TITLE 2

ADMINISTRATION AND PERSONNEL

Chapters:

2.01 Boards, Commissions and Committees
2.02 City Council
2.04 Administrative Departments
2.05 Removal of Members of the Lakewood City Council
2.06 City Manager
2.08 Operating Departments
2.12 General Officers
2.13 Transcripts of Proceedings Before Administrative Bodies
2.14 Fees for Photocopying and Certification of City Documents
2.16 Planning Department-Board of Adjustment
2.20 Municipal Court
2.21 Judicial Review Commission
2.36 Police Retirement
2.44 Federal Rent Supplement Program
2.48 Park Control and Management
2.52 Initiative and Referendum Procedures
2.53 Municipal Election Procedures
2.54 Campaign and Political Finance in Municipal Elections
2.55 Budget and Audit Board
2.56 Lakewood Advisory Commission
2.57 Housing Policy Commission
2.58 Planning Department-Design Review Commission
2.01.010 Executive session authority.

Any duly authorized board, commission or committee of the City of Lakewood, by a two-thirds vote of the members present, may be recessed or may schedule an executive session, which shall be closed to the public, for any of the following purposes:

A. To determine a position relative to issues subject to negotiation, to receive reports on the progress and status of negotiations, to develop strategy, and to instruct negotiators;
B. To consider the purchase or sale of property by the city;
C. For matters of attorney-client privilege;
D. For matters required by federal or state law to be confidential;
E. For matters involving the protection and security of city property;
F. For classified or confidential police matters, subject to criteria established by ordinances; and
G. To consider personnel matters. (Ord. O-85-1 § 1, 1985).

2.01.020 Service on more than one board or commission.

A. Except as provided herein, no person serving as a member of a city board or commission may be appointed to serve on another city board or commission at the same time, nor may any person be appointed to serve on any two city boards or commissions simultaneously. This section applies to those city boards and commissions as outlined in the City Council Policies and Procedures Manual, except that the members of the Planning Commission shall serve simultaneously as the members of the Board of Adjustment, and the terms of office for members of the Planning Commission shall run concurrently with the terms of office for members of the Board of Adjustment, and except that members of the Planning Commission may serve simultaneously on the Rooney Valley Zoning Commission if so appointed.

B. Except as provided in subsection A, above, in the event a person serving on one board or commission is appointed to serve on another board or commission, he will be required to resign from the board or commission upon which he is presently serving, unless the term which the person is presently serving expires in ninety days or less. The city's application form for boards and commissions shall reflect this requirement. (Ord. O-2016-8 § 2, 2016; Ord. O-2013-6 § 1, 2013; Ord. O-93-25 § 1, 1993; Ord. O-85-12 §§ 1-3, 1985).

2.01.030 Two-term limit for service on boards and commissions.

A. Persons appointed to boards or commissions listed in the City Council Policy and Procedures Manual may serve a maximum of two consecutive terms as an alternate member and a maximum of two consecutive terms as a regular member upon each board or commission so appointed; provided, however, any person appointed who serves or has served at least one half of a term on such board or commission shall be considered to have served a term on such board or commission.
B. The city’s application form for service on boards and commissions shall advise applicants of the existence of this two-term limitation on service.

C. The following boards and commissions include persons appointed by virtue of positions they hold rather than because of their qualifications as determined by the City Council. These positions shall be exempt from the two-term limit established above:

<table>
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<tr>
<th>Board/Commission</th>
<th>Position Held By</th>
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<tr>
<td>Judicial Review</td>
<td>Position held by the Chief Judge of the First Judicial District or his designee</td>
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<td>2.21.010</td>
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<tr>
<td>Plan Manager of City Money</td>
<td>Positions held by the Mayor, City Treasurer, City Clerk and City Manager</td>
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<td>Purchase Pension Plan</td>
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<td>2.36.090</td>
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<tr>
<td>Board of Appeals</td>
<td>Position held by the Building Official or his authorized representative</td>
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<td>14.12.010</td>
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D. A board or commission member who is appointed to represent a ward district and resigns or moves from his ward district shall remain on the board or commission and serve until a successor is appointed to replace him. A board or commission member who is appointed to represent the city at large and who resigns or moves from the city shall remain on the board or commission and serve until a successor is appointed to replace him. (Ord. O-99-6 § 1, 1999; Ord. O-94-45 § 1, 1994; Ord. O-93-25 §§ 2, 3, 1993; Ord. O-85-111 § 1, 1985).

2.01.040 **Residency requirements.**

Unless specifically provided otherwise by ordinance or resolution, a member of any Board or Commission of the City of Lakewood shall be a resident of the City of Lakewood. Members of the Rooney Valley Zoning Commission appointed by the Town of Morrison are not required to be Lakewood residents. (Ord. O-2016-8 § 3, 2016; Ord. O-2001-37 § 1).
Chapter 2.02  
CITY COUNCIL

Sections:
2.02.010 Meetings of City Council.
2.02.020 Procedural rules.
2.02.030 Service on boards and commissions.

2.02.010 Meetings of City Council.
A. 1. The regular City Council meeting shall be held on the second and fourth Mondays of each month at seven p.m. at Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.
   2. Regularly scheduled meetings which fall on holidays recognized by the city will be held on the next succeeding regular city business day at seven p.m. at the Lakewood Civic Center.
B. Special meetings. The Mayor and any three members of City Council may call a special meeting by notice to each of the members of City Council personally served or left at his or her usual place of residence. (Ord. O-93-25 §§ 4, 5, 1993; Ord. O-84-79 § 1, 1984; Ord. O-83-174 § 1, 1983; Res. 71-122 § 1, 1971).

