

THE CHARTER
OF THE
CITY OF GRAND JUNCTION,
COLORADO

Framed by the Charter Convention, August 6, 1909

By Authority of

ARTICLE XX OF THE CONSTITUTION

Adopted September 14, 1909

Revised, Compiled and Indexed

And Containing All Subsequent Amendments to Date

Official Copy, Printed and Published by Authority of
The City Council of the City of Grand Junction, Colorado

AS AMENDED TO APRIL 3, 2007

District Boundaries Re-established by
Resolution No. 114-06 Dated September 6, 2006

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OFFICIAL DATA

ORGANIZATION

THE CHARTER
OF THE
CITY OF GRAND JUNCTION

P R E A M B L E

We, the people of the City of Grand Junction, under the authority of the Constitution of the State of Colorado, do ordain and establish this Charter for the City of Grand Junction, Colorado.

ARTICLE I

NAME, BOUNDARIES, POWERS, RIGHTS AND LIABILITIES

1. **Name--Boundaries.**--The municipal corporation now existing and known as the "City of Grand Junction" shall remain and continue to be a body politic and corporate under the same name and with the same boundaries, with power and authority to change its boundaries in manner authorized by law.

2. **Powers--Rights--Liabilities.**--By the name of the "City of Grand Junction," the city--

(a) Shall have perpetual succession, and shall own, possess and hold all property, real and personal, theretofore owned, possessed or held by the said City of Grand Junction, and shall assume, manage and dispose of all trusts in any way connected therewith;

(b) Shall succeed to all the rights and liabilities and shall acquire all benefits, and shall assume and pay all bonds, obligations and indebtedness of said City of Grand Junction; by that name may sue and defend, plead and be impleaded, in all courts and places, and in all

matters and proceedings; may have and use a common seal and alter the same at pleasure; may purchase, receive, hold and enjoy, or sell and dispose of, real and personal property;

(c) May receive bequests, gifts and donations of all kinds of property in fee simple, or trust for public, charitable, or other purposes; and to all things and acts necessary to carry out the purpose of such gifts, bequests and donations, with power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the gift, bequest or donation;

(d) Shall have the power, within or without its territorial limits, to construct, condemn and purchase, purchase, acquire, lease, add to, maintain, conduct and operate waterworks, light plants, telephone systems, power plants, transportation systems, heating plants, and any other public utilities or works or ways, or any contracts in relation or connection therewith, that may exist and which said city may desire to purchase, in whole or in part, the same or any part thereof may be purchased by said city, which may enforce such purchase by proceedings at law as in taking land for public use by right of eminent domain, and shall have the power to issue bonds upon the vote of the taxpaying electors, at any special or general election, in any amount necessary to carry out any of said powers or purposes;

(e) The legislative, executive and judicial powers of the city shall extend to all matters of local and municipal government, it being the intent hereof that the specifications of particular powers by any other provision of this Charter shall never be construed as impairing the effect of the general grant of powers of local government hereby bestowed;

(f) The city shall also have all powers, privileges and functions which, by or pursuant to the Constitution of this State, have been, or could be granted to or exercised by any city of the first or second class;

(g) All powers of the city shall, except as otherwise provided in this Charter, be vested in its elective officers, subject to distribution and delegation of such powers as provided in this Charter or by ordinance.

ARTICLE II

ELECTIONS

3. **General and Special Municipal Elections.**--A municipal election shall be held in the city on the first Tuesday after the first Monday in April, 1925, and on the first Tuesday after the first Monday in April of every second year thereafter, and shall be known as the General Municipal Election. All other municipal elections that may be held shall be known as Special Municipal Elections.

4. **Registration.**--No person shall be permitted to vote at any municipal election without having been registered. The registration shall be the same as is now or may hereafter be provided by the general laws of the state, except as the council may otherwise by ordinance provide.

5. **Judges and Clerks.**--The judges and clerks of any election shall be selected from a list of persons, one each of whom may be proposed for each election precinct by each candidate. In case there are five candidates or more who present lists at any election, not more than one judge or clerk of election shall be chosen for each precinct from the names proposed by any one candidate. All such lists shall be proposed in writing at least thirty days before election. In case an insufficient number of names are so proposed, the city council may select such number as may be necessary in order to provide three judges and two clerks for each election precinct.

6. **Nominations.**--All nominations for elective offices shall be made by petition signed by not less than fifty registered electors of the city, and, except as herein provided, the manner of nominations and acceptances shall be governed by the state laws applicable thereto, unless otherwise provided by ordinance. No petition of nomination, however, shall contain the name of a political party or organization or other like designation.

Sections 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, repealed.

17. **Election Notices.**--The City Clerk shall, on the tenth day before every city election, certify a list of the candidates so nominated for

office at such election, whose names are entitled to appear on the ballot, as being the list of candidates nominated as required by this Charter, together with the offices to be filled at such election, designating whether such election is for a full or unexpired term; and he shall file in his office said certified list of names and offices so to be filled, and he shall cause to be published in a notice calling such election, for any three successive days during the ten-day period prior to such election, in at least one daily newspaper of general circulation published in the City of Grand Junction, an election notice, which said notice shall contain a list of said names of candidates, the offices to be filled and the time when and the places of holding such election.

18. **Form of Ballot.**--The city clerk shall cause ballots for every general and special election to be printed, bound, numbered, endorsed, and authenticated, as provided by the laws of the State of Colorado except as otherwise provided by this Charter. Every ballot intended for the use of voters shall contain the full list and correct name of all the respective offices to be filled and the names of all candidates nominated therefor, whose nominations have been duly made as provided by this Charter and ordinances pursuant thereto, and who have not died or withdrawn, and shall contain no other names of persons. The ballots shall be so printed as to give each voter a clear opportunity to designate by cross mark (x) in a sufficient margin at the right of the name of each candidate, and of each question submitted, his choice of candidates, and his answer to the question submitted; and on the ballot may be printed such words or instructions as will aid the voter to do so.

19. **Blank Spaces for Additional Candidates.**--One space shall be left below the printed names of the candidates for each office to be voted for, wherein the voter may write the name of any person for whom he may wish to vote.

20. **Requirements of Ballots.**--All ballots printed shall be identical, so that without the numerical number thereon it would be impossible to distinguish one ballot from another. Space shall be provided on the ballot for charter amendments or other questions to be voted on at the municipal elections, as provided by this Charter. The names of candidates for each office shall be arranged in alphabetical order of the surnames. Nothing on the ballot shall be indicative of the source of the candidacy, or of the support of any candidate. No ballot shall have printed

thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything indicating his views or opinions.

