

**4/27 Revised Draft of the Prefatory Synopsis and Preamble, Article I, and Article II (Sections 2.1 and 2.2):**

**PREFATORY SYNOPSIS**

*On March 28, 2023, the citizens of Keystone, Colorado, voted to create a nine (9) member Home Rule Charter Commission to propose a governance structure that would dissolve the dependence on the state legislature and increase Keystone's ability to solve local issues at a local level. The government would be closer to the people of Keystone, more knowledgeable of and responsive to local needs and issues, and subject to the direct oversight of its citizens.*

*Commissioners assured that the following goals will be accomplished:*

- *Governance processes will be open, transparent, and responsive to the ~~citizens~~ Keystone community.*
- *Elected officials will have processes that allow them to make decisions, and act quickly and responsibly.*
- *Checks and balances will be in place to protect the ~~citizens'~~ Keystone community's right to be heard, to assure that issues are adequately researched and considered, ~~and to~~*
- *~~Provide~~ the citizens' recourse if they disagree with decisions made by their elected representatives.*
- *Town staff will function efficiently, effectively, and professionally.*
- *The Charter promotes the flexibility needed for Keystone to grow, evolve, and respond to future circumstances.*
- *Elected officials and Town staff will have the tools to promote the health, safety, and welfare of the mountain community.*

*The vision of the Charter Commission has been to present a document that provides Keystone with a responsive and efficient government accountable to the citizens.*

*Key provisions of the proposed Charter:*

- *recognize the Council-Manager form of government, with flexibility in organizational structure to allow Keystone to adjust to new demands and changing circumstances as the Town grows and prospers;*
- *implement effective checks and balances by, among other actions, providing powers of recall, initiative, and referendum;*
- *ensure responsible use of public funds and provide for the conduct of the Town's business on a balanced budget basis; and*
- *establish a structure for the efficient and orderly conduct of the Town government while also providing for and encouraging ~~citizen~~ Keystone community participation in the affairs of the Town.*

*The Commission believes that this Charter fosters a sound and lasting government, ~~with the optimum interests of the citizens of Keystone being paramount.~~*

## PREAMBLE

*We, the citizens of Keystone, Colorado declare the best government is the one closest to the people, depending not only on the individuals elected to Town offices, but also upon guiding principles, rules, and procedures.*

*This Town Charter, created to serve the people of Keystone, frees us from being required to rely on the state legislature to dictate the central terms and conditions of our Town. ~~This Charter gives life to the essential nature of American citizenship.~~ This document is dedicated to ensuring such rights and duties to the people and to encouraging ~~citizen~~ participation in our government for the proper and efficient progress of our Town.*

## ARTICLE I – General Provisions

### **Section 1.1. Name and Boundaries.**

The municipal corporation shall be known as the Town of Keystone, with boundaries the same as presently established, until changed in a manner authorized by law.

### **Section 1.2. Powers.**

The Town shall have all the power of local self-government and home rule and all power possible for a Town to have under the Constitution and the laws of the State of Colorado. The enumeration of powers under this Charter is not exclusive to others.

### **Section 1.3. Rights and Liabilities.**

By the name of the Town of Keystone, the municipal corporation shall have perpetual succession; shall own, possess, and hold all property, real and personal owned, possessed, and held by the Town and does assume and shall manage and dispose of all trusts in any way connected therewith; ~~shall succeed to all the rights and liabilities of the Town;~~ shall acquire all benefits and does assume and shall pay all bonds, obligations and indebtedness of the Town; may sue and defend; may purchase, lease, receive, hold and enjoy or sell and dispose of real and personal property; may establish public works and provide public utilities and other public services as permitted by law; and shall have a common seal and alter the same at pleasure.

### **Section 1.4. Form of Government.**

The municipal government provided by this Charter shall be a “Council-Manager” form of government. Pursuant to the Charter provisions and subject only to limitations imposed by the Constitution of the State of Colorado, all powers shall be vested in an elected Town Council, which shall enact local legislation, adopt budgets, determine policies, and appoint the Town Manager, who shall execute the laws and administer the Town government. All powers of the Town shall be exercised in the manner prescribed by this Charter or, if the manner is not so prescribed, then in such manner as may be prescribed by ordinance, resolution, or motion, or as provided by other applicable law.

**Section 1.5. Definitions.** The following terms as used in this Charter shall have the assigned meaning.

“C.R.S.” shall mean the Colorado Revised Statutes.

“Emergency Ordinance” shall mean an Ordinance adopted in accordance with the provisions of Section 7.6 of this Charter and for which the Town Council has determined that immediate effectiveness is necessary for the immediate preservation of the public peace, health, or safety.

“Motion” shall mean a formal step to introduce a matter for consideration or action of the Town Council on matters that are of a non-permanent nature that are adopted in a verbal form by a majority of the Town Council present at a meeting of the Town Council and reflected in the minutes of the meeting.

“Ordinance” shall mean a form of action of the Town Council adopting laws or legislative enactments of a permanent nature or other actions required by this Charter to be by ordinance, which acts must follow the procedure for passage required by this Charter and shall include Ordinances adopted through the process of initiative as provided in this Charter.

“Quorum” shall mean a majority number of the members of Town Council in office.

“Regular Town Election” shall mean the election held pursuant to Section 5.2 (a) of this Charter.

“Resolution” shall mean a written form of action of the Town Council on matters of a non-permanent nature that are effected through adoption by a majority of the Town Council present at a meeting of the Town Council.

“TABOR” shall mean the Taxpayer’s Bill of Rights as set forth in Article X, Section 20, of the Colorado Constitution, as may be amended from time to time.

“Town Council” shall mean the Mayor and the Councilmembers except the office of Mayor and Councilmember shall be distinguished for purposes of determining limits on number of terms as set forth in Section 2.3(d).

“Town Elective Offices” shall mean the offices of Town Council except as specifically addressed in this Charter.

## **Article II – Elective Offices**

### **Section 2.1. Town Council and Mayor.**

Except for the application of term limits as set forth in Section 2.3, the Town Council shall consist of the Mayor and six (6) Councilmembers. One (1) Councilmember shall serve as Mayor Pro-Tem. The Mayor and Councilmembers shall be elected at large from the entire Town.

### **Section 2.2. Limits on Elective Offices.**

In addition to the limits on other elective offices set forth in Section 2.6 of this Charter, no person shall be eligible to stand for election for more than one Town Elective Office at any single Town election. For purposes of this Section of the Charter only, “Town Elective Office” shall not include any office on a new charter commission to be formed in accordance with Part 2 of Article 2 of Title 31, C.R.S., as may be amended from time to time. A person may hold any Town Elective Office of any kind and run as a candidate in an election for another Town Elective Office of any kind at the same time, but if elected, the candidate must resign such candidate’s current Town Elective Office and fill the Town Elective Office to which the candidate was subsequently elected.