2.02.020 Procedural rules.
A. The City Council adopts the Council Policy and Procedures Manual; and the City Clerk is authorized and directed to keep in the City Clerk’s Office, and to provide for inspection and examination at all times when the City Clerk’s Office is open for business, not less than one certified copy of the Council Policy and Procedures Manual as the same may hereafter be revised pursuant to resolution of the City Council, which copies are designated as the official copies of the Council Policy and Procedures Manual.
B. The City Council ratifies, adopts and confirms its previous adoption of Robert’s Rules of Order, as revised and newly revised.
C. The policies and procedures adopted in subsection (A) of this section shall at all times be subject to the provisions of the United States Constitution and laws of the United States, the Constitution of the state, the applicable statutes of the state, and to the provisions of the City of Lakewood Charter, municipal ordinances and resolutions of the city, whether heretofore or hereafter adopted. In the event of conflict between any procedural rule or policy contained in the Council Policy and Procedures Manual and the provisions of Robert’s Rules of Order as revised and newly revised, the provisions of the Council Policy and Procedures Manual shall govern.
D. In the event of conflict between any procedural rules of Robert’s Rules of Order as revised and newly revised, or between any provision of the Council Policy and Procedures Manual and any constitutional provisions, law, statute, or ordinance or resolution heretofore or hereafter adopted, the provisions of the state and federal constitutions, laws, statutes and the ordinances and resolutions of the city, heretofore or hereafter adopted, shall govern. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 §§ 6, 7, 1993; Res. 76-15 §§ 1-4, 1976).

2.02.030 Service on boards and commissions.
A. No member of the Lakewood City Council shall serve on the following boards or commissions of the City of Lakewood: Planning Commission, Board of Adjustment, Board of Appeals, or Liquor and Fermented Malt Beverage Licensing Authority. Any person serving on
said boards or commissions who is elected to the City Council must resign from the board or commission prior to being sworn to serve on City Council.

B. No member of the Lakewood City Council shall serve as the sole representative of the City Council on the Lakewood Housing Authority; provided, however, that the City Council may provide that all members of the City Council shall ex officio be appointed commissioners of the Lakewood Housing Authority, as provided by C.R.S. Section 29-4-205, as amended. (Ord. O-95-31 § 1, 1995).
Chapter 2.04

ADMINISTRATIVE DEPARTMENTS

Sections:
  2.04.010  Intent-Purpose.
  2.04.020  Definitions.

2.04.010  Intent-Purpose.
  It is the intent and purpose of this chapter to establish and clarify the organization and operation of certain city departments and to provide for an orderly means of conducting the operations of city government. It is the intent and sense of the Council that cooperation and coordination are required among all departments of the city, and that such coordination and cooperation can best be obtained by close liaison, communication and cooperation among all departments and coordination with and through the City Manager. All ordinances of the city shall be construed in such manner as to foster and promote such cooperation, liaison and coordination of all departments with and through the City Manager’ Office. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 § 14, 1993; Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 1 (part), 1976).

2.04.020  Definitions.
  As used in this chapter, unless the context otherwise requires:
  “City” is the City of Lakewood, Colorado.
  “City Council” or “Council” is the City Council of the City of Lakewood, Colorado.
  “City Manager” or “Manager” is the City Manager of the City of Lakewood, occupying the position of City Manager established in Chapter 2.06. (Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 1 (part), 1976).
Chapter 2.05

REMOVAL OF MEMBERS OF THE LAKEWOOD CITY COUNCIL

Sections:
  2.05.010 Remval.
  2.05.020 Cause for removal.
  2.05.030 Procedure.
  2.05.040 Vacancy.

2.05.010 Removal.
  The City Council shall have the power to remove its members from office, including the
  Mayor, for cause, upon a vote of not less than three-fourths of all members of the City
  Council. (Ord. O-2002-17 § 1, 2002).

2.05.020 Cause for removal.
  The following enumerated matters shall be the reasons for removal of a City Council
  member from the City Council:
  A. Physical or mental disability rendering the Council member unable to perform Council
     duties;
  B. Absences from regular City Council meetings or study sessions when such absences
     equal thirty (30) percent of all regular City Council meetings and study sessions in a
     calendar year;
  C. For a Council member, lack of residence in ward from which elected; for the Mayor,
     lack of residence within the City of Lakewood;
  D. Knowing disclosure of confidential information. Confidential information means
     information which is not available to the general public under applicable laws, ordinances and
     regulations, and which is obtained by reason of the Council member's position with the City of
     Lakewood.
  E. A conviction of a violation of the Colorado Constitution or Colorado Statutes, which
     conviction prohibits serving as a Council member. (Ord. O-2002-17 § 1, 2002).

2.05.030 Procedure.
  A. Charges shall be brought against the Council member by a majority vote of all
     members of the City Council;
  B. The charged Council member shall be provided written notice of the charge or charges
     and the time and place of the hearing on said charge or charges, which hearing shall be held
     before the City Council;
  C. The charged Council member may be represented by counsel. The City Council shall
     appoint special counsel to conduct the hearing and present evidence;
  D. The hearing shall be conducted in a quasi-judicial forum. The allegations shall be
     presented on behalf of the City of Lakewood, by special counsel selected by the City of
     Lakewood.
  E. At the hearing, which shall be open to the public, the parties shall have the right to:
     1. Present testimony.
     2. Produce evidence.
     3. Cross-examine witnesses.
     4. Be represented by legal counsel. (Ord. O-2019-24 § 4, 2019; Ord. O-2002-17 § 1,
        2002).
2.05.040  Vacancy.
Vacancy shall be filled as provided by City Charter. A Council member may not be removed a second time for the same offense. (Ord. O-2002-17 § 1, 2002).
Chapter 2.06
CITY MANAGER

Sections:
2.06.010 Establishment of position.
2.06.020 Qualifications.
2.06.030 Functions and duties.
2.06.040 Power to appoint and remove officers and employees.
2.06.050 Criteria for appointment and dismissal.
2.06.060 Additional functions and duties.
2.06.070 Administrative organization.
2.06.080 Organization of City Manager’s Office.
2.06.090 Authority of City Manager over organization and personnel of city departments and offices.
2.06.100 Relationship of City Council to City Manager and departments.
2.06.110 Lakewood Housing Authority.

2.06.010 Establishment of position.
There is created and established the position of City Manager. (Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 2 (part), 1976).

2.06.020 Qualifications.
The City Manager shall be selected solely on the basis of his executive and administrative qualifications with special reference to training and experience. He shall be compensated for his services as the Council may from time to time determine. At the time of his appointment he need not be a resident of the city or the state, but within a reasonable time following his appointment he shall remove to the city, and shall thereafter reside in the city during his tenure. (Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 2 (part), 1976).

2.06.030 Functions and duties.
The City Manager shall be the chief administrative officer of the city, and shall be responsible to the Mayor and City Council for the proper administration of all affairs of the city placed in his charge. (Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 2 (part), 1976).

