

Article 1
General Provisions

Commented [HMG1]: Switched from Roman numerals but can reconsider and may re-order articles

1.01 Name and Boundaries. The municipal corporation heretofore existing as the Town of Erie, located in Boulder and Weld Counties, State of Colorado, shall remain and continue a body politic and corporate and under this Charter shall be known as the Town of Erie, with boundaries the same as presently established, until changed in a manner authorized by law.

1.02 Form of Government. The municipal government established by this Charter shall be a Council/Manager form of government.

Commented [HMG2]: Add description of council/manager?

1.03 Authority.

(1) The Town shall have all the authority of local self-government and home rule and all authority possible for a municipality to have under the Constitution and laws of the State of Colorado.

(2) The enumeration of any particular authority in this Charter shall in no way be deemed to limit or exclude the exercise of any authority.

(3) All authority shall be exercised in the manner set forth in this Charter or, if not provided for in this Charter, in such manner as provided for by ordinance, resolution, or state statute.

1.04 Rights and Liabilities. By the name of the Town of Erie, a municipal corporation, the Town shall have the following rights and liabilities:

(1) The right to perpetual succession.

(2) The right to own, possess, and hold all property, real and personal, heretofore owned, possessed, and held by the Town, and to manage and dispose of all trusts in any way connected therewith.

(3) The right to purchase or otherwise acquire property on which there are delinquent taxes or special assessments and to dispose of them in like manner as any other property.

(4) The right to succeed to all rights and liabilities of the Town.

(5) The right to acquire all benefits of the Town and to assume and pay all bonds, obligations and indebtedness of the Town.

(6) The right to sue and defend, plead and be impleaded in all courts and places and in all matters and proceedings.

(7) The right to purchase, lease, receive, hold, and enjoy, or sell and dispose of real and personal property.

Commented [HMG3]: Address open space separately

(8) To establish public works and provide public utilities and other public services as permitted by law.

Commented [HMG4]: Monument's provision related to utilities and public works

(9) The right to adopt, have, and use a common seal and alter the same.

(10) The right to adopt ordinances and resolutions on all matters unless otherwise prohibited by this Charter or by laws applicable to home rule municipal corporations in the State of Colorado.

(11) The right to have all rights, powers, and liabilities applicable to Colorado home rule municipal corporations as set forth in Article XX of the Colorado Constitution and Title 31, Colorado Revised Statutes, and other applicable statutes, as amended.

Article 2 Elections

2.01 Election Laws. Town elections shall be governed by the Colorado Municipal Election Laws, as amended, except as otherwise provided in this Charter or by ordinance hereafter enacted.

2.02 Types of Elections.

(1) Regular municipal elections shall be held on the Tuesday following the first Monday in November of each odd-numbered year.

(2) The Mayor and each Council Member shall take office at the first regular meeting of the Council in new year following certification of the election, and shall continue in office until their successors have been elected and take office or a vacancy occurs.

(3) Special Town elections shall be held in accordance with the provisions of this Charter and the Colorado Municipal Election Laws as amended, except as otherwise provided in this Charter or by ordinance hereafter enacted. Any special Town election may be called by resolution of the Council not less than forty-five (45) days in advance of such election or when required by this Charter or by statute. The resolution calling a special Town election shall set forth the purposes of such election.

2.03 Nonpartisan Elections. All municipal elections shall be nonpartisan.

Commented [HMG5]: Address campaign finance separately

2.04 Recall. Any elected official of the Town may be recalled at any time after the completion of one hundred eighty (180) days in office by the electors entitled to vote for a successor of such official, as set forth in the Colorado Constitution, C.R.S. § 31-4-501, *et seq.*, as amended, and Section 11.12 of this Charter.

Commented [HMG6]: Confirm all cross-references