ORDINANCE NO. 26-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, AMENDING ARTICLE 1 OF CHAPTER 2 OF THE CASTLE PINES MUNICIPAL CODE REGARDING CAMPAIGN CONTRIBUTION LIMITS

WHEREAS, the City of Castle Pines ("City") is a home rule municipality with all powers granted by Article XX of the Colorado Constitution and the City's Home Rule Charter ("City Charter"); and

WHEREAS, Article 1 of Chapter 2 of the Castle Pines Municipal Code addresses matters covered by Article XXVIII of the Colorado Constitution, entitled *Campaign and Political Finance* ("Article XXVIII"), and Title 1, Article 45 of the Colorado Revised Statutes, known as *The Fair Campaign Practices Act* ("FCPA"); and

WHEREAS, the City Council has determined, as a home rule municipality, that it is not in the best interest of the City to be governed by state-dictated municipal campaign contribution limits; and

WHEREAS, the City Council further desires to clarify that campaign contributions made in relation to City elections shall be reported to the City Clerk as set forth in Section 1-45-109, C.R.S.

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

Section 1. Recitals Incorporated. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the City Council for all purposes.

Section 2. Amendment to Section 2-1-40. Section 2-1-40 of Chapter 2 of the Castle Pines Municipal Code is amended to add a new subsection (a) as shown in ALL CAPS to read as follows and to retain and renumber the existing subsections (a) through (i) accordingly:

Sec. 2-1-40. Municipal campaign finance.

(A) APPLICABLE LAW FOR CAMPAIGN FINANCE IN CITY ELECTIONS. EXCEPT TO THE EXTENT THAT A DIRECT AND IRRECONCILABLE CONFLICT WITH THE PROVISIONS OF THIS ARTICLE EXISTS, IN WHICH CASE THE PROVISIONS OF THIS ARTICLE SHALL PREVAIL, ARTICLE XXVIII OF THE COLORADO CONSTITUTION AND THE FAIR CAMPAIGN PRACTICES ACT (C.R.S. SECTION 1-45-101 ET SEQ.), AS SUCH PROVISIONS MAY BE AMENDED FROM TIME TO TIME AND AS SUCH PROVISIONS ARE APPLICABLE TO MUNICIPAL ELECTIONS, SHALL APPLY TO AND GOVERN ALL CITY ELECTIONS.

Section 3. **New Section 2-1-50.** Article 1 of Chapter 2 of the Castle Pines Municipal Code is amended to add a new section 2-1-50 to read in full as follows:

Sec. 2-1-50. - Campaign contribution limits and reporting.

(a) Municipal campaign contribution limits.

1. Candidate campaign contributions, including contributions in kind, are limited to two thousand dollars ($2,000.00) per person per candidate committee. This limitation does not apply to contributions made by a candidate to the candidate's own candidate committee.

2. Issue campaign contributions, including contributions in kind, are limited to ten thousand dollars ($10,000.00) per person per issue.

(b) The contribution and contribution in kind limits of this Section shall apply on a per election basis.

(c) No person shall solicit, or cause to be solicited, contributions or contributions in kind to a candidate campaign or issue campaign from a City employee while on City owned or leased property or while the City employee is on duty.

(d) For the purposes of this Section, the following words shall have the following meanings:

Candidate means any person who seeks election to any City office which is to be voted for in the City at any election. A person is a candidate if the person has filed a nominating petition for public office in a nonpartisan election, has been chosen to fill any vacancy or has publicly announced an intention to seek election for public office, and has received a contribution or made an expenditure in support of the candidacy.

Contribution means:

1. The payment, loan, pledge, gift, or advance of money, or guarantee of a loan, made to any candidate committee, issue committee, political committee, or small donor committee;

2. Any payment made to a third party for the benefit of any candidate committee, issue committee, political committee, or small donor committee;

3. The fair market value of any gift or loan of property made to any candidate committee, issue committee, political committee, or small donor committee;

4. Anything of value given, directly or indirectly, to a candidate for the purpose of promoting the candidate's nomination, retention, recall, or election.

Contribution does not include services provided without compensation by individuals volunteering their time on behalf of any candidate, candidate committee, political committee, small donor committee, or issue committee. Contribution also does not include a transfer by a membership organization of a portion of a member's dues to a small donor committee or political committee sponsored by the membership organization, or payments by a corporation or labor organization for the costs of establishing, administering, and soliciting funds from its own employees or members for a political committee or small donor committee.