2.06.040 Power to appoint and remove officers and employees.
Subject to and except as otherwise provided by law or ordinance, the City Manager shall have the power to appoint and remove, discipline or suspend all employees of the city, excepting the employees of the Presiding Judge and his subordinate employees; provided, however, that the City Manager shall have such powers over the employees of the Presiding Judge, subject to the advance approval of the Presiding Judge, or as such powers may be delegated to him in writing. (Ord. O-2019-24 § 4, 2019; Ord. O-86-23 § 1, 1986; Ord. O-85-24 §§ 1, 2 (part), 1985; Ord. O-77-28 § 2, 1977; Ord. O-76-16 § 2 (part), 1976).

2.06.050 Criteria for appointment and dismissal.
Appointments made by the City Manager shall be on the basis of executive and administrative ability and training and experience of all employees in the work they are to perform. (Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 2 (part), 1976).
2.06.060 Additional functions and duties.

The City Manager shall have the following additional functions and duties:

A. To supervise the administration of the enforcement of all laws and ordinances of the city, save and except to the extent that the administration of such enforcement is confided to other city officials by law or ordinance;

B. To be responsible to the City Council for the administration of all departments of the city, save and except those departments confided to the supervision of other city officers by law or ordinance; and to cooperate with and supervise the administrative functions of such departments to the extent requested or delegated by the city officers having primary responsibility for the operation of such departments;

C. To issue such administrative regulations and outline general administrative procedures applicable to areas and departments confided to his supervision, in the form of rules which are not in conflict with the laws of the state or other city ordinances or regulations;

D. To prepare an annual budget and to submit the same to Council;

E. In cooperation with the Finance Director/City Treasurer to keep the Council fully informed as to the financial condition of the city;

F. To recommend to Council for adoption such measures as he may deem necessary or proper for the efficient and proper operation of the city, and to attend all City Council meetings;

G. To prepare and submit to the Council an annual report of the city's affairs, including a summary of the reports of the operations of all city departments;

H. Subject to the requirements of statutes and ordinances, and in accordance with rules and regulations now or hereafter promulgated by the City Council, to purchase materials and authorize expenditures of funds on behalf of the city;


2.06.070 Administrative organization.

Subject to the limitations and requirements of applicable budget and appropriations, the City Manager shall have such assistants as may be authorized from time to time by the City Council, who shall perform such functions and duties as may be assigned to them by the City Manager, and who shall be appointed by the City Manager and subject to removal by the City Manager in conformity with the provisions of the applicable ordinances of the city. (Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 2 (part), 1976).

2.06.080 Organization of Office of City Manager.

In order to provide proper staff and management services to the city and its departments, and subject to the limitations and requirements of budget and appropriations, the City Manager is authorized to establish within his office such divisions or sections as to him may seem necessary or proper for the purposes aforesaid, and from time to time to abolish, change or reorganize the same. Such actions by the City Manager may be on a temporary or permanent basis, subject to further change, reorganization or reassignment as the City Manager may determine. (Ord. O-98-52 § 4, 1998; Ord. O-87-19 § 5, 1987; Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 2 (part), 1976).

2.06.090 Authority of City Manager over organization and personnel of city departments and offices.

Subject to the provisions of applicable law and ordinance, budget and appropriations, the City Manager may from time to time, as necessary or proper for the most efficient operation
and organization of the City of Lakewood, reorganize, modify, combine or change the organizational structure and the establishment of sections or divisions and assignment of personnel, functions and duties within, between, and among the Police Department, Public Works Department, Planning Department, Community Resources Department, the City Clerk’s Office, Department of Human Resources, Finance Department, Information Technology Department and Department of Housing and Family Services, or may transfer divisions, sections, functions, duties, services, personnel or assignments from any of said departments or offices to any of said other departments or offices. (Ord. O-2019-24 § 3 & 4, 2019; Ord. O-2000-34 § 1, 2000; Ord. O-98-52 § 9, 1998; Ord. O-93-25 § 18, 1993; Ord. O-91-59 § 8, 1991; Ord. O-87-19 § 6; 1987; Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 2 (part), 1976).

2.06.100 Relationship of City Council to City Manager and departments.

The City Council shall deal with that portion of the administrative service and the departments of the city for which the City Manager is responsible through the City Manager. Directives issued by the Council concerning policies or operations of the City Council affecting the area of responsibility of the City Manager and the administration of any of such departments shall be made so as to direct the City Manager to accomplish the necessary orders. (Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 2 (part), 1976).

2.06.110 Lakewood Housing Authority.

The office of the City Manager may provide administrative staff assistance to the Lakewood Housing Authority. (Ord. O-98-52 § 10, 1998; Ord. O-91-59 § 2, 1991).
Chapter 2.08
OPERATING DEPARTMENTS

Sections:

I. Police Department

2.08.010 Establishment-Head of department.
2.08.020 Powers and duties of Chief and of Police Department.
2.08.030 Additional powers and duties.
2.08.040 Sworn positions within the Police Department.
2.08.050 Civilian positions within the Police Department.
2.08.060 Oath.

II. Department of Public Works

2.08.070 Established.
2.08.080 City Engineer/Traffic Engineer-A part of department.
2.08.090 City Engineer to be registered professional engineer.
2.08.100 Duties.
2.08.110 Responsibility for all engineering work.
2.08.120 Building Official.
2.08.130 Enforcement of Building Code.
2.08.140 Staff assistance.

III. Department of Planning Department

2.08.150 Staff assistance.
2.08.160 Duties.
2.08.170 Administration of zoning ordinance, subdivision regulations and land use.

IV. Community Resources

2.08.180 Established—Position of Director.
2.08.190 Duties.

V. City Clerk's Office

2.08.200 Establishing City Clerk's office and position of City Clerk.
2.08.210 Duties of City Clerk’s Office.

VI. Department of Human Resources

2.08.220 Establishing Department of Human Resources and position of Director of Human Resources.
2.08.230 Duties of Department of Human Resources.
VII. Finance Department

2.08.240 Establishing Finance Department and position of Finance Director/City Treasurer.
2.08.250 Duties of Finance Department.
2.08.260 Approval of vouchers-Delegation of Treasurer's duties.

VIII. Information Technology Department

2.08.270 Establishing Information Technology Department and position of Chief Information Officer.
2.08.280 Duties of Information Technology Department.

IX. Department of Housing and Family Services

2.08.290 Established – Position of Director.
2.08.300 Duties.

X. General Provisions

2.08.310 Appointment and removal of directors and responsibility to City Manager.
2.08.320 Additional duties of directors.
2.08.330 Additional administrative duties of department heads.