21. **Sample Ballots.**--The city clerk shall, at least five days before the election, cause to be printed not less than five hundred sample ballots, upon paper of different color, but otherwise identical with the ballot, to be used at the election, and shall distribute the same, upon application of the candidates, to the registered voters at his office.

22. **Canvass and Election.**--As soon as the polls are closed, the election judges shall immediately open the ballot boxes, take therefrom and count the ballots, and enter the total number thereof on the tally sheet provided therefor. They shall then carefully enter the number of votes for each candidate on said tally sheet and make return to the city clerk as provided by law. No vote shall be counted for any candidate more than once on any ballot. The person receiving the highest number of votes cast at such election for any office shall be elected to that office. A tie between two or more candidates shall be decided by lot, under direction of the canvassing board.

23. **Informalities in Election.**--No informalities in conducting municipal elections shall invalidate the same, if they have been conducted fairly and in substantial conformity with the requirement of this Charter.

Section 24 repealed.

25. **General Election Regulations.**--The provisions of any state law, now or hereafter in force, except as the council may otherwise by ordinance provide, relating to the qualifications and registration of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, except as otherwise provided in this article, so far as they may be applicable, shall govern all municipal elections; provided, also, that the council shall meet as a canvassing board and duly canvass the election returns within two days after any municipal election. Whenever any member of the council is a candidate for re-election, the council shall appoint some justice of the peace or notary public of said city to take the place of said candidate upon said canvassing board as a member thereof.

Section 26 repealed.

ARTICLE III

RECALL OF ELECTIVE OFFICERS

27. **Applies to All Elective Officers.**--Any holder of an elective office may be recalled and removed therefrom by the registered electors of the city as provided in this article.

28. **Petition for Recall.**--Any registered elector of the city may make and file with the city clerk an affidavit containing the name of the officer sought to be removed, and a specific statement of the grounds of removal. The clerk shall thereupon deliver to the elector making such affidavit, a sufficient number of copies of petitions for such recall and removal, printed forms of which he shall keep on hand. Such petitions shall be issued by the clerk with his signature and official seal thereto attached; they shall be dated and addressed to the city council, shall contain the name of the person to whom issued, the number of forms so issued, the name of the person sought to be removed, the office from which said removal is sought, the grounds of such removal as stated in said affidavit, and shall demand the election of the successor to such office, a copy of which petition shall be entered in a record book to be kept in the office of said clerk. Any defect in said form or record shall not invalidate the same. Said recall petition must be returned and filed with said clerk within thirty days of its issuance. Said petitions before being returned and filed, shall be signed by registered electors equal in number to at least twenty-five per centum of the last preceding vote cast for all the candidates for Governor of the State of Colorado by the electors of the city, and to each such signature shall be attached his place of residence, giving the street and number. Such signatures need not all be on one paper. One of the signers of each such paper shall make an affidavit thereto that the statements therein contained are true, and that each signature appended to the paper is the genuine signature of the person whose name it purports to be. All such papers for the recall of any one officer shall be fastened together and filed as one instrument, with the endorsements thereon of the names and addresses of three persons designated as filing the same.

29. Petition May Be Amended or New Petition Made.--Within ten days from the filing of said petition, the clerk shall ascertain by examination thereof and of the registration books and election returns, whether the petition is signed by the requisite number of registered electors, and shall attach thereto his certificate showing the result of such examination. He shall, if necessary, be allowed extra help by the council.

If his certificate shows the petition to be insufficient, he shall within said ten days so notify in writing one or more of the persons designated on the petition as filing the same; and the petition may be amended at any time within ten days from the filing of the certificate. The clerk shall, within ten days after such amendment, make like examination of the amended petition, and attach thereto his certificate of the result. If still insufficient, or if no amendment is made, he shall return the petition to one of the persons designated thereon as filing it, without prejudice, however, to the filing of a new petition for the same purpose.

30. Election Under Recall Petition, Unless Officer Resigns.--If the petition or amended petition shall be found and certified by the clerk to be sufficient, he shall submit the same with his certificate to the council without delay, and the council shall, if the officer sought to be removed does not resign within five days thereafter, thereupon order an election to be held on a Tuesday fixed by it, not less than thirty nor more than forty days from the date of the clerk's certificate that a sufficient petition is filed; provided, however, that if any other municipal election is to occur within sixty days from the date of the clerk's certificate, the council may, in its discretion, postpone the holding of the removal election to the date of such other municipal election. If a vacancy occurs in said office, after a removal election has been so ordered, the election shall nevertheless proceed as in this article provided.

31. Candidates--Election.--Any officer sought to be removed may be a candidate to succeed himself, and unless he requests otherwise in writing, the clerk shall place his name on the official ballot without nomination. The nomination of other candidates, the publication of notice of such removal election, and the conduct of the same, shall all be in accord with the provisions of Article II hereof, relating to elections.

32. Incumbent Removed.--The incumbent shall continue to perform the duties of his office until the removal election. If then elected,

he shall continue in office for the balance of his term. If not then elected, he shall be deemed removed upon the qualification of his successor, who shall hold office during the unexpired term. If the successor fails to qualify within ten days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.

33. No Recall Petition for First Three Months.--No recall petition shall be filed against any officer until he has actually held his office for at least three months.

34. Incapacity of Recalled Officer.--No person who has been removed from office by recall, or who has resigned from such office while recall proceedings were pending against him, shall be appointed to any office within one year after such removal by recall or resignation.

ARTICLE IV

ELECTIVE OFFICERS

35. Officers--Terms.--That the elective officers under the Charter of Grand Junction shall be members of the council as hereinafter provided, all of whom shall be nominated and elected by the registered electors of the city as herein provided. The terms of all elective officers shall commence at ten o'clock a.m. on the first Monday in May following the election and shall be for a term of four years each and until ten o'clock a.m. on the first Monday following the election and qualification of their successors; provided, however, that the office of one of the councilmen elected from the city at large and two councilmen elected from districts at the general municipal election in April, 1925, shall be for two years only, so that their successors shall be elected at the general municipal election in April, 1927, and every four years thereafter. The term of the remaining four members of the city council elected at the general municipal election held in April, 1925 shall be four years. The determination of which terms of the city council shall be for four years and which terms shall be for two years shall be fixed by lot under the direction of the county judge of Mesa County, Colorado, within sixty days after the April, 1925 election.

36. Membership and District Boundaries.--The council shall consist of seven members to be designated as councilmembers, one of which shall be elected by the registered electors of the entire city from

each of the districts as determined from time to time by resolution of the city council, and two members to be elected from the city large. The council shall be the judge of the election and qualification of its own members; shall determine its own rules; shall punish its own members for disorderly conduct, and may compel the attendance of its members. The council may from time to time, by resolution, by two-thirds vote of all its members, change the boundaries of the districts.

