



TOWN OF PAGOSA SPRINGS, COLORADO

**ORDINANCE NO. 802
(SERIES 2014)**

**AN ORDINANCE SUBMITTING TO THE
REGISTERED ELECTORS OF THE TOWN OF
PAGOSA SPRINGS THE QUESTION OF AMENDING
ARTICLE 6,
SECTION 6.2 OF THE HOME RULE CHARTER
OF THE TOWN OF PAGOSA SPRINGS
REGARDING THE POWERS OF THE
TOWN OF PAGOSA SPRINGS MUNICIPAL COURT**

WHEREAS, the Town of Pagosa Springs (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003, as amended (“Charter”); and

WHEREAS, Article 6, Section 6.2 of the Town Code grants jurisdiction to the municipal court to hear and try all alleged violations of the Town’s ordinances; and

WHEREAS, Article 12, Section 12.2 of the Charter states that the Charter may be amended in the manner provided in the Colorado Constitution and Title 31, Article 2 of the Colorado Revised Statutes, and that proceedings to amend the Charter may be initiated by the filing of a petition meeting the requirements of the Colorado Revised Statutes, or by the adoption of an ordinance by Town Council submitting the proposed amendment to a vote of the registered electors of the Town; and

WHEREAS, the Town Council hereby finds and determines that the submittal of an amendment to the Charter to expand the jurisdiction to the municipal court to hear and try all matters arising under the Town Charter, the Town ordinances, and other enactments of the Town, is appropriate and necessary to the function and operation of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:

Section 1. Town Charter Amendment. Pursuant to Section 31-2-210(4), C.R.S., notice is hereby given to the registered electors of the Town of Pagosa Springs that the following proposed amendment to Title 6 of the Charter, amending Section 6.12 by adding the capitalized and double-underlined words, will be submitted to the registered electors at the regular municipal election to be held on April 8, 2014, pursuant to Ordinance No. 801 (Series 2014):



**ARTICLE 6
TOWN ATTORNEY AND MUNICIPAL COURT**

Section 6.2 Municipal Court

There shall be a Municipal Court, which shall have jurisdiction to hear and try all MATTERS ARISING UNDER THIS CHARTER, THE TOWN ORDINANCES AND OTHER ENACTMENTS OF THE TOWN. The Municipal Court shall have all jurisdiction as is provided under State statutes and rules promulgated by the Colorado Supreme Court. The Municipal Court shall be a qualified Municipal Court of Record and shall keep a verbatim record of all proceedings and evidence at trials by either electronic or stenographic means.

Section 2. Ballot Title. The official ballot shall contain the ballot title which shall also be the designation and submission clause for the question:

"Shall the Town of Pagosa Springs Home Rule Charter be amended to grant the municipal court authority to hear and try all matters arising under the Charter, the Town ordinances, and other enactments of the Town?"

Section 3. Election. At the regular municipal election to be held on April 8, 2014, the ballot question set forth in this Ordinance shall be submitted to the electors and the Charter shall be thereby amended if a majority of the registered electors of the Town voting thereon approve the ballot question.

Section 4. Public Inspection. The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

Section 5. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective and be in force immediately upon final passage at second reading.



INTRODUCED, READ, AND ORDERED PUBLISHED BY TITLE ONLY
PURSUANT TO SECTION 3.9, B) OF THE PAGOSA SPRINGS HOME RULE
CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS,
COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS
SPECIAL MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE
23 DAY OF JANUARY, 2014.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: Ross Aragón
Ross Aragón, Mayor



Attest:

April Hessman
April Hessman, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED BY
TITLE ONLY PURSUANT TO SECTION 3.9, D) OF THE PAGOSA SPRINGS HOME
RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA
SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND
PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA
SPRINGS, ON THE 4 DAY OF Feb. 2014.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: Ross Aragón
Ross Aragón, Mayor



Attest:

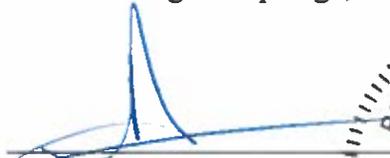
April Hessman
April Hessman, Town Clerk



CERTIFICATE OF PUBLICATION

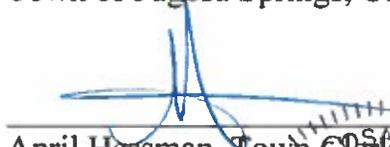
I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 802 (Series 2014) was approved by the Town Council of the Town of Pagosa Springs on first reading at its special meeting held on the 23 day of January, 2014, and was published by title only, along with a statement indicating that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on Jan 24, 2014, which date was at least ten (10) days prior to the date of Town Council consideration on second reading.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this 5 day of Feb, 2014.


April Hessman, Town Clerk
(S E A L)


I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 802 (Series 2014) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the 4 day of Feb, 2014, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on 5th Feb, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this 5 day of Feb, 2014.


April Hessman, Town Clerk
(S E A L)


**Town of Pagosa Springs
P.O. Box 1859
Pagosa Springs, CO 81147**