I. Police Department

2.08.010 Establishment-Head of department.
There is established the Police Department and the position of Chief of Police. (Ord. O-93-25 § 19, 1993; Ord. O-87-48 § 1, 1987; Ord. O-76-16 § 3 (part), 1976).

2.08.020 Powers and duties of Chief and of Police Department.
The Chief of Police, by himself or any member of the police force, which includes all sworn police agents within the Police Department, shall execute and return all writs and processes to him directed by the Presiding Judge in any case arising under a city ordinance. In criminal cases, quasi-criminal cases, or cases in violation of city ordinances, he may serve the same in any part of the county in which the city is situated. He or any police agent of the Police Department shall suppress all riots, disturbances and breaches of the peace, apprehend all disorderly persons in the city, and shall pursue and arrest any person fleeing from justice in any part of the state, and shall apprehend any person in the act of committing any offense against the laws of the state or ordinances of the city. The Chief of Police of the city, acting himself and by and through the police agents of the Police Department, shall, in the discharge of his (and their) proper duties, have like powers, and be subject to like responsibilities as sheriffs in similar cases. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 § 20, 1993; Ord. O-87-48 § 2, 1987; Ord. O-76-16 § 3 (part), 1976).
2.08.030 Additional powers and duties.

The Police Department, acting by and through its chief and its police agents shall:
A. Preserve the public peace, prevent crime, detect and arrest offenders, protect the rights of persons and property, and regulate and control traffic in accordance with the laws of this state and the ordinances of this city;
B. Hold all powers and authority necessary to perform all duties and functions consistent with public safety;
C. Provide training for department personnel;
D. Provide central records, investigation and communications for public safety protection.

2.08.040 Sworn positions within the Police Department.

A. The positions of sworn police agents of the city shall be as set forth in the city pay plan, established from time to time by ordinance or ordinances enacted by the City Council.
B. All sworn police agents of the city shall be subject to the direction and control of the Police Department and shall be municipal policemen and peace officers under state statute and ordinances of this city, responsible for the prevention of crime, accidents and other incidents prohibited by statute or ordinance, and the protection of life and property, all pursuant to and as provided by statute and ordinance. (Ord. O-93-25 § 22, 1993; Ord. O-87-48 § 4, 1987; Ord. O-76-16 § 3 (part), 1976).

2.08.050 Civilian positions within the Police Department.

The positions of civilian personnel of the Police Department of the city shall be as set forth in the city pay plan, established from time to time by ordinance or ordinances enacted by the City Council. (Ord. O-87-48 § 5, 1987; Ord. O-76-16 § 3 (part), 1976).

2.08.060 Oath.

All sworn police agents shall take and subscribe an oath to support the Constitution and laws of the state, the Constitution of the United States, and the ordinances of the city, and to faithfully perform the duties of the office upon which each of such persons has entered or is about to enter. (Ord. O-93-25 § 23, 1993; Ord. O-87-48 § 6, 1987; Ord. O-76-16 § 3 (part), 1976).

II. Department of Public Works

2.08.070 Established.


2.08.080 City Engineer/Traffic Engineer-A part of department.

The City Engineer and the Traffic Engineer shall be a part of the Public Works Department and subject to the direction of the Planning Director, Permits and Public Works. The Transportation Administrator of the city shall also be and is designated as the Traffic Engineer, unless and until the Director of Public Works, with the approval of the City Manager, shall assign the duties and responsibilities of the Traffic Engineer to another officer of the city. (Ord. O-2019-24 § 4, 2019; Ord. O-98-52 § 12, 13, 1998; Ord. O-91-59 § 9 (part), 1991; Ord. O-76-16 § 3 (part), 1976).
2.08.090  City Engineer to be registered professional engineer.
   The City Engineer shall be a registered professional engineer. (Ord. O-98-52 § 13, 1998; Ord. O-76-16 § 3 (part), 1976).

2.08.100  Duties.
   The Director of Public Works and the Public Works Department shall have general supervision and control of engineering services, traffic engineering services, fleet management, general city street and storm sewer maintenance, permits, building inspection, building code enforcement, construction inspection, water resources and sewer facilities. (Ord. O-2019-24 § 4, 2019; Ord. O-98-52 § 12, 13, 14, 1998; O-91-59 § 1, 1991; Ord. O-76-16 § 3 (part), 1976).

2.08.110  Responsibility for all engineering work.
   The Director Public Works and the City Engineer shall be responsible for the supervision of all engineering work required by or for the city, other than such work as may be assigned to other departments or offices of the city. (Ord. O-2019-24 § 4, 2019; Ord. O-98-52 § 12, 13, 1998; Ord. O-91-59 § 6 (part), 1991; Ord. O-76-16 § 3 (part), 1976).

2.08.120  Building Official.
   The administrative officer of the city in charge of building inspection shall be the Building Official of the city, who shall have all of the powers and duties of the Building Official provided for in the Lakewood Building Code. Such officer and the building inspectors of the city shall be within and a part of the Public Works Department, subject to the supervision and control of the Director of Public Works. (Ord. O-2019-24 § 4, 2019; Ord. O-98-52 § 12, 16, 17, 1998; Ord. O-91-59 § 11 (part), 1991; Ord. O-76-16 § 3 (part), 1976).

2.08.130  Enforcement of Building Code.
   The Building Official shall have all necessary power and authority to enforce the building code or codes of the city in the manner set forth therein, or in applicable statute or ordinances. (Ord. O-98-52 § 16, 17, 1998; Ord. O-76-16 § 3 (part), 1976).

2.08.140  Staff assistance.
   The Director Public Works, together with the staff of the Public Works Department, shall provide such staff assistance as may be required by the Board of Appeals. (Ord. O-2019-24 § 4, 2019; Ord. O-98-52 § 12, 16, 17, 1998; Ord. O-91-59 § 12, 1991; Ord. O-76-16 § 3 (part), 1976).

III. Department of Community Planning and Development

2.08.150  Staff assistance.
   The Director Planning, together with the staff of the Planning Department, shall provide such staff assistance as may be required by the Planning Commission and the Board of Adjustment. (Ord. O-2019-24 § 4, 2019; Ord. O-98-52 § 12, 15, 18, 1998; Ord. O-91-59 § 11 (part), 1991; Ord. O-82-111 § 3, 1982; Ord. O-76-16 § 3 (part), 1976).
2.08.160 Duties.


