

ORDINANCE NO. 2022- 33

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE STATEWIDE GENERAL ELECTION COORDAINTED WITH A SPECIAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022, A PROPOSAL TO AMEND ARTICLE 3-3 OF THE AURORA CHARTER TO CONFORM THE QUALIFICATIONS OF ELECTIVE OFFICERS OF THE CITY WITH THE PROVISIONS OF THE COLORADO CONSTITUTION BY REMOVING THE GENERAL PROHIBITION AGAINST CONVICTED FELONS HOLDING ELECTIVE OFFICE AND REPLACING THAT PROHIBITION WITH THE CURRENT PROHIBITON SET FORTH IN ARTICLE XII, SECTION 4 OF THE COLORADO CONSTITUTION

WHEREAS, Section 3-3 of the Charter of the City of Aurora establishes the qualifications of elective officers of the City; and

WHEREAS, Article XII, Section 4 of the Colorado Constitution provides that no person convicted of embezzlement of public monies, bribery, perjury, solicitation of bribery, or subornation of perjury shall be capable of holding any office of public trust; and

WHEREAS, elected officers of the City hold offices of public trust within the meaning of Article XII, Section 4 of the Colorado Constitution; and

WHEREAS, the City Council is authorized to refer amendments to the Aurora Charter to the voters pursuant to Article XX Section 5 of the Colorado Constitution, Article 1-6 of the Aurora City Charter and Section 54-149 of the City Code; and

WHEREAS, the City Council wishes to refer to the voters at the regular municipal election on November 8, 2022, an amendment to Section 3-3 of the Aurora Charter to conform that Article to the provisions of Article XII, Section 4 of the Colorado Constitution.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. There is hereby submitted to a vote of the registered electors of the City at the statewide general election which shall be coordinated with a special municipal election to be held November 8, 2022, the question of amending the City Charter regarding the requirements of registered electors eligible to hold municipal office.

Section 2. Ballot question referred and ballot title set. The following ballot question is hereby referred to the voters of the City at the November 8, 2022, special municipal election:

“IN ORDER TO CONFORM TO THE REQUIREMENTS OF THE COLORADO CONSTITUTION, SHALL ARTICLE 3-3 OF THE CHARTER OF THE CITY OF AURORA, COLORADO BE AMENDED TO READ AS FOLLOWS:

3-3 QUALIFICATIONS OF ELECTIVE OFFICERS.

EACH COUNCILMEMBER WHEN ELECTED SHALL BE A REGISTERED ELECTOR, SHALL BE A CITIZEN OF THE UNITED STATES OF AMERICA, AND SHALL HAVE RESIDED IN THE CITY OF AURORA FOR AT LEAST ONE YEAR PRIOR TO THE DATE OF THE ELECTION AND SHALL HAVE REACHED THEIR TWENTY-FIRST BIRTHDAY PRIOR TO THE DATE OF THE ELECTION. COUNCILMEMBERS ELECTED FROM WARDS SHALL ALSO BE ONE-YEAR RESIDENTS AND REGISTERED ELECTORS OF THE RESPECTIVE WARDS FROM WHICH THEY WERE ELECTED. A PERSON WHO HAS BEEN CONVICTED OF A ~~FELONY~~ EMBEZZLEMENT OF PUBLIC MONEY, BRIBERY, PERJURY, SOLICITATION OF BRIBERY OR SUBORNATION OF PERJURY SHALL NOT BECOME A CANDIDATE FOR NOR HOLD ELECTIVE OFFICE. NO COUNCILMEMBER SHALL HOLD ANY OTHER ELECTIVE PUBLIC OFFICE NOR BE A SALARIED EMPLOYEE OF THE CITY OF AURORA?

_____ YES

_____ NO”

Section 3. The provisions of this Ordinance, the Charter Amendment, and the Question authorized hereby are severable. If any portion of this Ordinance, the Charter Amendment, or the Question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such Ordinance, Charter Amendment, or Question.

Section 4. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, **utilizing** the Ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 5. Repealer. All Orders, Resolutions, or Ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this 27th day of June, 2022.

PASSED AND ORDERED PUBLISHED this 11th day of July, 2022.



MIKE COFFMAN, Mayor



ATTEST:



KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:



DAVID LATHERS, Senior Assistant City Attorney