Annexations lying within the boundaries as extended will be considered as being included within a particular district.

37. **Vacancies**--A vacancy in the council, from whatever cause arising, shall be filled by the council from among the electors of the district in which the vacancy occurs if a district councilmember, or at large if a councilmember at large, until the next general municipal election, when a successor shall be chosen for the unexpired term. A vacancy shall be taken to exist when a member of the council fails to qualify for thirty days after the commencement of his term, dies, resigns, removes from the city or from the district which he was elected to represent, absents himself from five consecutive meetings of the council unless excused by resolution thereof, is convicted of violating any provision of this Charter, or of a felony, or is judicially declared a lunatic as defined by statute.

38. **Salaries, meetings**-- At least two meetings of the city council shall be held monthly at such times as may be fixed by the council, such two meetings to be known as the regular meetings. All other meetings of the City council shall be known as special meetings or adjournments. The President of the Council shall be paid a salary of \$750.00 per month and all other councilmembers shall each be paid a salary of \$500.00 per month. (Approved by the voters at a regular election held 4-6-99.)

ARTICLE V

PRESIDENT OF THE COUNCIL

39. **Term--Duties.**--Each council, at its first regular meeting and thereafter when a vacancy occurs, shall elect from its membership a president of the council. He shall serve for a term of ONE YEAR and until his successor is elected and qualified. During such term he shall be a member of the council with the same right to speak and vote therein as any other member, but without the right of veto. He shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes. In case of his absence or disability, his duties shall be performed by a president pro tempore, chosen by the council from among its own members.

Sections 40 and 41 repealed.

ARTICLE VI

THE COUNCIL

42. **Legislative Powers.**--The city council shall consist of all the elective officers of the city, and shall, except as otherwise provided by this Charter, be vested with all the legislative powers of the city.

Sections 43 and 44 repealed.

45. **Meetings, duties of the City Clerk.**--The council shall prescribe the time and place of its meetings and the manner in which special meetings thereof may be called. The city clerk shall be the clerk of the council, and shall, with the president of the council, sign and attest all ordinances and resolutions. A majority of all the members shall constitute a quorum to do business, but a less number may adjourn. The council shall sit with open doors at all legislative sessions and shall keep a journal of its proceedings which shall be a public record.

46. **Restrictions Upon Members.**--No members of the council shall be elected or appointed to any office, position, or employment, the

compensation of which was increased or fixed by the council while he was a member thereof until after the expiration of one year from the date he ceased to be such a member.

Section 47 repealed.

48. Sale of Real Estate.--The council shall have the following power: (a) to sell and dispose of water works, ditches, gas works, electric light works, or other public utilities, public buildings, real property used or held for park purposes or any other real estate used or held for any governmental purposes, providing, however, that before any sale thereof shall be made the question of such sale and the terms and consideration thereof shall be submitted to and ratified by a majority vote of the qualified electors voting, and the vote thereon shall be by ballot at a regular municipal election or at a special election called and held in the manner provided for by law; and (b) by ordinance or resolution to sell and dispose of and to lease any other real estate owned by the municipality, upon such terms and conditions as such city council may determine at a regular or special meeting; and deeds of conveyance duly executed and acknowledged by the proper officers of the city and purporting to have been made in pursuance of these provisions shall be deemed prima facie evidence of due compliance with all the requirements hereof.

49. Intoxicating Liquors.--Section 49 was made obsolete by Article XXII of the Colorado Constitution.

50. Ordinances and Resolutions.--(a) In legislative sessions, the council shall act by ordinance, resolution or motion.

(b) The ayes and nays shall be taken upon the passage of all ordinances and resolutions, and entered upon the journal of its proceedings. Upon the request of any member, the ayes and nays shall be taken and recorded upon any motion. Every member when present must vote, and every ordinance passed by the city council shall require on final passage the affirmative vote of a majority of all members of the council.

(c) No ordinance shall be passed finally on the date it is introduced, except in cases of special emergency, for the preservation of the public peace, health or safety, and then only by the unanimous vote of

all members of the council. No ordinance making a grant of any franchise or special privilege shall ever be passed as an emergency measure.

(d) The enacting clause of all ordinances passed by the council shall be in these words: "Be It Ordained by the City Council of the City of Grand Junction."

51. Publication of Ordinances.—Every proposed ordinance shall be published once in full in a daily newspaper of the city, at least ten days before its final passage; and, after such final passage, it again shall be published once in a daily newspaper as amended and completed, except that an emergency ordinance passed as heretofore provided shall take effect upon passage and be so published within three days; provided that, in lieu of publication of an ordinance in a newspaper both prior to and after passage thereof, by authority of the Council it may be published in book or pamphlet form available for public inspection. There shall be no final passage of an ordinance so placed in book or pamphlet form until hearing thereon by the Council with notice of such hearing published once in a daily newspaper at least ten days prior thereto. Such notice shall state the time and place of such hearing, a description which the Council deems sufficient to apprise interested persons of the purpose of the ordinance, and the place at which the ordinance is available for inspection. Such an ordinance shall be subject to protest under Section 136 of Article XVI of this Charter and "final passage and final publication" thereof shall be deemed to be the time of passage of the ordinance following such hearing.

52. Amendment or Repeal.--No ordinance or section thereof shall be amended or repealed except by an ordinance regularly adopted.

53. Ordinances Granting Franchises.--No proposed ordinance granting any franchise shall be put upon its final passage within sixty days after its introduction, nor until it has been published not less than once a week for six consecutive weeks in two daily newspapers of the city in general circulation.

54. Record of Ordinances.--The city clerk shall permanently retain on file a true and accurate copy of all ordinances, resolutions and evidence of proper publication. Ordinances adopted by a vote of the

electors shall be permanently retained separately. The term "on file" includes permanent electronic, tape or other methods.

55. **Proof of Charter and Ordinances.**--This Charter or any ordinance may be proved by a copy thereof, certified to by the city clerk under seal of the city; or when printed in book or pamphlet form, and purporting to be printed by authority of the city, the same shall be received in evidence in all court without further proof.

ARTICLE VII

EXECUTIVE AND ADMINISTRATIVE OFFICERS

56. **Appointive Offices--Power of Council.**--The said Council shall appoint a City Manager by a majority vote, who shall be the Chief Executive officer to the City, and who need not, at the time of his appointment, be a resident of Grand Junction or of the State of Colorado; a City Attorney; and a Judge of the Municipal Court. The City Manager prior to his appointment shall either have had a successful experience in city management of a city operating under the council-manager form of city government, or had comparable experience. The Council shall have power, except as otherwise provided in this Charter, to fix the salaries and official bonds, establish the qualifications, and prescribe the powers and duties of all officers and employees of the City. The Council shall further have power to create offices and to alter the powers and duties relating thereto. Provided, that nothing in this section shall be taken to give the Council power to diminish the power of City Manager or to alter the relation established by this Charter between the City Manager and the other officers and employees of the City.