2.08.170 Administration of zoning ordinance, subdivision regulations and land use.

The Planning Department shall be responsible for the administration of the city's zoning ordinance or ordinances, subdivision regulations and land use regulatory codes or ordinances as may be enacted from time to time. (Ord. O-2019-24 § 4, 2019; Ord. O-98-52 § 12, 20, 21, 1998; Ord. O-91-59 § 4 (part), 1991; Ord. O-76-16 § 3 (part), 1976).

IV. Community Resources

2.08.180 Established-Position of Director.


2.08.190 Duties.

The Director of Community Resources shall have general supervision and control of services and programs relating to heritage, culture and the arts, regional and urban parks, golf facilities, open space, recreational areas and activities, playgrounds, facilities management and park planning and construction and shall provide staff assistance to related community boards and commissions. (Ord. O-2000-34 § 2, 2000; Ord. O-98-52 § 22, 23, 1998; Ord. O-89-3 § 1 (part), 1989; Ord. O-76-16 § 3 (part), 1976).

V. City Clerk's Office

2.08.200 Establishing City Clerk's Office and position of City Clerk.

There is established the City Clerk's Office and the position of City Clerk, who shall have charge of the City Clerk's Office. (Ord. O-98-52 § 2, 1998; Ord. O-87-19, § 1 (part), 1987).

2.08.210 Duties of City Clerk's Office.

The City Clerk's Office and the City Clerk shall have general supervision and control over the city's official records; shall keep the city seal and shall affix such to city documents; shall attest to the signatures of the Mayor and City Manager; shall conduct municipal elections in accordance with state statutes and local ordinances; shall keep a complete record of all proceedings of the City Council, and shall perform other such duties as may be assigned from time to time by the City Manager. (Ord. O-98-52 § 2, 1998; Ord. O-87-19 § 1 (part), 1987).

VI. Department of Human Resources

2.08.220 Establishing Department of Human Resources and position of Director of Human Resources.

There is established a Department of Human Resources and the position of Director of Human Resources, who shall be and is designated as the Personnel Officer of the city, and who shall have charge of the Department of Human Resources.
2.08.230  Duties of Department of Human Resources.

The Department of Human Resources and the Director of Human Resources shall be responsible for the administration of all personnel and employment services of the city and for the maintenance of all city personnel records and shall perform such other duties as may be assigned from time to time by the City Manager. (Ord. O-2019-24 § 2, 2019; Ord. O-98-52 § 4, 1998; Ord. O-79-46 § 1, 1979; Ord. O-76-16 § 2 (part), 1976).

VII. Finance Department

2.08.240  Establishing Finance Department and position of Director of Finance/City Treasurer.


2.08.250  Duties of Finance Department.

The Finance Department and Director of Finance/City Treasurer shall have general supervision and control over the keeping of the financial records of the city; shall cooperate with the Director of Finance/City Treasurer in the preparation and keeping of financial records; shall keep records which show at all times the financial condition of the city, including current and anticipated revenues and expenses of all municipal funds and accounts; shall have general supervision and control over all of the city's purchasing services, and shall perform such other duties as may be assigned from time to time by the City Manager. (Ord. O-2019-24 § 4, 2019; Ord. O-98-52 § 6, 1998; Ord. O-85-24 § 1 (part), 1985; Ord. O-76-16 § 2 (part), 1976).

2.08.260  Approval of vouchers-Delegation of Treasurer's duties.

Before submission to the Treasurer for payment, the Finance Department shall in advance approve all vouchers to be paid for purchases made by the City of Lakewood. The Treasurer is authorized to delegate to the Director of Finance/City Treasurer and the Finance Department such of the duties and responsibilities of the Treasurer as may be delegable, and may to the extent of such delegation rely upon the actions and records of the Finance Department for all of the purposes of such delegation. (Ord. O-2019-24 § 4, 2019; Ord. O-98-52 § 6, 1998; Ord. O-93-25 § 16, 1993).

VIII. Information Technology Department

2.08.270  Establishing Information Technology Department and position of Chief Information Officer.


2.08.280  Duties of Information Technology Department.

The Information Technology Department and the Chief Information Officer shall have general supervision and control of planning and implementing strategies, work plans and
2.08.280


IX. Department of Housing and Family Services

2.08.290 Established – Position of Director.

There is established a Department of Housing and Family Services and the position of Director of Housing and Family Services. (Ord. O-2000-34 § 3, 2000).

2.08.300 Duties.

The Director of Housing and Family Services shall have general supervision and control of services and programs relating to community (family) services and housing and shall provide staff assistance to related community boards and commissions. (Ord. O-2000-34 § 3, 2000).

X. General Provisions

2.08.310 Appointment and removal of directors and responsibility to City Manager.

The Directors of the Police Department, Public Works Department, Planning Department, Community Resources Department, the City Clerk’s Office, Department of Human Resources, Finance Department, Information Technology Department and the Department of Housing and Family Services shall be appointed by and be subject to the supervision and control of the City Manager, and shall be subject to removal by the City Manager in conformity with the provisions of applicable ordinances of the City of Lakewood. (Ord. O-2019-24 § 4, 2019; Ord. O-98-52 § 12, 24 & 25, 1998; Ord. O-93-25 § 24, 1993; Ord. O-91-59 § 13, 1991; Ord. O-89-3 § 1 (part), 1989; Ord. O-76-16 § 3 (part), 1976).

2.08.320 Additional duties of directors.

Each of the directors of the departments set out in Section 2.08.290 shall have the general supervision and control of the respective department administered by such director and of the establishment of appropriate divisions and the assignment of functions and personnel, the reorganization of divisions and reassignment of functions and personnel, within their respective departments, all subject to the approval of the City Manager and to the authority of the City Manager set forth in Sections 2.06.080 and 2.06.090. (Ord. O-98-52 § 24 & 26, 1998; Ord. O-76-16 § 3 (part), 1976).

