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**ARTICLE VII  
LEGISLATIVE ACTIONS**

**Section 7.1. Legislative Actions.**

The Town Council shall act only by Ordinance, Resolution, or Motion.

**Section 7.2. Action by Ordinance.**

In addition to such acts of the Town Council as are required by other provisions of this Charter to be by Ordinance, every act authorizing the borrowing of money, levying any new tax, increasing any existing tax, creating new taxing authorities, increasing existing franchise fees, creating new franchise fees or establishing any rule or regulation for the violation of which a penalty is imposed, shall be by Ordinance.

**Section 7.3. Voting.**

For passage, every Ordinance shall require the affirmative roll call vote by "Yes" of a majority of the Town Council present, except that Ordinances authorizing the borrowing of money, creating new taxing authorities, increasing existing franchise fees, creating new franchise fees, or referring to the voters any levy of any new tax or increase of any existing tax, shall require the affirmative roll call vote by "Yes" of a majority of the Town Council in office. Except as otherwise specifically provided in this Charter, Resolutions, and Motions shall require the affirmative vote of a majority of the Town Council present in such form as set forth in the procedures and rules of order of the Town Council, as may be amended from time to time.

**Section 7.4. Form of Ordinance.**

The enacting clause of all Ordinances shall be: "THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, ORDAINS".

**Section 7.5. Procedure for Passage of Ordinances.**

The procedure for the passage of an Ordinance, other than an Emergency Ordinance, shall be as follows:

- (a) Introduction (first reading) of the ordinance at any regular or special meeting and vote by the Town Council in accordance with the voting requirements established by this Charter to move the proposed legislation forward to the second reading. Introduction and first reading of the ordinance may be by placement on the Town Council's consent agenda for such meeting.
- (b) If the ordinance is passed upon first reading, publicizing by title only and in accordance with the requirements, methods, and procedures for publicizing Ordinances as adopted by the

Town Council by Ordinance. ~~{OPTION: publication after first reading by title only with a copy on file with the Town Clerk.}~~

(c) Consideration of the ordinance on second reading at a meeting not earlier than six (6) days after the first reading.

(d) Public hearing on the ordinance.

(e) Roll call vote of the Town Council on the ordinance following the public hearing.

(f) Any ordinance may be amended before final passage by a roll call of the Town Council.

(g) After final passage, ~~the Town Clerk shall publicizing in accordance with the requirements, methods and procedures for publicizing Ordinances as adopted by the Town Council by Ordinance. {OPTION identify that the publication of the ordinance is by title only of the title thereof together with the statement that the full text is available for public inspection and acquisition in the office of the Town Clerk, and electronically on the website maintained by the Town, shall be sufficient publication}~~ Whenever possible, publicizing shall be within ten (10) days after final passage.

(h) Unless a later date is specified in the text of the Ordinance, an Ordinance other than an Emergency Ordinance shall take effect and be enforced thirty (30) days after final publication.

#### **Section 7.6. Procedure for Passage of Emergency Ordinances.**

(a) Emergency Ordinances for which immediate effectiveness is deemed necessary for the immediate preservation of the public peace, health, or safety, shall take effect immediately upon passage by an affirmative roll call vote of three-fourths (3/4) of the members of the Town Council in office at the time of such vote and shall require only one (1) reading at a meeting of the Town Council. Publicizing of the passage of the ordinance by title of the ordinance only shall be as soon as possible, but in any event no later than ten (10) days after passage, in accordance with the procedures and methods for publicizing as adopted by the Town Council by Ordinance.

(b) The Town Council may not create new taxing authorities, increase existing franchise fees, create new franchise fees, or refer to the voters the levy of any new taxes or increases of any existing tax rates, by Emergency Ordinance. Subject to these limitations, a recitation in any Emergency Ordinance that the Town Council deems the passage of said Ordinance to be for the immediate preservation of public peace, health or safety shall be conclusive.

#### **Section 7.7. Enactment of Codes and Amendments Thereof by Reference.**

In accordance with statutes relative to adoption by reference now or hereafter in effect, the Town Council may enact any appropriate Colorado statute or any standard code promulgated or enacted by any municipality, county, state, or federal agency, or by a recognized trade or professional organization, by reference thereto in an enacting Ordinance and without publishing such statutes or codes in full. If any such statute or code, after being adopted by reference, is revised or amended by the agency or organization by which it was enacted or promulgated, then any such revision or amended version may be adopted by reference by an Ordinance passed in the usual manner without strict compliance with the requirements relative to notices and public hearings.

**Section 7.8. Severability of Ordinances.**

Unless an Ordinance shall expressly provide to the contrary, if any portion of an Ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of the Ordinance which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable.

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**Section 7.9. Official Records of Legislative Enactments.**

(a) A true copy of every Resolution as hereafter adopted shall be numbered and recorded in the official records of the Town.

(b) All Ordinances shall be kept and maintained by the Town Clerk in such form as is sufficient to assure reasonable access to the public. It shall be the duty of the Mayor and Town Clerk to authenticate such records by their official signatures thereon, but the failure to so authenticate any Ordinance shall not invalidate it or suspend its operation.

(c) The Town Council shall cause the permanent Ordinances to be codified. Such codification may be of the entire body of permanent Ordinances or of the Ordinances on some particular subject and may be reenacted by the Town Council or authenticated in such other manner as may be designated by Ordinance. Subsequent codification shall be updated as deemed necessary by the Town Council.

**ARTICLE IX  
JUDICIARY AND LEGAL**

**Section 9.1. Municipal Court.**

(a) There shall be a Municipal Court of record that shall have jurisdiction to hear and determine all cases arising under this Charter or the Ordinances of the Town. The powers of and the procedure in such Municipal Court and the manner of enforcement of its orders and judgments shall be such as is provided for under this Charter, the laws of the State of Colorado, and the Ordinances of the Town with respect to municipal courts of records. The Town Council shall provide a suitable place and all supplies and personnel necessary for the proper functioning of the Court.

(b) In accordance with state law, the Municipal Court shall be presided over, and its functions exercised by one (1) or more municipal judges, who shall be attorney(s)-at-law authorized to practice in Colorado and otherwise qualified and appointed by the Town Council as established by Ordinance. ~~By the Town Council's Resolution or Ordinance, Aa~~ municipal judge shall receive compensation not dependent upon the outcome of the matters to be decided by such judge ~~and as fixed by the Town Council by Resolution or Ordinance from time to time.~~

(c) The Town Council shall provide for the enforcement of its Ordinances by fine or imprisonment or both, within the limits established ~~from time to time~~ by State law.

**Section 9.2. Town Attorney.**

(a) The Town Attorney shall be appointed by and shall serve at the pleasure of a majority of the Town Council ~~in office~~. The Town Attorney shall be the legal representative of the Town as directed by the Town Council.

(b) The Town Attorney shall be an attorney-at-law authorized to practice in Colorado and shall have the minimum number of years of experience in the practice of law as may be set forth by Ordinance or Resolution.

(c) The Town Attorney may supervise one (1) or more assistant attorneys to handle any matter in which the Town has an interest or to assist and counsel with the Town Attorney therein.