57. **City Manager--Salary--Discharge.**--The city manager shall be the administrative head of the city and shall be responsible for the conduct of all its departments. He shall receive a salary to be fixed by the council by ordinance. The city manager may be discharged or removed by a vote of a majority of the members of the council.

58. **Powers of Appointment and Dismissal.**--The city manager shall appoint, subject to the provisions of this Charter, all the officers and employees of the city except where this amendment expressly provides otherwise. The city manager may remove, suspend, demote or discipline

any officer or employee of the city except such as are appointed by the council.

59. **Duties.**--The city manager shall see to the faithful execution of the laws and ordinances of the state and city; control and direct the several officers and departments of the city government; investigate at any time the affairs of any department; attend all meetings of the council and take part in its discussions, but not vote; keep the council advised of all the needs of the municipality recommend measures for its adoption; prepare the annual budget, and perform such other duties as may be imposed on him by this Charter or any ordinance.

60. **Limitations of Council.**--Neither the council nor any member thereof shall dictate the appointment of any person by the city manager, or in any manner interfere with him or prevent him from exercising his own judgment in the appointment of officers and employees. Except for the purpose of inquiry, the council and its members shall deal with that part of the administrative service of the city for which the city manager is responsible solely through such manager, and neither the council nor any member thereof shall give orders to any of the subordinates of the city manager either publicly or privately.

61. **City Clerk--Duties.**--The City Clerk shall be the Clerk of the Council and record and keep all the proceedings thereof. It shall be the duty of the City Clerk to affix the seal of the City to contracts and all other documents whenever the same shall be necessary. The City Clerk shall safely keep all books, records and other documents required to be filed in his office. The City Clerk shall perform all duties characteristic of his office as City Clerk, and the Council may prescribe other powers and duties to be performed by him by ordinance of the City.

62. **City Attorney--Duties.**--There shall be a city attorney who shall have had at the time of his appointment at least five years experience in the active practice of the law in the State of Colorado. He shall draw all ordinances, contracts and other instruments when requested to do so by the council or the manager. He shall be the legal adviser of the manager and the council, and shall represent the city in all cases in which the city shall be a party. He shall attend all meetings of the council and shall have such other powers and duties as may be

prescribed by ordinance. By and with the consent of the council, he may appoint one or more deputies.

Sections 63, 64, 65, and 66 repealed.

67. Newspaper and Publication Fees.--All election notices, or lists of candidates for office, department reports, ordinances, charters, or charter amendments, advertising publicity affairs, or other publications required or authorized by this Charter, by general law, or by any ordinance of the city to be made in any newspaper and all such publications for which the City of Grand Junction may be liable, shall be paid for by the city at such rates as shall not, in any event, exceed the ordinary and regular advertising rates charged other advertisers; and all printing of books, pamphlets, bills, letterheads, or other documents or printed matter required by the city shall be paid for at a price not exceeding the usual business rates therefor. No bill shall be rendered to or paid by the city for such advertising or printing in excess of the said usual business rates, even though higher rates may be fixed by the general law for other cities of the state.

ARTICLE VIII

MUNICIPAL COURT

Sections 68 and 69 repealed.

70. Judge and Jurisdiction.--The judge of the municipal court of the city shall have all the jurisdiction, powers, duties and limitations as provided for a municipal court by state law or by ordinance, except as otherwise provided by this Charter, and shall have exclusive original jurisdiction to hear, try and determine all charges of misdemeanor as declared by this Charter, and all causes arising under this Charter or any of the ordinances, regulations or other rules of the city for a violation thereof. There shall be no change of venue from said court.

ARTICLE IX

FINANCE

71. **Fiscal Year Same as Calendar Year.**--The fiscal year of the city shall commence on the first day of January and end on the last day of December of each year.

72. **Public Money.**--Investment policies and policies for accounts and deposits shall be established by resolution of the city council. No demand for money shall be approved, allowed, audited or paid unless it shall be in writing, dated and sufficiently itemized to identify the demand against the City.

Section 73 repealed.

74. **No Poll Tax.**--No poll tax shall ever be levied or collected by the city for any purpose whatsoever.

75. **Adoption of Existing Law.**--Until the council shall otherwise by ordinance provide, the statutes of the State of Colorado now or hereafter in force, shall govern the making of assessments by the assessor of the county in which the city is situated, the making of equalization of the board of county commissioners of said county, and the collection of taxes by the treasurer of said county for and on behalf of the city, and also the certification and collection of all delinquent charges, assessment or taxes.

Sections 76, 77, 78 and 79 repealed.

80. **Annual Appropriations.**--Upon said budget as adopted and filed, the council shall pass an ordinance, not later than the thirty-first day of December, in each year, which shall be entitled "The Annual Appropriation Ordinance," in which it shall appropriate such sums of money as it may deem necessary to defray all expenses and liabilities of the city, and in such ordinance shall specify the objects and purposes for which such appropriations are made, and the amount appropriated for each object and purpose therein named for the ensuing fiscal year.

81. **Levy.**--Such ordinance shall include the proper levy in mills upon each dollar of the assessed valuation of all taxable property within the city, such levy representing the amount of taxes for city purposes necessary to provide for payment during the ensuing fiscal year of all properly authorized demands upon the treasurer, and the council shall thereupon cause the total levy to be certified by the city clerk to the county assessor who shall extend the same upon the tax list of the current year in a separate column entitled, "The City of Grand Junction Taxes," and shall include said city taxes in his general warrant to the county treasurer for collection, as provided by law.

If the council fails in any year to make said levy as above provided, then the rate last fixed shall be the rate fixed for the ensuing fiscal year.

The amount required to make payment of any interest, or principal of bonded indebtedness, shall always be included in and met by tax levy except as otherwise provided in this Charter.

82. **No Liability Without Appropriation.**--Except as herein otherwise specifically provided, the city expenditures in any one year shall not be increased over and above the amount provided in the annual appropriation ordinance for that year, and no contract involving the expenditure, and no expenditure for any improvement to be paid out of the general or special funds of the city or for defraying the expenses and liabilities of the city shall exceed, in any one year, the amount provided in the annual appropriation ordinance to be paid out of the said general and special funds so appropriated and set apart, but the said several funds shall be maintained for, used and devoted to the particular purposes specified in the annual appropriation ordinance.