2.08.330 Additional administrative duties of department heads.

The aforesaid directors of the departments set out in Section 2.08.290 shall, in addition to the duties heretofore set forth, have such additional administrative duties as may be assigned by the City Manager from time to time. (Ord. O-98-52 § 24 & 27, 1998; Ord. O-76-16 § 3 (part), 1976).
Chapter 2.12

GENERAL OFFICERS

Sections:

2.12.010 City Clerk, Court Administrator, Presiding Judges and Director of Finance/City Treasurer.

2.12.010 City Clerk, Court Administrator, Presiding Judges and Director of Finance/City Treasurer.

The positions and duties of the City Clerk, the Court Administrator, who is Clerk of the Municipal Court, the Presiding Judges and the Director of Finance/City Treasurer shall be as heretofore established by ordinance and/or state statute, as the same may be amended from time to time. The City Clerk may appoint a Deputy City Clerk in writing, signed by the City Clerk, and shall file such appointment in the City Clerk’s Office; and such Deputy City Clerk, in lieu of or in the absence of the City Clerk, shall perform all the duties of the City Clerk and the surety of the City Clerk shall be responsible under the City Clerk’s official bond for the acts of the Deputy City Clerk. All references in the ordinances of the city which refer to the duties of the City Clerk shall mean the City Clerk or Deputy City Clerk. (Ord. O-2019-24 § 4, 2019; Ord. O-76-16 § 4 (part), 1976).
Chapter 2.13
TRANSCRIPT OF PROCEEDINGS BEFORE ADMINISTRATIVE BODIES

Sections:
2.13.010 Designation of record.
2.13.020 Request for certification.
2.13.030 Payment for certification.
2.13.040 Cost of transcript.

2.13.010 Designation of record.
The party or parties desiring a transcript of proceedings before the City Council or any board, commission or agency of the city shall file with the City Clerk, or department which staffs such board, commission or agency, a written designation of that portion of the proceedings desired to be transcribed. (Ord. O-93-25 § 27, 1993; Ord. O-76-16 § 5 (part), 1976).

2.13.020 Request for certification.
Such written designation shall state whether certification by the City Clerk or secretary or other officer of a board, agency or commission is requested. (Ord. O-2019-24 § 4, 2019; Ord. O-76-16 § 5 (part), 1976).

2.13.030 Payment for certification.
Any person requesting a certified transcript of proceedings before the City Council or any board, agency or commission shall pay to the City Clerk, in advance, a sum which will be set by administrative procedures, rules, or regulations as approved by the City Manager. This sum shall be paid to the City Clerk at the time of filing a designation of record. Such certification charges shall be nonrefundable. (Ord. O-93-25 § 28, 1993; Ord. O-86-17 § 1, 1986; Ord. O-76-16 § 5 (part), 1976).

2.13.040 Cost of transcript.
In addition to certification charges provided for above, any person requesting a transcript of proceedings before the City Council or any other board, commission or agency shall pay to the City Clerk a sum which includes, but is not limited to, personnel and equipment costs incurred in the reproduction of any such transcript. Such administrative fees shall be set by administrative procedures, rules, or regulations as approved by the City Manager. Copies of such procedures, rules, or regulations shall be located in the City Clerk's Office, the same to be available for public inspection during normal office hours. The City Clerk may at her option and election require any person requesting a transcript to deposit by cash, check or money order a sufficient sum in the opinion of the City Clerk to defray the cost of such transcription, such money to be applied in payment of such secretarial transcription of the proceeding, whether such transcript be delivered or not. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 § 29, 1993; Ord. O-86-17 § 2, 1986; Ord. O-76-16 § 5 (part), 1976).
Chapter 2.14

FEES FOR PHOTOCOPYING AND CERTIFICATION
OF CITY DOCUMENTS

Sections:
  2.14.010 Reproduction fee.
  2.14.020 Certification fee.

2.14.010 Reproduction fee.
  A. Any person requesting the reproduction of any city document from any city department shall pay a reproduction fee directly to the city department from which such request was made or to the City Clerk. A reproduction fee, including but not limited to personnel and equipment costs, for the search, retrieval, and copying of any city document, shall be set by administrative procedures, rules, or regulations as approved by the City Manager. Copies of such procedures, rules or regulations shall be located in the City Clerk's Office, the same to be available for public inspection during normal office hours.
  B. The custodian of the public record, may at her discretion, require any person requesting reproduction of said record to deposit by cash, check, or money order a sum which is sufficient in the opinion of the records custodian to defray the cost of such reproduction. Such moneys are to be applied in payment of such reproduction. (Ord. O-86-17 § 3, 1986; Ord. O-81-20 § 1 (part), 1981).

2.14.020 Certification fee.
  Except as provided in Chapter 2.13 of this code, the person requesting certification of official city documents from the City Clerk shall pay a fee directly to the City Clerk. Such fee shall be set by administrative procedures, rules or regulations as approved by the City Manager. Copies of such procedures, rules or regulations shall be located in the City Clerk's Office, the same to be available for public inspection during normal office hours. (Ord. O-90-56 § 1, 1990; Ord. O-81-20 § 1 (part), 1981).
Chapter 2.16

PLANNING DEPARTMENT—BOARD OF ADJUSTMENT

Sections:
2.16.010 Planning Commission.
2.16.030 Board of Adjustment.
2.16.040 Removal for cause.
2.16.050 Violation and penalty.

2.16.010 Planning Commission.
A. The City Planning Commission, previously established by city ordinance shall consist of seven members appointed by City Council. The terms of the members shall be four years or until such time as their successors are appointed. The City Council shall appoint one member from each ward and shall appoint two additional members from the city at large; provided, however, there shall not be two at-large appointments from the same ward. Persons appointed to the Planning Commission may serve a maximum of two consecutive terms as a member of the Planning Commission. This limitation applies whether the person is appointed as a representative of a ward or as a representative of the city at large; provided, however, any person appointed who serves or has served at least one-half of a term on such board or commission shall be considered to have served a term on such board or commission.

B. The members appointed to serve as the Planning Commission shall also serve as and perform the duties of the Board of Adjustment. Terms of office for the Planning Commission and Board of Adjustment shall run concurrently.

C. Appointments to fill vacancies in members of the Planning Commission shall be for the unexpired term of office. Should ward boundaries be changed, causing the two at-large members to reside in the same ward, the at-large member with the shortest remaining term shall be deemed to have automatically vacated the position. City Council shall thereupon appoint a new at-large member to serve the balance of the term.

D. Compensation in an amount to be set by Council resolution shall be paid to each Planning Commission member. Each member of the Planning Commission may be reimbursed for actual expenses incurred as such member. The expenses shall be documented to the Secretary to the Planning Commission.

