

**LONGMONT CITY CHARTER
ARTICLE V
INITIATION, REFERENDUM AND RECALL**

5.1 INITIATION AND REFERENDUM

An ordinance may be initiated by petition, or a referendum on an enacted ordinance may be had by petition, or the Council may, on its own motion, submit an ordinance to the electorate as hereafter provided.

5.2 PETITION REQUIREMENTS

An initiation or referendum petition shall be signed by qualified electors in a number not less than ten percent of the number of persons who were registered electors of the City, as of the date of the last regular City election, and all signatures on said petition shall be obtained within twenty-one days before the date of filing the petition with the clerk. Any such petition shall be addressed to the Council and may be the aggregate of two or more petition papers identical as to content and simultaneously filed by one person. An initiation petition shall set forth in full the ordinance it proposes to initiate, and no petition shall propose to initiate more than one ordinance. A referendum petition shall identify the ordinance or part thereof, or code section it proposes to have repealed. Each signer of a petition shall sign his name, the date and his place of residence by street and number, or by other customary designation. To each petition paper, there shall be attached a sworn affidavit by the circulator thereof stating the number of signers thereof, and that each signature thereon is the genuine signature of the person whose name it purports to be, and that it was made in the presence of the affiant. Such petition shall be filed with the clerk who shall, within fifteen days, canvass the signatures thereon. If the petition does not contain a sufficient number of signatures of qualified electors of the City, or any other error or insufficiency shall be found in the petition, the clerk shall notify forthwith by registered mail the person filing such petition, and fifteen days from such notification shall be allowed for filing of supplemental or corrected petition papers. When a petition with sufficient signatures is filed within the time allowed by this section, the clerk shall present the petition to the Council at its next regular meeting.

5.3 COUNCIL PROCEDURE ON INITIATION AND REFERENDUM PETITIONS

Upon presentation to the Council of an initiation or referendum petition by the clerk, the Council shall, within thirty days, either:

- (a) Adopt the ordinance as submitted by an initiation petition,
- (b) Repeal the ordinance, or part thereof, referred to by a referendum petition, or
- (c) Determine to submit the proposal provided for in the petition to the electors.

5.4 SUBMISSION OF INITIATION AND REFERENDUM ORDINANCES TO ELECTORS

Should the Council decide to submit the proposed ordinance to the electors, or should they, on their own motion, submit an ordinance to the qualified electors, it shall be submitted at the next regular City election or special City election scheduled for any other purpose, or in the discretion of the Council at a special election called for that specific purpose. In the case of an initiation petition, if no City election is to be held for any other purpose not less than thirty days or within one hundred fifty days from the time the petition is presented to the Council, and it does not enact the ordinance, then the Council shall, by resolution, call a special election within sixty days from such date of presentation for the submission of the proposal. The result of all elections held under the provisions of this section shall be determined by a majority vote of the electors voting thereon. (Amendment No. 3, November 8, 1983).

5.5 MISCELLANEOUS PROVISIONS ON INITIATION AND REFERENDUM PETITIONS

An ordinance adopted by the electorate may not be amended or repealed for a period of six months after the date of the election at which it was adopted, and an ordinance repealed by the electorate may not be re-enacted for a period of six months after the date of the election at which it was repealed provided, however, that any ordinance may be adopted, amended or repealed at any time by appropriate referendum or initiatory procedure in accordance with the foregoing provisions of this Charter, or if submitted to the electorate by the Council on its own motion. If two or more ordinances adopted at the same election shall have conflicting provisions, the provisions in the ordinance receiving the highest number of affirmative votes shall govern.

5.6 ORDINANCES EXCEPTED

Anything herein to the contrary notwithstanding ordinances authorizing the issuance of bonds, levying taxes, the annual appropriation ordinances and those ordering improvements initiated by petition and to be paid for by special assessments shall be excepted from initiative and referendum powers.

5.7 RECALL

Every elective public officer of the City may be recalled at any time after six months in office by the electors entitled to vote for a successor of such incumbent through the procedure and in the manner provided for in Article XXI of the Constitution of the State of Colorado.

5.8 RECALL PROCEDURE BY COUNCIL

The Council may provide by ordinance such further procedure as may be deemed necessary as long as it is not inconsistent with the Constitution of the State of Colorado or this Charter. However, in no event shall an ordinance require any recall petition to be signed by more than twenty-five per cent of the electors of the entire vote cast at the last preceding election for all candidates for the office.