

**TOWN OF RICO, COLORADO
ORDINANCE NO. 2001-5**

**AN EMERGENCY ORDINANCE REFERRING A MILL LEVY INCREASE, TAX
IMPOSITION AND DEBT AUTHORIZATION BALLOT QUESTION FOR MULTIPLE
PURPOSES TO THE NOVEMBER 6TH, 2001 ELECTION**

WHEREAS the Town of Rico Home Rule ARTICLE VIII authorizes the Town to refer property tax mill levy, other tax imposition and debt authorization questions to the voters in Rico and Home Rule Charter §3.6 authorizes the enactment of emergency ordinances; and,

WHEREAS, the Town Board finds that the referral of ballot questions concerning staffing, capital improvements and waste water treatment must be certified by September 12th, 2001, to the County Clerk and therefore declares an emergency and need to consider this ordinance on one reading;

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF RICO ORDAINS:

Section 1. Referral of Ballot Questions. The following ballot questions are hereby referred to the November 6th, 2001, general election:

**TOWN OF RICO BALLOT QUESTION NO. 1.
TOWN MANAGER FUNDING:**

SHALL THE TOWN OF RICO TAXES BE INCREASED \$39,900.00 ANNUALLY by the levying of an additional 7.500 mills, effective January 1, 2002, and shall the Town be permitted to collect, retain and expend the full proceeds of such tax revenue generated from all Town levied property taxes not notwithstanding any state restrictions on fiscal year spending, including without limitation Article X, Section 20 of the Colorado Constitution?

Yes No

**TOWN OF RICO BALLOT QUESTION NO. 2.
NON-PROPERTY TAX FUNDING FOR STREETS AND CAPITAL
IMPROVEMENTS:**

SHALL THE TOWN OF RICO TAXES BE INCREASED \$13,000.00 ANNUALLY by the imposition of a 1% sales tax (increase from 4% to 5%) and shall 10% of the total 5% Sales Tax revenue be dedicated to the Parks Fund; and SHALL THE TOWN OF RICO TAXES BE INCREASED \$5,000 ANNUALLY by the imposition of a 1% Lodging Tax and shall 75% of the proceeds of the 1% Lodging Tax be dedicated to the Park Fund and 25% of the proceeds dedicated to the Rico Business Association or such other purpose as the Town Board may determine by ordinance, and shall the Lodging Tax apply to all short term rental of property for periods of 30 days or less; and, SHALL THE TOWN OF RICO TAXES BE INCREASED \$50,000.00

ANNUALLY by the imposition of an Excise Tax on new construction in the amount of \$2.00 per square foot of floor area of all new structures and shall the revenues from such Excise Tax be dedicated to capital improvements only with the following allocation: 25% to General Fund, 25% to Street Fund, 25% to Park Fund, and 25% to Rico Fire Protection District; and, shall the 2% Use Tax on building materials be repealed and shall the Town be permitted to collect, retain and expend the full proceeds of such sales tax, lodging tax and excise tax revenue generated notwithstanding any state restrictions on fiscal year spending, including without limitation Article X, Section 20 of the Colorado Constitution??

Yes No

**TOWN OF RICO BALLOT QUESTION 3.
TOWN WIDE SEWER SYSTEM:**

SHALL THE TOWN OF RICO SEWER ENTERPRISE DEBT BE INCREASED \$1,275,000.00 WITH A MAXIMUM REPAYMENT COST OF UP TO \$2,500,000.00; AND SHALL THE TOWN OF RICO'S TAXES BE INCREASED \$25,000.00 ANNUALLY by the imposition of an additional mill levy not to exceed 4.611 mills to be dedicated to Sewer Enterprise if and only if Ballot Questions 1 and 2 are approved by the voters and shall the Town be permitted to receive, retain and expend any state or federal grant proceeds for the purpose of planning, administration, construction, operation, maintenance and system replacement of a waste water treatment system and repaying debt incurred for the construction of such waste water treatment system, notwithstanding any state restrictions on fiscal year spending, including without limitation Article X, Section 20 of the Colorado Constitution?

Yes No

Section 2. Emergency Ordinance. This ordinance is adopted as an emergency ordinance.

Section 3. Effective Date. This ordinance shall be effective immediately.

**READ, MOVED AND APPROVED ON FIRST AND FINAL READING ON THE 10th
DAY OF SEPTEMBER, 2001.**

TOWN OF RICO, COLORADO

BY: Jon Kornbluh
Jon Kornbluh, Acting Mayor

ATTEST: Linda Yellowman
Linda Yellowman, Town Clerk

APPROVED AS TO FORM:

Eric James Heil
Eric James Heil, Town Attorney