BY AUTHORITY

ORDINANCE NO. 23
SERIES OF 2020

COUNCIL BILL NO. 23
INTRODUCED BY COUNCIL
MEMBER ANDERSON

AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF ENGLEWOOD AT THE NOVEMBER 3, 2020 GENERAL ELECTION A BALLOT ISSUE TO AUTHORIZE THE CITY OF ENGLEWOOD LODGING TAX TO BE INCREASED FROM 2% TO 5%, WITH THE RESULTING REVENUE TO BE USED TO FUND ANY LAWFUL GOVERNMENTAL PURPOSE DETERMINED BY THE CITY COUNCIL, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW

WHEREAS, this bill for an ordinance would submit to the registered voters of the City of Englewood a ballot question issue regarding increasing City taxes by imposing an additional 3% tax on the sale of lodging in the City, with the resulting tax revenue to be used to fund any lawful governmental purpose determined by the City Council, and with the resulting tax revenue being allowed to be collected and spent notwithstanding any limitations provided by law; and

WHEREAS, Article X, § 20 of the Colorado Constitution, commonly known as TABOR, requires that the City receive voter approval prior to the increase of any tax.

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

Section 1. The following ballot issue shall be submitted to the registered electors of the City of Englewood at the special election on November 3, 2020:

SHALL CITY OF ENGLEWOOD TAXES BE INCREASED BY $100,000.00 ANNUALLY IN THE FIRST FISCAL YEAR, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY AN INCREASE IN THE CITY’S LODGING TAX FROM 2% TO 5%, WITH SUCH TAX TO BE LEVIED ON THE COST OF THE RENTAL FEE, PRICE OR OTHER CONSIDERATION PAID OR RECEIVED FOR THE LODGING ON EACH FULL DOLLAR OF SAID RENTAL FEE, COST OR OTHER CONSIDERATION PAID, WITH THE TAX INCREASE COMMENCING ON JANUARY 1, 2021, WITH THE REVENUES FROM SUCH TAX TO BE USED FOR ANY LAWFUL GOVERNMENTAL PURPOSE DETERMINED BY THE CITY COUNCIL; AND SHALL THE REVENUES FROM SUCH TAX AND ANY INVESTMENT EARNINGS THEREON BE COLLECTED AND SPENT BY THE CITY AS A VOTER-APPROVED REVENUE
CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

YES __ NO __

Section 2. For purposes of C.R.S. § 1-11-203.5, this Ordinance shall serve to set the title and content of the ballot issue set forth herein and the ballot title for such question shall be the text of the question itself.

Section 3. If any section, paragraph, clause, or other portion of this Ordinance is for any reason held to be invalid or unenforceable, the invalidity or unenforceability shall not affect any of the remaining portions of this Ordinance.

Introduced, read in full, and passed on first reading on the 15th day of June, 2020.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 18th day of June, 2020.

Published as a Bill for an Ordinance on the City's official website beginning on the 17th day of June, 2020 for thirty (30) days.

Read by Title and passed on final reading on the 6th day of July, 2020.

Published by Title in the City’s official newspaper as Ordinance No. 23, Series of 2020, on the 9th day of July, 2020

Published by title on the City’s official website beginning on the 8th day of July, 2020 for thirty (30) days.

This Ordinance shall take effect thirty (30) days after publication following final passage.

ATTEST:

Linda Olson, Mayor

Stephanie Carlile, City Clerk

I, Stephanie Carlile, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Ordinance passed on final reading and published by Title as Ordinance No. 23, Series of 2020.