

ORDINANCE NO. 19-20

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CASTLE PINES, COLORADO, AMENDING ARTICLES 1 AND 2 OF
CHAPTER 4 OF THE MUNICIPAL CODE REGARDING FINANCIAL
MATTERS**

WHEREAS, on May 14, 2019, electors of the City of Castle Pines (“City”) voted to approve the City Home Rule Charter (“Charter”); and

WHEREAS, the Charter is the controlling document for the City, and any inconsistencies in the City Municipal Code (“Code”) must be revised; and

WHEREAS, in accordance with state law and the Charter, the City Council must adopt a resolution for the budget and for the annual appropriations no later than the fifteenth (15th) day of December of each year for the following year; and

WHEREAS, after adopting the budget and making appropriations, the City Council may deem it necessary to transfer, increase or reduce annual appropriations; and

WHEREAS, the Section 10.12 of the Home Rule Charter, titled *Supplemental Appropriations*, allows the City Council to make supplemental appropriations in accordance with procedures set forth by ordinance; and

WHEREAS, the City Council desires to establish procedures for authorizing supplemental appropriations, which procedures advance the public health, safety, convenience and general welfare of the residents of the City, and to repeal Article 2 regarding matters established in the Charter.

**THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO,
ORDAINS:**

Section 1. **Article 1 of Chapter 4.** Article 1 of Chapter 4, titled *Fiscal Year*, of the Municipal Code is hereby repealed and reenacted to read in full as follows:

Article 1. Budget and Appropriations.

Sec. 4-1-10. Budget. An annual budget of the City is required in accordance with Article X of the Home Rule Charter.

Sec. 4-1-20. Budget transfers. The City Council may transfer appropriated moneys between funds or accounts, as determined by the appropriation level, pursuant to City Council resolution without notice of or conduct of a public hearing.

Sec. 4-1-30. Supplemental Appropriations. The City Council may make additional appropriations for unanticipated expenditures required of the City following a duly noticed

public hearing. Notice of the time and place of such hearing shall be published once at least seven (7) days prior to such hearing in accordance with Article III, Section 3.6 of the Home Rule Charter. The City Council shall approve supplemental appropriations by resolution. Such additional appropriations shall not exceed the amount by which actual and unanticipated revenues of the year exceed the revenues as estimated in the budget, unless the appropriations are necessary to relieve an emergency endangering the public peace, health, safety or property.

Section 2. **Article 2 of Chapter 4.** Article 2 of Chapter 4, titled General and Special Funds, is hereby repealed in its entirety and shall be retained as “Reserved.”

Section 3. **No Existing Violation Affected.** Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any ordinance hereby repealed or amended by this Ordinance, or any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. **Repeal of Previous Ordinances.** Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 5. **Codification Amendments.** The codifier of the City’s Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Castle Pines Municipal Code.

Section 6. **Safety Clause.** The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Castle Pines, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 7. **Publication and Effective Date.** The City Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.5 of the Charter. This Ordinance shall be effective thirty (30) days after final publication on the City’s official website and posted at the City Clerk’s office pursuant to Section 1-3-40 of the Municipal Code.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, the 10th DAY OF DECEMBER, 2019.

READ, PASSED, AND ADOPTED ON SECOND READING, FOLLOWING A PUBLIC HEARING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 14th DAY OF JANUARY, 2020.



DocuSigned by:
Tera Stave Radloff
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Tera Stave Radloff, Mayor

ATTEST:

DocuSigned by:
Tobi Basile
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Tobi Basile, CMC, City Clerk

Approved as to form:

DocuSigned by:
Linda C. Michow
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Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading on December 10, 2019; published by title only in the *Denver Post*, together with the statement that “[t]he complete text of the ordinance is available through the City Clerk’s office and on the City’s official website with second reading and public hearing to be held on January 14, 2020”; and finally passed and adopted by the City Council on January 14, 2020, following a duly noticed public hearing and published on the City’s official website and posted at the City Clerk’s office on December 11, 2019.

ATTEST:

DocuSigned by:
Tobi Basile
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Tobi Basile, CMC, City Clerk