

ORDINANCE 08-13

INTRODUCED BY:

Councilperson Dooley

Councilperson Havercroft

**ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF CASTLE PINES NORTH
AMENDING ORDINANCE 08-06 AND INCREASING FROM 9.5 MILLS TO 19 MILLS
THE AD VALOREM PROPERTY TAX IMPOSITION IN THE EVENT OF A
SUBSEQUENT ELECTION AUTHORIZING SUCH MILL LEVY**

WHEREAS, by Ordinance 08-06, the City Council for the City of Castle Pines North imposed ad valorem property taxes of up to 4.5 mills and up to 19 mills for the purposes specified in and subject to the limitations of Ordinance 08-06 and elected to receive the City's portion of the County Road and Bridge Fund in cash; and

WHEREAS, by Ordinance 08-06, Section 4, the City Council imposed ad valorem property taxes not to exceed 9.5 mills in the event of and for the purposes to be authorized by a subsequent election wherein a majority of the electors of the City voting therein were to approve a question authorizing imposition of an ad valorem property tax on all property taxable by law at a rate not to exceed 9.5 mills, subject to certain limitations as stated therein; and

WHEREAS, by this Ordinance, the City Council wishes to amend Section 4 of Ordinance 08-06 to increase the mill levy from 9.5 to 19 mills in the event of and for the purposes authorized by a subsequent election authorizing such mill levy; and

WHEREAS, City Council finds it necessary for the immediate preservation of public health and safety for the City to adopt this Ordinance 08-13 in order to prepare for an election and to begin receiving revenue as soon as possible to fund municipal expenses of the City, and as such, this Ordinance 08-13 shall be immediately effective as an emergency ordinance pursuant to § 31-16-105, C.R.S.:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO, THAT:

Section 1. Section 4 of Ordinance 08-06 is hereby amended in its entirety to read as follows:

Section 4. In the event of any subsequent election duly called and conducted, wherein a majority of the electors of the City vote to approve a question authorizing imposition of an ad valorem property tax on all property taxable by law at a rate not to exceed 19 mills, for purposes authorized therein,

provided that the City may impose such tax only in the event that the Castle Pines North Metropolitan District reduces or eliminates its current mill levy, then the City may impose a mill levy equal to the amount of reduction for purposes as authorized by such ballot question; provided however, that the City may never charge on its residents a non-uniform tax, and the City will not levy more than a total of 19 mills for such authorized purposes. The City Council may pass a resolution each year setting the mill levy rate and levying taxes for such authorized purposes, subject to the requirements contained in this Section 4.

Section 2. The City Council hereby finds, determines and declares that an emergency exists and that this Ordinance is necessary for the immediate preservation of the public health and safety and the same shall be in full force and effect after publication and final passage as provided by law because the City needs to prepare for the election that will authorize the levy of ad valorem property taxes approved by this Ordinance on an immediate basis in order to meet certain election deadlines so that the City may fund the expenses of municipal government.

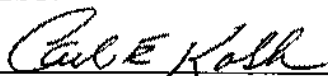
Section 3. If any provision of this Ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

INTRODUCED, READ, AND PASSED ON FIRST READING AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO the 6th day of August, 2008.

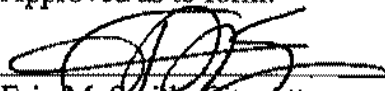
READ, PASSED AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO, the 27th day of August, 2008.


Maureen A. Shul, Mayor

ATTEST:

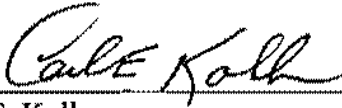

Carl E. Kollmar, City Clerk

Approved as to form:


Erin M. Smith, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Castle Pines North City Council on August 6, 2008; published in full in the Douglas County News-Press; and finally passed and adopted by the City Council on August 27, 2008, 2008.

A handwritten signature in cursive script, reading "Carl E. Kollmar", written over a horizontal line.

Carl E. Kollmar