

ORDINANCE NO. 63-B

AN ORDINANCE OF THE TOWN OF STRATTON SETTING BALLOT TITLE AND BALLOT CONTENT TO AMEND THE STRATTON SALES TAX ORDINANCE NO. 4B TO INCLUDE A TWO PERCENT (2%) USE TAX TO BE APPLICABLE TO EVERY MOTOR VEHICLE PURCHASED FOR USE OR STORAGE WITHIN THE TOWN, FOR WHICH REGISTRATION IS REQUIRED BY THE LAWS OF THE STATE OF COLORADO, THE TAX TO BE EFFECTIVE July 1, 2018, THE NET PROCEEDS OF SUCH USE TAX TO BE COLLECT, RETAINED, AND SPENT THROUGH THE GENERAL FUND; SUBMITTING THE BALLOT ISSUE AT THE ELECTION TO BE HELD APRIL 3, 2018 AND SETTING FORTH DETAILS IN RELATION THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the Town of Stratton, Colorado, hereinafter referred to as the "Town", (the "Town"), is a municipal corporation duly organized and operating as a statutory Town under the Constitution and laws of the State of Colorado; and

WHEREAS, the Town presently imposes a sales and use tax at the aggregate rate of two percent (2.0%) (the "Current Rate"), which tax rate is imposed pursuant to Town Ordinance No. 4B; and

WHEREAS, the Board of Trustees of the Town, hereinafter referred to as the "Town", has determined that it is in the best interests of the citizens of the Town to amend Ordinance No. 4B so as to impose a two percent (2%) use tax to be applicable to every motor vehicle for which registration is required by the laws of the State of Colorado; and

WHEREAS, Article X, Section 20 of the Constitution of the State of Colorado requires that the Town have voter approval in advance for any tax increase and for the creation of any multiple-fiscal year direct or indirect debt or other financial obligation whatsoever; and

WHEREAS, the Board desires to submit ballot issues to the eligible electors of the Town on April 3, 2018, for the purposes referenced above; now therefore,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON, KIT CARSON, COLORADO:

Section 1. Calling and Conduct of the Election. An election shall be held on Tuesday, April 3, 2018, at which there shall be submitted to the eligible electors of the Town the ballot issues set forth in this Ordinance. The cost of the election shall be paid from the Town's general fund. The Town Clerk shall serve as the designated election official of the Town for purposes of performing acts

required or permitted by law in connection with the election. The officers and employees of the Town are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance and the holding of a polling place election on April 3, 2018.

Section 2. Tax Increase Ballot Issue. A ballot issue concerning the added use tax shall be submitted to the eligible electors of the Town, which ballot issue shall be in substantially the following form:

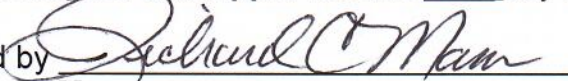
SHALL THE TOWN OF STRATTON SALES TAX ORDINANCE NO. 4B BE AMENDED TO INCLUDE A TWO PERCENT (2%) USE TAX PROVIDED HEREIN TO BE APPLICABLE TO EVERY MOTOR VEHICLE PURCHASED FOR USE OR STORAGE IN THE TOWN, FOR WHICH REGISTRATION IS REQUIRED BY THE LAWS OF THE STATE OF COLORADO EFFECTIVE JULY 1, 2018, THE NET PROCEEDS OF SUCH USE TAX TO BE COLLECTED, RETAINED, AND SPENT THROUGH THE GENERAL FUND?

Section 3. Setting Ballot Title and Content. For purposes of Section 31-11-111, C.R.S. this Ordinance shall serve to set the title and content of the ballot issues set forth herein. Any election contest arising out of the Ballot Issues or the election concerning the order of the ballot or the form or content of the ballot titles shall be commenced pursuant to Section 1-11-203.5, C.R.S.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such determination shall not affect, impair, or invalidate the remaining provisions hereof, the intention being that the various provisions hereof are severable.

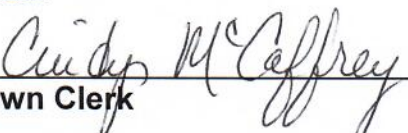
Section 5. Emergency Declaration; Effective Date. By reason that it is necessary to certify the ballot issues by an established date and the matters set forth in this Ordinance will be subject to a vote by the eligible electors of the Town, it is hereby declared that an emergency exists, that this Ordinance is necessary to the immediate preservation of the public peace, health and safety, and that this Ordinance shall be in full force and effect upon adoption.

Adopted and Approved this ____ day of _____, 2018.

Signed by 
Mayor

(S E A L)

Attest:


Town Clerk