



1 BY AUTHORITY

2 ORDINANCE NO. 704

COUNCIL BILL NO. 677

3 SERIES OF 1996

COMMITTEE OF REFERENCE:

4
5 INTERGOVERNMENTAL RELATIONS
AND ELECTIONS ISSUES

6 **A BILL**

7 FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE QUALIFIED AND
8 REGISTERED ELECTORS OF THE CITY AND COUNTY OF DENVER AT THE SAME
9 TIME AS AND IN CONJUNCTION WITH THE ELECTION TO BE HELD ON NOVEMBER
10 5, 1996, A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY AND COUNTY
11 OF DENVER AMENDING SECTION A4.5 THEREOF REGARDING THE SALE AND
12 LEASING OF PARKS.
13

14 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

15 **Section 1.** There is submitted to the properly registered electors of the City and
16 County of Denver, at the same time as and in conjunction with the election to be held in
17 the City and County of Denver on November 5, 1996, for their approval or rejection, a
18 proposed amendment to the Charter of the City and County of Denver, as follows:

19 Effective upon adoption and publication of this amendment and its filing with the
20 Secretary of State pursuant to the Constitution and laws of the State of Colorado, Section
21 A4.5, Article IV, Chapter A, of the Charter of the City and County of Denver be and the
22 same is hereby amended to read as follows:

23 **A4.5. Sale and leasing of parks.** Without the approval of a majority of those
24 registered electors voting in an election held by the City and County of Denver, no
25 park or portion of any park belonging to the city as of December 31, 1955, shall be
26 sold or leased at any time, and no land acquired by the city after December 31;

1 1955, that is designated a park by ordinance shall be sold or leased at any time,
2 provided, however, that property in parks may be leased for park purposes to
3 concessionaires, to charitable or nonprofit organizations, or to governmental
4 jurisdictions. All such leases shall require the approval of council as provided for
5 in Chapter B of this charter. No land acquired by the city after December 31, 1955,
6 shall be deemed a park unless specifically designated a park by ordinance.

7 **Section 2.** The voting machines and paper ballot for said election shall carry the
8 following designation, which shall be the submission clause:

9 _____
10 **AMENDMENT NO. _____**

11 to the Charter of the City and County of Denver to require the approval of a majority of the
12 registered electors voting in an election conducted by the City to authorize the sale or
13 leasing of parks, with the exception of leases for park purposes approved by City Council
14 to concessionaires, to charitable or nonprofit corporations or to governmental entities.

15 YES _____

NO _____

16 _____
17 **Section 3.** Each elector voting at the election and desirous of voting for or against
18 the amendment shall indicate the elector's choice by depressing the appropriate counter
19 of the voting machine which indicates the word "YES" or the word "NO", or by appropriate
20 marking upon paper ballots when used.

21 **Section 4.** The proper officials of the City and County of Denver as are charged
22 with duties relating to the election shall, before the election, issue such calls, make such

1 certifications, and publications, give such notices, make such appointments, and do all
2 such other acts and things in connection with the submission of this Charter amendment
3 to the registered electors of the City and County of Denver at the election as are required
4 by the Constitution and laws of the State of Colorado and the Charter and ordinances of
5 the City and County of Denver.

6 **Section 5.** The ballots cast at such election shall be canvassed and the results
7 ascertained, determined, and certified in accordance with the requirements of the
8 Constitution and laws of the State of Colorado and the Charter and ordinances of the City
9 and County of Denver.

10 **Section 6.** If any section, paragraph, clause, or other portion of this ordinance is
11 for any reason held to be invalid or unenforceable, the invalidity or unenforceability shall
12 not affect any of the remaining portions of this ordinance.

13 PASSED BY THE COUNCIL August 19 1996

14 Orlinda Reynolds - PRESIDENT

15 APPROVED: Wally Smith - MAYOR AUGUST 21 1996

16 ATTEST: Eric Reedgerman - CLERK AND RECORDER,
17 EX-OFFICIO CLERK OF THE
18 CITY AND COUNTY OF DENVER

19 PUBLISHED IN THE DENVER POST August 16 1996 August 23 1996

20 PREPARED BY: DONALD E. WILSON, ASSISTANT CITY ATTORNEY 8/7/96

21 REVIEWED BY: [Signature] - CITY ATTORNEY [Signature] 1996

22 SPONSORED BY COUNCIL MEMBER(S) _____