It shall not be lawful for any department or officer of the city to incur or contract any expense or liability for or on behalf of the city unless such an appropriation shall have been made concerning such expense. Such contract shall be *ab initio* null and void as to the city for any other or further liability; provided first, that nothing herein contained shall prevent the council from providing by ordinance for payment of any expense, the necessity of which is caused by any casualty, accident or unforeseen contingency arising after the passage of the annual appropriation ordinance; and, second, that the provisions of this section shall not apply

to or limit the authority conferred in relation to bonded indebtedness, nor for moneys to be collected by special assessments for local improvements.

Section 83 repealed.

84. Collection of Taxes.--Until the council shall otherwise by ordinance provide, the county treasurer shall collect city taxes in the same manner and at the same time as state taxes are collected, and all laws of this state for the assessment of property and the levy and collection of general taxes, including laws for the sale of property for taxes, and the redemption of the same, shall apply and have as full effect in respect of taxes for the city as of such general taxes, except as modified by this Charter.

On or before the fifth day of every month, the county treasurer shall report and pay to the city treasurer the amount of tax collections of the city for the preceding month.

Sections 85 and 86 repealed.

ARTICLE X

RESIDENT LABOR GIVEN PREFERENCE

Section 87 repealed.

ARTICLE XI

PENSIONS

88. Pensions.--The city council by ordinance may continue, alter, establish and provide for pensions for any class of employees of the City, by continuation or amendment of the present pension plan of the City or otherwise, and may provide for the manner, method and funds under and with which any pension plan may operate; once established by the Council by ordinance, the city manager, acting with the written consent of the respective board, may alter or amend, but not end or terminate, such pensions or other retirement plans. Any such pension plan may require contributions from employees, may provide for benefits arising out of

employment prior to the adoption or amendment thereof, may be made of a permanent character as to any class of employees, and may be in conjunction with any pension or security arrangement of the United States of America, the State of Colorado or any agency of either of them.

Sections 89, 90, 91, and 92 repealed.

ARTICLE XII

DEPARTMENT OF WATER AND SEWERS

93. **Department of Water and Sewers, Rates-Regulations.**--(a) The city manager shall administer water, waterworks and sewers, as separate entities.

(b) The city council shall by ordinance or resolution fix rates, establish regulations for the use of the water and sewer systems, and impose fines and penalties for the violation thereof. All prior resolutions dealing with water and sewer are hereby ratified.

(c) The city council, pursuant to ordinance and without an election, may borrow money or issue interim warrants or revenue bonds for the purpose of acquiring, constructing, improving or extending the water system or the sewer system; provided that such borrowing shall be repaid, and such warrants and bonds shall be made payable solely out of the net revenue derived from the operation of the water system or sewer system, or either or both of such systems.

(d) The revenues derived from the operation of the water or sewer systems shall be used for the maintenance, operation, extension and improvement of either or both of such systems and for interest on and discharging of principal of bonds and other obligations incurred in the acquisition, construction, improvement and extension of either or both of such systems. Whenever such revenues produce a surplus over and above such costs, such surplus may be used to create reasonable capital improvement or reserve funds, and to the extent the surplus is not so used it shall be the duty of the Council to reduce the rates to consumers so that, as far as practicable, the people may receive the benefits of the department at not more than actual cost.

(e) All consumers of water for domestic use outside of the city limits shall pay not more than double the rates so established and fixed for users within the city limits.

(f) Nothing herein contained shall be construed to prevent the Council from issuing bonds or other obligations payable solely out of the net revenue derived from the operation of any other utilities or income producing projects in the manner provided by law.

Sections 94, 95, and 96 repealed.

ARTICLE XIII

OFFICERS AND EMPLOYEES

Sections 97 and 98 repealed.

99. **Oath of Office.**--Every officer or salaried employee shall, before he enters upon the duties of his office, take, subscribe, and file with the clerk an oath or affirmation to support the Constitution of the United States, the Constitution of the State of Colorado, and the Charter and ordinances of the City of Grand Junction, and faithfully to perform the duties of the position upon which he is about to enter.

100. **Bonds.**--Any officer or employee required to give bond shall not be qualified for his office or employment until such bond has been duly approved by the council, and filed with the clerk, who shall have custody thereof.

101. **No Extra Compensation.** No officer or employee shall solicit or receive any pay, commission, money, pass, free ticket, free service or thing of value, upon terms more favorable than those granted to the public generally or derive any benefit, profit or advantage, directly or indirectly from or by reason of any dealings with or service for the city, by himself or by others, from or by reason of any improvements, alterations, or repairs required by authority of the city, except his lawful compensation or salary as such officer or employee. Any violation of this section shall be a misdemeanor.

102. **Opinions Not Affect Appointments.**--No appointment to any position under the city government shall be made or withheld by reason of any religious or political opinions, or affiliations, or political service; and no appointment or election to, or removal from, any office or employment, and no transfer, promotion, reduction, reward or punishment

shall be in any manner affected or made by reason of such opinions, affiliations, or service.

103. **Official Books and Documents.**--(a) All books, records, and papers of each office, department, board or commissioner, are city property and must be kept as such by the proper official or employee during his continuance in office, and delivered to his successor. The failure to so deliver such books, records, and papers shall be a misdemeanor.

(b) All equipment, collections, models, materials, construction tools and implements, which are collected, maintained, used, or kept by the city, or by any department, board or commission, shall be city property, and be turned over by the custodian thereof to his successor, or duly accounted for.

Section 104 repealed.

ARTICLE XIV

FRANCHISES AND PUBLIC UTILITIES.

105. **Franchise Granted Upon Vote.**--No franchise relating to any street, alley or public place of the said city shall be granted except upon the vote of the registered electors, and the question of its being granted shall be submitted to such vote upon deposit with the city manager of the expense (to be determined by said city manager) of such submission by the applicant for said franchise, and no such franchise shall be granted unless a majority of such electors voting thereon vote in favor thereof.

106. **Contracts for Service.**--All contracts for service between the city and the owner or manager of any such franchise shall be made by ordinance, the terms of which shall be agreed to in writing by said owner or manager prior to the passage of such ordinance. No contract for service shall be made by the city for a longer period than two years unless such contract be submitted to a vote of the registered electors of the city, and approved by a majority of those voting on said question.

107. **Franchise Specify Streets.**--All franchises or privileges hereafter granted for the use of streets, alleys, avenues, or other public

property or right-of-way, shall state the bounds of the district or districts in which it shall be exercised; and no franchise or privilege shall hereafter be granted by the city in general terms or to apply to the city generally.

108. **Power to Regulate Rates and Charges.**--All power to regulate the rates, rentals and charges for service by public utility corporations or any other franchisee or user of any public property, streets, alleys and rights-of-way is hereby reserved to the people to be exercised by them by ordinance of the council, or in the manner herein provided for initiating or referring an ordinance. Any right of regulation shall further include the right to require uniform, convenient, and adequate service to the public and reasonable extensions of such service, works and facilities. The granting of a franchise or other permission to use public property shall not be deemed to confer any right to include in the charge for service any return upon the value of the franchise or grant of permission.