E. The Planning Commission may adopt reasonable rules and regulations, in conformity with applicable ordinances and the Charter of the City of Lakewood, governing its internal operations, and such rules and regulations shall be made available to the public in written or printed form at the office of the Planning Department. The Commission has all the powers and duties of a planning commission in accordance with the ordinances and the Charter of the City of Lakewood.

2.16.030 Board of Adjustment.

A. The City of Lakewood Board of Adjustment, previously established by City Ordinance, shall consist of seven members appointed by City Council, except for that period of time provided for in subsection (B) of this section. The terms of the members shall be four years or until such time as their successors are appointed. The City Council shall appoint one member from each ward and shall appoint two additional members from the city at large; provided, however, there shall not be two at-large appointments from the same ward.

B. The members of the Board of Adjustment shall be those individuals appointed to serve as the Planning Commission. Terms of office for the Planning Commission and Board of Adjustment shall run concurrently.

C. a. A quorum of the Board shall consist of five members.
   b. The Board shall approve, modify or deny variances, appeals and other substantive matters before the Board using the form of a resolution.
   c. The concurring vote of a majority of those members present shall be necessary to approve a variance or to carry out any other matters before the Board.
   d. The Board shall list reasons for the record when a resolution to approve fails or a resolution to deny passes.

D. Appointments to fill vacancies in members of the Board shall be for the unexpired term of office.

E. Each member of the Board of Adjustment may be reimbursed for actual expenses incurred as such member. The expenses shall be documented to the Secretary to the Board of Adjustment.

F. The Board of Adjustment may adopt reasonable rules and regulations, in conformity with ordinances of the City of Lakewood, governing its internal operations, and such rules and regulations shall be made available to the public in written or printed form at the office of the Planning Department. (Ord. O-2013-6 § 3, 2013; Ord. O-93-10 § 1, 1993; Ord. O-91-59 § 4 (part), 1991; Ord. O-85-21 § 1, 1985; Ord. O-80-52 § 2, 1980).

2.16.040 Removal for cause.
Upon presentation of written charges and after a hearing thereon, any member of the Planning Commission or Board of Adjustment may be removed for cause by the City Council. (Ord. O-93-25 § 30, 1993; Ord. 15 § 3, 1969 Series).

2.16.050 Violation and penalty.
Any person or legal entity violating any provision of this chapter or of the zoning ordinance as adopted and made effective by this chapter shall, upon conviction, be punished as provided in Section 1.16.020. In case of a violation of this chapter or the regulations adopted in this chapter, the city or any owner of real estate in the zoned area may institute injunctive proceedings to halt such violation. (Ord. 15 § 5, 1969 Series).
Chapter 2.20
MUNICIPAL COURT

Sections:

2.20.010 Created.
2.20.020 Jurisdiction and powers.
2.20.030 Procedures.
2.20.040 Sessions of court.
2.20.050 Presiding Judges-Appointment-Salary-Oath.
2.20.055 Special Judges-Appointment-Salary.
2.20.060 Court Administrator-Salary, duties and reports.
2.20.070 Bond of Court Administrator.
2.20.075 Court Administration.
2.20.080 Court of record.
2.20.090 Appeals.
2.20.100 Admission to bail.
2.20.110 Statutes and rules in effect.
2.20.120 Failure of juror or witness to respond to summons.
2.20.130 Jury Commissioner created-Duties.
2.20.140 Failure to appear for court.
2.20.145 Penalties-Contempt.
2.20.150 Office of the Municipal Court Marshals created.
2.20.155 Marshals-Authority.

2.20.010 Created.
A municipal court in and for the city is established pursuant to and governed by the provisions of Article 10, of Title 13, Colorado Revised Statutes, as amended. (Ord. O-93-25 § 31, 1993; Ord. O-70-48 § 1, 1970).

2.20.020 Jurisdiction and powers.
The municipal court shall have the original jurisdiction of all cases arising under the ordinances of the city with full power to punish violators thereof by the imposition of such fines and penalties as are prescribed by ordinance or court rule. (Ord. O-72-30 § 1 (part), 1970; Ord. O-70-48 § 2, 1970).

2.20.030 Procedures.
The procedures of the court shall be in accordance with the Municipal Court Rules of Procedure as promulgated by the Colorado Supreme Court. The Presiding Judge shall have authority to issue local rules of procedure consistent with any rules of procedure adopted by the Colorado Supreme Court. (Ord. O-2019-24 § 4, 2019; Ord. O-70-48 § 3, 1970).

2.20.040 Sessions of court.
A. There shall be regular sessions of court for the trial of cases. A Presiding Judge may hold a special session of court at any time.
B. All sessions shall be open to the public. Where the nature of the case is such that it would be in the interest of justice to exclude persons not directly connected with the proceeding,
2.20.040

the Presiding Judge may order that the courtroom be cleared of all persons not
directly connected with the proceeding. The Presiding Judge may order the general public to
be excluded from any hearing, trial, or other proceeding involving a child charged with any
violation of the Lakewood Municipal Code, or any other ordinance, other than Title 10,
“Vehicles and Traffic,” on its own motion or the motion of any party, and if the interests of the
child so requires, and in such case only such persons shall be admitted, including persons
whom the parents or guardian wish to be present, as having a direct interest in the case or in
the proceedings before the court.

C. Any person failing or refusing to leave the courtroom after having been ordered by the
Municipal Judge to do so is guilty of a violation of this chapter, and upon conviction shall be
punished as provided in Section 1.16.020. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 § 32,

2.20.050  Presiding Judges-Appointment-Salary-Oath.

A. The court shall be presided over by a Presiding Judge, to be designated by the City
Council, who shall serve in such capacity at the pleasure of the City Council. The Presiding
Judge shall receive an annual salary set by ordinance, payable in monthly
amounts. Effective July 12, 1989, compensation of such special judges shall be an annual

B. The Municipal Court shall have such additional Associate Presiding Judges or
Presiding Judges as may be necessary; each of whom shall be appointed and retained
pursuant to the Home Rule Charter.

C. Any person appointed to any office of Presiding Judge shall have been admitted to and
be at the time of his appointment and during his tenure of office licensed in the practice of law
in the State of Colorado.

D. Before entering upon the duties of his office, a Presiding Judge shall make an oath or
affirmation that he will support the Constitution of the United States and the Constitution of the
State of Colorado and the laws and the ordinances of the city and will faithfully perform the
duties of his office.