Contribution in kind means a gift or loan of any item of real or personal property, other than money, made to or for any candidate committee, issue committee, political committee, or small donor committee for the purpose of influencing the passage or defeat of any issue or the nomination, retention, election or defeat of any candidate. Personal services are a contribution in kind by the person paying compensation therefor; volunteer services are not included. *Contribution in kind* does not include an endorsement of candidacy or issue by any person. In determining the value to be placed on contributions in kind, a reasonable estimate of fair market value shall be used.

Issue means any proposition or initiated or referred measure which is to be submitted to the electors for their approval or rejection, and includes recall of an elected city official.

Person means any natural person, partnership, committee, association, corporation, labor organization, political party, or any other organization or group of persons.

(e) Committee registration and account.

1. Within ten (10) days after accepting contributions, each candidate committee, issue committee, political committee, and small donor committee shall register the committee with the City Clerk by filing a New Registration Committee Form provided by the City Clerk.

2. Each committee shall establish and maintain an account in the name of the committee at a financial institution.

3. Each committee shall report contributions received and expenditures made in accordance with this Section and on forms provided by the City Clerk.

(f) Cash, coin, and digital currency.

1. No person shall contribute cash, coin, or digital currency exceeding one hundred dollars ($100.00) in support of or in opposition to any candidate, political committee, or issue.

2. No candidate, candidate committee, small donor committee, issue committee, or political committee shall make an expenditure in cash, coin, or digital currency exceeding one hundred dollars ($100.00) for any purpose related to the candidate's campaign or the passage or defeat of an issue.

(g) Campaign reports. Reports required to be filed with the City Clerk must be filed no later than sixty (60) days, thirty (30) days, and fifteen (15) days before, and thirty (30) days after, the major election in election years and annually in off-election years on the first day of the month in which the anniversary of the major election occurs; except that, for a runoff election, reports must be filed no later than fifteen (15) days before and fifteen (15) days after the runoff election.

(h) Expenditures; records.

1. All expenditures made by a committee must be reported using forms provided by the City Clerk. The City may request records and receipts supporting any expenditure.

2. Each campaign finance report must include, for all expenditures:

(a) The name and address of the person or vendor paid;

(b) The date of the expenditure;

(c) The amount of the expenditure; and

(d) The type of goods or services purchased, or the purpose of the expenditure.

3. A candidate or committee shall retain all records relating to committee accounts for one hundred eighty (180) days after submitting the final report. If a complaint is filed, the candidate or committee shall retain the records until final disposition of the complaint and any consequent litigation.

(i) Anonymous contributions. The name and address of a person making contributions of less than twenty dollars ($20.00) need not be reported. ~~Anonymous contributions of any amount are strongly discouraged.~~

(j) Disposition of unexpended campaign funds.

1. Unexpended campaign funds held by a candidate committee shall not be used for personal expenses or entertainment expenses, but may be disposed of only as follows:

(a) Returned to the contributors;

(b) Retained by the committee for use by the candidate in a subsequent campaign for any nonpartisan office with the City of Castle Pines;

(c) Donated to a charitable organization recognized by the Internal Revenue Service; or

(d) Used for political issue education, including obtaining information from or providing information to the electorate.

2. Unexpended contributions held by an issue committee, small donor committee, or political committee may be donated to a charitable organization recognized by the Internal Revenue Service or returned to the contributors.

Section 4. Severability. If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

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 finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the 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 posting 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 22ND DAY OF SEPTEMBER, 2026.

READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 10th DAY OF NOVEMBER, 2026.

(Signature page to follow)

Tracy Engerman (Nov 18, 2026 22:37:13 CST)

Tracy Engerman, Mayor

ATTEST:

Approved as to form:

Linda Michow (Nov 18, 2026 10:41:49 MST)

Tobi Duffey, MMC, City Clerk

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 at a regular meeting of the Castle Pines City Council on September 22, 2026; published by reference by title only in the *Douglas County News-Press*, together with the statement that "[t]he complete text of all ordinances is available through the City Offices and on the City's official website"; and finally passed and adopted by the City Council on November 10, 2026 following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on November 5, 2026.

ATTEST:

Tobi Duffey, MMC, City Clerk