109. **Ordinance in Plain Terms.**--No franchise, right, privilege, or license shall be considered as granted by any ordinance except when granted therein in plain and unambiguous terms, and any and every ambiguity therein shall be construed in favor of the city and against the claimant under said ordinance.

110. **Issuance of Stock.**--Every ordinance granting any franchise shall prohibit the issuing of any stock on account thereof by any corporation holding or doing business thereunder.

111. **License Tax.**--The city shall have the right to license or tax street cars, telephones, gas meters, electric meters, water meters, or any other similar device for measuring service; also telephone, telegraph, electric light, and power poles, subways and wires. The said license or tax shall be exclusive of and in addition to all other lawful taxes upon the property of the holder thereof.

Section 112 repealed.

113. **Railroad Elevate or Lower Tracks.**--The council shall, by ordinance, require under proper penalties, any railroad company, whether steam or electric, to elevate or lower any of its tracks running over, along,

or across any of the streets or alleys of the city, whenever in the opinion of the council the public safety or convenience requires.

Section 114 repealed.

115. Franchise Provide for Safety, Etc.--The grant of every franchise or privilege shall be subject to the right of the city, whether in terms reserved or not, to make any regulations for the safety, welfare, and accommodation of the public, including among other things, the right to require proper and adequate extensions of the service of such grant, the right to require any or all wires, cables, conduits, and other like appliances, to be placed under ground, and the right to protect the public from danger or inconvenience in the operation of any work or business authorized by the grant of the franchise.

116. Oversight of Water Reserved to City.--Every franchise, right or privilege which has been, or which may hereafter be granted, conveying any right, permission or privilege to the use of the water belonging to the city, or to its water system, shall always be subject to the most comprehensive oversight, management, and control in every particular by the city; and such control is retained by the city in order that nothing shall ever be done by any grantee or assignee of any such franchise, right or privilege which shall in any way interfere with the successful operation of the waterworks of the city, or which shall divert, impair, or render the same inadequate for the complete performance of the trust for the people under which such waterworks are held by the city, or which shall tend so to do.

117. No Exclusive Franchise--Renewal.--No exclusive franchise shall ever be granted, and no franchise shall be renewed before one year prior to its expiration.

118. No Franchise Leased Except.--No franchise granted by the city shall ever be leased, assigned, or otherwise alienated without the express consent of the city, and no dealing with the lessee or assignee on the part of the city to require the performance of any act or payment of any compensation by the lessee or assignee, shall be deemed to operate as such consent. Any assignment or sale of such franchise to any foreign corporation shall operate as a forfeiture to the city of such franchise.

119. Amendment, Renewal, Extension or Enlargement of Franchise.--No amendment, renewal, extension or enlargement of any franchise, or grant of rights or powers previously or heretofore granted to any corporation, persons, or association of persons, shall be made except in the manner and subject to all conditions provided in this article for the making of original grants and franchises. The city shall require as a condition of any amendment, alteration, or enlargement of a franchise or grant, unless otherwise expressly determined by a majority vote of the registered electors of the city, that the person, association, or corporation owning the original franchise or grant, shall, as a prior condition to, and in consideration for such amendment, alteration, or enlargement, covenant and agree, as a part thereof, that such original franchise shall be brought within all the conditions provided in this article for the exercise and enjoyment of franchises hereafter granted, including the right of the city to purchase the plant and physical property, whether within or without the city limits, or both, at a fair valuation, which valuation shall not include any franchise value, or any earning power of such property.

120. Provision for Common Use of Tracks, Poles, Etc.--The city may, by ordinance, require any person or corporation holding a franchise from the city for any public utility, to allow the use of any of its poles, tracks, wires, conduits or electric current by any other person or corporation to which the city shall grant a franchise, upon the payment of a reasonable rental therefor; and any franchise or right which may hereafter be granted to any person or corporation to operate a street railway, or other public service, within the city or its suburbs, shall be subject to the condition that the city shall have the right to grant to any other person or corporation desiring to build or operate a street railway, interurban railway, or other public service, within or into the city, the right to operate its cars over the tracks of said street railway, or to utilize its poles, wires, conduits, or electric current, insofar as may be necessary to enter the city and to reach any section thereof; provided, that the person or corporation desiring to operate its cars over the lines of said street railway, or to use such other public service, shall first agree in writing with the owner thereof to pay it a reasonable compensation for such operation or use. And if the person or corporation desiring to use the same cannot agree with said owner as to said compensation, within sixty days from offering in writing to do so, and as to terms and conditions for such use, then the council shall, by resolution, after a fair hearing to the parties concerned, fix the terms and conditions of such use and compensation to

be paid therefor, which award of the council when so made, shall be final and binding on the parties concerned.

121. City Maintain General Supervision--Reports--Inspection.

The city shall maintain general supervision and police control over all public utility companies insofar as they are subject to municipal control. It shall cause to be instituted such actions or proceedings as may be necessary to prosecute public utility companies for violations of law.

It shall require every person or corporation operating under a franchise or grant from the city, to submit to the council within sixty days after the first day of January of each year, an annual report verified by the oath of the president, the treasurer, or the general manager thereof.

Such reports shall be in the form, contain such detailed information, and cover the period prescribed by the council, or by ordinance; and the council shall have the power, either through its members or by experts or employees duly authorized by it, to examine the books and affairs of any such person, persons or corporation, and to compel the production before them of books and papers pertaining to such report or other matters. Any such person, persons, or corporations which shall fail to make any such report, shall be liable to a penalty of one hundred dollars and an additional penalty of one hundred dollars for each and every day thereafter, during which he shall fail to file such report, to be sued for and recovered in any court of record having jurisdiction.

Section 122 repealed.

123. Books of Account--Examination.--The city, when owning any public utility, shall keep the books of accounts for such public utility, and in such a manner as to show the true and complete financial result of such city ownership, or ownership and operation, as the case may be. Such accounts shall be so kept as to show the actual cost to the city of the public utility owned; all cost of maintenance, extension and improvement, all operating expenses of every description, in case of such city operation; if water or other service shall be furnished for the use of any department of the city without charge, the accounts shall show, as nearly as possible, the value of such service, such accounts shall also show reasonable allowance for interest, depreciation, and insurance, and

also estimates of the amount of taxes that would be chargeable against such property if owned by a private corporation.

