinance receiving the greatest number of votes shall prevail to the extent of the conflict.

Section 13.2 REFERENDUM PROCEDURES.

- (a) All ordinances adopted by the City Council that are legislative in character shall be subject to referendum. Any ordinance necessary for the immediate preservation of the public peace, health, or safety; fixing the rate of general property taxation for any year; related to the issuance of securities; adopting the budget; making an appropriation for the ensuing fiscal year; calling for a special election; levying special assessments, or initiating improvement districts shall not be subject to referendum.
- (b) If a petition calling for a referendum of an ordinance is signed by registered electors of the City in a number at least equal to three percent of the total number of registered electors of the City on the date of the last regular municipal election, such petition may be submitted to the City Council by filing it with the City Clerk. A referendum petition shall be filed with the City Clerk prior to the effective date of an ordinance as provided in Section 7.4 (b) and (c) of this Charter.
- (c) If the petition is found to be sufficient upon examination by the City Clerk, the City Clerk shall present the petition to the City Council at the first regular meeting held more than thirty days after the date the petition was filed or at a special meeting held on the first Monday more than thirty days after the date the petition was filed.
- (d) Upon presentation to the City Council of such petition by the City Clerk, the ordinance shall be suspended from operation.
- (e) The City Council shall upon presentation of the referendum petition immediately reconsider the ordinance. If upon reconsideration the ordinance is not repealed in its entirety by a majority of all members of City Council, the ordinance shall be submitted, without amendment or alteration, to a vote of the registered electors at a special election to be held ~~within ninety days, but not less than thirty~~ sixty (60) days and not more than one hundred and fifty (150) days, after the final determination of

~~petition sufficiency presentation of the referendum petition to the City Council; or at a regular municipal election held within the ninety- one hundred and fifty (150) day period as described above.~~

- (f) A referred ordinance shall be published in full not less than ten days prior to the date of the election. The ballot for the referred ordinance shall have printed on it the ordinance title and submission clause and on separate lines under the submission clause the words, "FOR THE ORDINANCE" and "AGAINST THE ORDINANCE". If a majority of the registered electors voting vote "for" the ordinance, it shall be effective upon certification of the election results. If a majority of the registered electors voting vote "against" the ordinance, the ordinance shall be repealed upon certification of the election results.

Section 2. The following ballot title and question shall be placed on the ballot of the November 3, 2026 coordinated special municipal election to be conducted by the Jefferson County Clerk and Recorder:

Proposed City of Lakewood Charter Amendment No. 1
ESTABLISHING TIME FRAMES FOR HOLDING REGULAR OR SPECIAL ELECTIONS
FOR INITIATIVE ORDINANCES AND REFERENDUMS

SHALL SECTIONS 13.1(d) AND 13.2(e) OF THE LAKEWOOD HOME RULE CHARTER REGARDING INITIATIVE AND REFERENDUM PROCEDURES BE AMENDED TO EXTEND THE TIME FRAME FOR CONDUCTING REGULAR OR SPECIAL ELECTIONS ON INITIATIVE ORDINANCES AND REFERENDUMS TO NOT LESS THAN SIXTY (60) DAYS AND NOT MORE THAN ONE HUNDRED FIFTY (150) DAYS AFTER THE FINAL DETERMINATION OF PETITION SUFFICIENCY?

YES/FOR _____

NO/AGAINST _____

Section 3. Pursuant to the Uniform Election Code of Colorado Revised Statutes, the special municipal election of November 3, 2026, shall be conducted as a coordinated, mail ballot election and the Election Official is hereby authorized and directed to take all such actions as are necessary or desirable thereunder to effectuate the election as a coordinated, mail ballot election.

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. This ordinance calls for a special election, is therefore not subject to referendum, and shall go into effect immediately upon adoption by the City Council and publication by title.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 27th day of July 2026; published by title in the Denver Post and in full on the City of Lakewood's website at www.lakewood.org on the 30th day of July, 2026; set for public hearing to be held on the 10th day of August, 2026; read, finally passed and adopted by the City Council on the 10th day of August, 2026; and signed by the Mayor on the ___ day of August, 2026.

Wendi Strom, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney