

**TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES
ORDINANCE NO. 533**

**AN ORDINANCE REQUIRING A PUBLIC MEETING FOR PETITIONS FOR
ANNEXATION INTO THE TOWN, AND DECLARING AN EMERGENCY**

WHEREAS the Town of Morrison (Town) is a Colorado home rule municipality operating under a Home Rule Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees (Board); and

WHEREAS the Board has authority pursuant to the Home Rule Charter and C.R.S. § 31-16-101, *et seq.* to adopt and enforce all ordinances; and

WHEREAS, upon receipt, the Town’s Clerk refers to the Board a landowner’s petition for annexation into the Town (“Petition for Annexation”); and

WHEREAS, as a legislative act, the Board reviews, considers, and votes upon a Petition for Annexation;

WHEREAS, as one of the initial steps in considering a Petition for Annexation, pursuant to C.R.S. § 31-12-107(1)(f), the Board reviews the Petition for Annexation to determine whether it substantially complies with the applicable statutory requirements.

WHEREAS, after the hearing required by pursuant C.R.S. § 31-12-107(1)(f) and upon the Board’s finding at the hearing that a Petition for Annexation substantially complies with the applicable statutory requirements, the applicant shall hold a community meeting and describe with sufficient detail the Petition for Annexation to the Town’s residents and other interested persons, and this community meeting shall occur before the hearing required by the C.R.S. § 31-12-108.

WHEREAS requiring a petitioner for annexation to hold a community meeting and provide additional information about the Petition for Annexation to the Town’s residents and other interested persons does not conflict with Colorado Municipal Annexation Act, C.R.S. § 31-12-101, *et seq.*; and

WHEREAS the Town now seeks to enact a requirement that petitioners for annexation must hold a community meeting to present to and explain to the Town’s residents its Petition for Annexation into the Town.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado:

Section 1. Recitals Incorporated. The above foregoing recitals are incorporated herein by this reference.

Section 2. Municipal Code Amended. A new section 10-9-3 of the Code is enacted to read as follows:

10-9-3: **Community Meeting Requirement:** Where the board holds the hearing required by C.R.S. § 31-12-107(1)(f) and finds the petition for annexation substantially complies with the applicable statutory requirements, the applicant(s) shall hold a community meeting and present the petition for annexation to the town's residents and other interested persons and describe same with reasonable and sufficient detail. The public shall be afforded an opportunity to comment upon the petition for annexation at the community meeting. The community meeting shall occur before the hearing required by the C.R.S. § 31-12-108 and be set at a time and location determined by town staff, in consultation with the applicant(s). Notice of the community meeting shall be posted at least fourteen (14) days before the scheduled community meeting. Upon an approved motion, the board may waive the community meeting requirement.

Section 3. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part or parts are declared unconstitutional or invalid.

Section 4. Emergency Declared; Effective Date. The Board of Trustees declares an emergency exists in that the Town's residents and other interested persons must be made aware of any Petition for Annexation and the required community meeting satisfies this need for information before the Board votes to approve, or not, any Petition for Annexation. Pursuant to Charter Section 3.10, this ordinance shall take effect immediately upon adoption, and shall be published in full as required by Section 3.14 of the Charter.

INTRODUCED, READ, PASSED AND ADOPTED this ____ day of June 2023, by a vote of ____ ayes and ____ nays.

TOWN OF MORRISON:

Chris Wolfe, Mayor

ATTEST:

Ariana Neverdahl, Town Clerk