124. Term Not Longer Than Twenty-Five Years-- Compensation.--No franchise, lease or right to use the streets or the public places, or property of the city, shall be granted by the city, except as in this Charter provided, for a longer period than twenty-five years. Every grant of a franchise shall fix the amount and manner of the payment of the compensation to be paid by the grantee, for the use of the same, and no other compensation of any kind shall be exacted for such use during the life of the franchise, but this provision shall not exempt the grantee from any lawful taxation upon his or its property, nor from any licenses, charges, or impositions not levied on account of such use.

125. City May Purchase, Operate or Sell--Procedure.--(a) Every grant, extension, or renewal of a franchise or right shall provide that the city may upon the payment therefor of its fair valuation, purchase, and take over the property and plant of the grantee in whole or in part; such valuation shall be made as provided in the grant, but shall not include any value of the franchise or right of way through the streets, or any earning power of such property. The valuation may include, as part of the cost of the plant, interest on actual investment during the period of construction, and prior to operation. Such grant may provide that if the purchase is made within five years of the time when the franchise is granted, the city shall pay an additional sum or bonus of not to exceed ten per centum (10%) on the actual value of the tangible property, exclusive of the franchise value, which additional sum or bonus shall be reduced proportionately from such five-year period to the end of the franchise period when no bonus shall be given.

The procedure to effect such purchase shall be as follows:

When the council shall, by resolution, direct that the mayor shall ascertain whether any such property or part thereof, should be acquired by the city, or in the absence of such action of the council, when a petition subscribed by registered electors of the city, equal in number to at least ten per centum (10%) of the last preceding vote cast in the city for all candidates for Governor of the State of Colorado requesting that the mayor shall ascertain whether any such property or part thereof, should

be acquired by the city, shall be filed with the clerk, the mayor shall forthwith carefully investigate said property and report to the council--

(1) At what probable cost said property may be acquired;

(2) What, if any, probable additional outlays would be necessary to operate the same;

(3) Whether, if acquired, it could be operated by city at a profit or advantage in quality or cost of service, stating wherein such profit or advantage consists;

(4) Whether, if granted, it could be paid out of its net earnings, and, if so, within what time and

(5) Such other information touching the same as he shall have acquired.

Such report shall be made in writing, shall include a statement of facts in relation thereto with such particularity as will enable the council to judge the correctness of his findings and immediately after submission to the council, shall be filed with the city clerk, recorded in the public utility record, and published once in each of two daily newspapers of general circulation published in the city, or printed and distributed in pamphlet form, as the council may determine.

If a petition subscribed by registered electors of the city, equal in number to at least ten per centum (10%) of the last preceding vote cast in the city for all candidates for Governor of the State of Colorado, requesting that the question whether or not the city shall acquire said property, shall be submitted to a vote of the people, shall within sixty days after the filing of said report be filed with the clerk, the council shall provide by ordinance for the submission of the question to a vote of the registered electors.

(b) Every grant reserving to the city the right to acquire the plant as well as the property, if any, of the grantee situated in, on, above, or under the public places of the city, or elsewhere, used in connection therewith, shall in terms specify the method of arriving at the valuation therein provided for, and shall further provide that upon the payment by

the city of such valuation, the plant and property so valued, purchased and paid for, shall become the property of the city by virtue of the grant and payment thereunder, and without the execution of any instrument of conveyance and every such grant shall make adequate provision by way of forfeiture of the grant, or otherwise, for the effectual securing of efficient service and for the continued maintenance of the property in good order and repair and its continuous use throughout the entire term of the grant. The grant may also provide that in case such reserved right to operate or to take over such plant or property is not exercised by the city, and it shall, prior to payment for the same secure a bid for the property, and grant a new franchise for the same service or utility, as provided in Paragraph c of this section, or grant the right to another person or corporation to operate said utility, so occupied and used by its grantor, under the former grant, that the title to and possession of the plant and property so taken away be transferred directly to the new grantee upon the terms upon which the city may have purchased it.

(c) Whenever any plant or property shall become the property of the City of Grand Junction, the city shall have the option at any time, then or thereafter, either to operate the same on its own account, or by ordinance to lease the same or any part thereof, together with the franchise or right to use the streets or other public property in connection therewith, for periods not exceeding twenty-five years, under such rules and regulations as it may prescribe, or by ordinance to sell the same; provided, however, that no such ordinance shall be adopted except by a majority vote of the registered electors of the city.

126. Charter Provisions Not to Impair Right to Insert Other Matters in Franchise.--The enumeration and specification of particular matters in this charter which must be included in every franchise or grant, shall never be construed as impairing the right of the city to insert in such franchise or grant, such other and further conditions, covenants, terms, restrictions, limitations, burdens, taxes, assessments, rates, fares, rentals, charges, control, forfeiture, or any other provisions whatever, as the city shall deem proper to protect the interests of the people.

127. Revocable Permits.--The Council may grant a permit at any time, in or upon any street, alley, or public place, provided such permit may be revocable by the Council at its pleasure at any time, whether such right to revoke be expressly reserved in such permit or not;

provided, however, that no such permit shall be granted for the use of any such street, alley or other public place for the installation or maintenance of a cable system TV, otherwise known as C.A.T.V. system, until the granting of such permit shall be approved by a majority vote of the registered electors of the City.

ARTICLE XV

COMMISSIONS AND BOARDS

PARKS

Section 128 repealed.

PUBLIC LIBRARY

Sections 129, 130, 131 and 132 repealed.

ARTICLE XVI

DIRECT LEGISLATION BY THE PEOPLE

133. **Direct Legislation.**--Any proposed ordinance may be submitted to the council by petition signed by registered electors of the city, equal in number to the percentage hereinafter required. The procedure in respect to such petition shall be the same as provided in Sections 28 and 29, Article III, of this Charter, with such modifications as the nature of the case requires, except that no blank forms shall be furnished or preliminary affidavit made.

134. **Ten Per Centum Petition.**--If the petition accompanying the proposed ordinance be signed by registered electors equal in number to at least ten per centum of the last preceding vote cast in the city for all candidates for Governor of the State of Colorado, and contains a request that said proposed ordinance be submitted to a vote of the people, if not passed by the council, the clerk shall thereupon ascertain and certify its number of qualified signers; whereupon, if such certificate shows the required number of qualified signers, the council shall within twenty days thereafter, either--

(a) Pass said ordinance without alteration (subject to the referendum vote provided in this article); or

(b) Call a special election, unless a general or special municipal election is to be held within ninety days thereafter; and at such general or municipal election said proposed ordinance shall be submitted without alteration to the vote of the registered electors of the city.

135. Five Per Centum Petition.--If the petition be signed by registered electors equal in number to at least five per centum but less than ten per centum of the last preceding vote cast in the city for all candidates for Governor of the State of Colorado, as shown in the manner hereinbefore provided, and said proposed ordinance be not passed without alteration by the council within forty days, as provided in the preceding section, then such proposed ordinance, without alteration, shall be submitted by the council to electoral vote at the next general municipal election, if any, occurring within sixty days thereafter. If filed before sixty days, or within forty days of such election, said petition shall be invalid.

136. Mode of Protesting Against Ordinances.--No ordinance passed by the council shall take effect before thirty days after its final passage and final publication, except an emergency ordinance, as provided in Article VI of this Charter. If, within said thirty days, a petition signed by registered electors of the city equal in number to at least ten per centum of the last preceding vote cast in the city for all candidates for Governor of the State of Colorado, be presented to the council, protesting against such ordinance taking effect, the same shall thereupon and thereby be suspended from taking effect, the council shall immediately reconsider such ordinance, and if the same be not entirely repealed, the council shall submit it, by the method provided in this article, to a vote of the registered electors of the city, either at the next general municipal election, or at a special election, which may, in their discretion, be called by them for that purpose, and such ordinance shall not take effect unless a majority of the registered electors voting on the same at such election, shall vote in favor thereof.

The procedure in respect of such referendum petition shall be the same as provided in Sections 28 and 29 of Article III of the Charter, with

such modifications as the nature of the case requires, except that no blank forms shall be furnished or preliminary affidavit made.

137. **Reference by the Council.**--The council may, of its own motion, submit to electoral vote for adoption or rejection at a general or special municipal election, any proposed ordinance or measure, or a proposition for the repeal or amendment of any ordinance, in the same manner and with the same force and effect as provided in this article for submission on petition. If the provisions of two or more proposed ordinances or measures, adopted or approved at the same election, are inconsistent, then the ordinance or measure receiving the highest affirmative vote shall prevail.

138. **Publication of Electoral Ordinance.**--Whenever any proposed ordinance is required by this Charter to be submitted to the voters of the city at any election, the council shall cause it to be published as required of other proposed ordinances.

139. **Election.**--The ballots used when voting upon such proposed ordinance shall state the nature of the ordinance in terms sufficient to identify it, and, on separate lines, the words, "For the Ordinance," and "Against the Ordinance." If a majority of the registered electors voting on said proposed ordinance shall vote in favor thereof, the same shall thereupon become an ordinance of the city.

Section 140 repealed.

141. **Limit to Special Elections.**--There shall not be held under this article more than one special election in any period of six months.

142. **Repeal or Amendment.**--An ordinance adopted by electoral vote, cannot be repealed or amended except by electoral vote.

ARTICLE XVII

OTHER REGULATIONS

143. **Other Regulations.**--The council may authorize the city manager to make such regulations, not in conflict herewith, as it may

deem necessary to carry out the provisions of this charter, any ordinance, resolution or the policies of the Council.

Sections 144, 145 and 146 referred to previous government, and now of no effect.

147. Present Ordinances Continue in Force.--All laws, ordinances, resolutions, by-laws, orders, rules or regulations in force in the City of Grand Junction, at the time this Charter takes effect, not inconsistent with its provisions, whether enacted by the authority of the city or any other authority, shall continue in full force and effect until otherwise provided by ordinance.

148. Penalty for Violation.--Any person 18 years of age or older who shall violate any of the provisions of this Charter for the violation of which no punishment has been provided herein, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding one thousand (\$1,000.00) dollars, or by imprisonment in jail not exceeding one year, or by both such fine and imprisonment. Any person under 18 years of age who violates any of the provisions of this Charter for the violation of which no punishment has been provided herein, shall be punished by a fine not exceeding one thousand (\$1,000.00) dollars, and/or be required to perform useful public service not to exceed 48 hours or any combination thereof.

149. Definition of Misdemeanor.--The term "misdemeanor," as used in this Charter, shall mean a violation thereof, or of any ordinance, resolution or regulation of which the municipal court thereof shall have jurisdiction.

Section 150 repealed.

151. Submission of Charter Amendments.--The Charter may be amended at any time in the manner provided by Article XX of the Constitution of the State of Colorado. Nothing herein contained shall be construed as preventing the submission to the people of more than one Charter amendment or measure at any one election.

152. **Reservation of Power.**--The power to supersede any law of the state, now or hereafter in force, insofar as it applies to local or municipal affairs, shall be reserved to the city.

153. **Budget Plan--Warrants.**--The city council by ordinance shall adopt a budget plan for the city and shall establish the procedure for paying the City's debts and expenses.

Sections 154, 155 and 156 repealed.

157. **Liberal Construction.**--This measure or Charter amendment shall be construed as a whole and receive a liberal construction to carry out the intent and purpose herein set forth, and any and all parts of the Charter in conflict herewith are hereby repealed, and the remaining sections or portions of sections of said Charter shall be so construed as to harmonize with the provisions of this measure or amendment.

OFFICIAL DATA

Grand Junction was selected, located, staked and founded as a townsite under and by virtue of the laws of the United States, September 26, 1881, by and in the names of George A. Crawford, Richard D. Mobley, M. Rush Warner, James W. Bucklin and their associates, Allison White and H.E. Rood, who, pursuant thereto, on October 10, 1881, incorporated "The Grand Junction Town Company."

June 22, 1882, a vote was taken to incorporate the municipality by the name of the "Town of Grand Junction," which incorporation was completed July 19, 1882.

February 14, 1882, the town was made the county seat of the new county of Mesa.

April 20, 1891, the town was graded into a city of the second class.

April 6, 1909, Grand Junction became a Charter city by vote, pursuant to the State Constitution, and on June 8, 1909, the 21 Charter delegates were elected who completed and filed the Charter on August 7, 1909.

September 14, 1909, the election to adopt or reject the Charter took place, and it was adopted, the first election thereunder occurring November 2, 1909. On November 8, 1921, the Charter was amended, adopting the city manager form of government.

The population of Grand Junction as shown by official census was, in round numbers, in 1885, 500; in 1890, 2,030; in 1900, 3,503; in 1910, 7,754; in 1920, 8,665; in 1930, 10,147; in 1940 12,479; in 1950, 14,454; in 1960, 18,559; in 1970, 20,170; in 1977 25,385; in 1980, 28,000; in 1990, 29,034; in 2000, 42,666.

The elevation as fixed by the U.S. government is 4,592.497 feet above sea level, as measured at the NAVD benchmark (1988 North American Vertical Datum), at 402 Rood Avenue.

CITY ORGANIZATION

April 3, 2007

Councilmembers Jim Doody, President
Bonnie Beckstein, Pro Tem
Teresa Coons
Bruce Hill
Gregg Palmer
Jim Spehar
Doug Thomason

City Manager David Varley

City Clerk Stephanie Tuin

City Attorney John Shaver

Municipal Judge Care' McInnis-Raum

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