E. The Presiding Judge shall provide by rule for the assignment of cases between the
Presiding Judges. When a case has been assigned to a Presiding Judge, such Presiding
Judge shall, as far as practicable, conduct all proceedings concerning that case to conclusion.
Ord. O-2010-11 § 1, 2010; Ord. O-2009-17 § 1, 2009; Ord. O-2008-20 § 1, 2008; Ord. O-
§ 1, 2003; Ord. O-2002-15 § 1, 2002; Ord. O-2001-29 § 1, 2001; Ord. O-2000-11 § 1,
O-96-6 § 1, 1996; Ord. O-95-7 § 1, 1995; Ord. O-94-22 § 1, 1994; Ord. O-93-22 § 1,
O-90-14 § 2, 1990; Ord. O-89-56 § 1, 1989; Ord. O-89-6 § 1, 2, 1989; Ord. O-87-80 § 1,

2.20.055  Special Judges-Appointment-Salary.

A. The Presiding Judge shall have authority to appoint Special Judges, who shall serve at
the pleasure of the Presiding Judge.

B. Special Judges shall receive an annual salary set by ordinance, payable in monthly
amounts. Effective July 12, 1989, compensation of such special judges shall be an annual
2.20.060 Court Administrator-Salary, duties and reports.
   A. The Presiding Judge shall appoint a person to serve as administrator of the court who shall also be the clerk of the court, whose duties shall be those assigned by the Presiding Judge.
   B. The compensation of the Court Administrator (clerk of the court), shall be annual salary in an amount fixed by ordinance and shall be payable monthly as other salaries to municipal employees.
   C. The Administrator (clerk of the court), shall pay to the Director of Finance and/City Treasurer all fines and costs collected or received by the municipal court as directed by the Presiding Judge, not less often than monthly, and the Treasurer shall deposit the same in the general fund of the city. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 § 34, 1993; Ord. O-70-48 § 6, 1970).

2.20.070 Bond of Court Administrator.

2.20.075 Court Administration.
   Subject to the limitations and requirements of budget, appropriations, statute and ordinance, the Presiding Court Judge shall assign and reassign such duties, functions and personnel, and organize and reorganize such sections or divisions as may be to him seem necessary and proper for the performance of his duties and responsibilities. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 § 36, 1993).

2.20.080 Court of record.
   The municipal court shall be a court of record, and the Presiding Judge shall provide for the keeping of a verbatim record of the proceedings and evidence at trials by either an electric device or stenographic means. (Ord. O-2019-24 § 4, 2019; Ord. O-70-48 § 8, 1970).

2.20.090 Appeals.
   Appeals from the municipal court shall be in accordance with the practice and procedure provided by Sections 13-16-310 and 16-2-114, C.R.S., and applicable rules of procedure, as provided by Section 13-10-116, C.R.S. (Ord. O-93-25 § 37, 1993; Ord. O-72-23 § 1, 1972; Ord. O-70-48 § 9, 1970).

2.20.100 Admission to bail.
   A Presiding Judge may by rule designate the Court Administrator (clerk of court), a deputy clerk or clerks, or any responsible and appropriate member of the Police Department to admit a person arrested and in the custody of the Police Department to bail. The Presiding Judge shall provide by rule for the conditions and circumstances under which such admission to bail will be granted pending appearance before the court and the amount of bail to be required for various types of violation. The bail so required may, at the election of the accused, be in the form of cash security, real property, tangible or intangible personal property, or an acceptable corporate surety bond, or a bond with adequate or acceptable private sureties. When provided by rule promulgated by the Presiding Judge, bail may be upon personal recognizance without security or surety. Except as herein otherwise specifically provided, the giving of bail shall be in accordance with Rule 246 of the Municipal Court Rules of Procedure promulgated by the Colorado Supreme Court. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 § 38, 1993; Ord. O-70-48 § 10, 1970).
2.20.110 Statutes and rules in effect.
   Except as is otherwise specifically provided in this chapter, the municipal court of the city, its judges, clerk and employees are governed by all of the provisions of Article 10 of Title 13, Colorado Revised Statutes, as amended, and the Municipal Court Rules of Procedure promulgated by the Colorado Supreme Court. (Ord. O-93-25 § 39, 1993; Ord. O-70-48 § 11, 1948).

2.20.120 Failure of juror or witness to respond to summons.
   In all cases where a person is summoned as a juror or as a witness to the municipal court of the city or a presiding judge thereof, and fails to attend at the time and place appointed in such summons, the court or presiding judge thereof shall have power to issue a citation to such juror or witness so failing to attend, commanding him to appear before such court to show cause why he should not be punished for contempt, and, upon appearance of such juror or witness on such citation, it is lawful for such court or presiding judge to punish him for contempt or to wholly discharge him if satisfactory excuse is made. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 § 40, 1993; Ord. O-70-63 § 1, 1970).

2.20.130 Jury Commissioner created-Duties.
   There is created within the municipal court the position of Jury Commissioner. The Jury Commissioner shall be appointed by the Presiding Judge of the municipal court. The Jury Commissioner shall determine eligibility for jury duty by means of a jury questionnaire. It is unlawful for any person to utter a false statement on a jury questionnaire, or, having received a jury questionnaire, to fail or refuse to return the same, completed, within the time designated thereon. (Ord. O-70-63 § 2, 1970).

2.20.140 Failure to appear for court.
   A. In all cases where a person is summoned to appear, ordered to appear by a municipal judge, or ordered to appear as a condition of a bond at the municipal court of the City of Lakewood and such person fails to appear at the time and place so designated, the court shall have the power to issue a contempt citation for the failure to appear. If the court finds that the failure to appear was not justified by good cause or excusable neglect, the court may impose punitive sanctions pursuant to section 2.20.145 of the code.
   B. Nothing in this section shall prohibit the court from issuing a warrant for a person who fails to appear. In all cases where a warrant is issued, a contempt citation may be issued pursuant to subsection (A) of this section at the person's next appearance in court.

2.20.145 Penalties-Contempt.
   Any person who is found to be in contempt pursuant to Section 2.20.120 or Section 2.20.140 shall, for each offense, be subject to a penalty not to exceed six months in jail and a fine not to exceed one thousand dollars, or both such fine and imprisonment. (Ord. O-2000-37 § 2, 2000; Ord. O-96-44 § 10, 1996; Ord. O-93-25 § 41, 1993; Ord. O-86-8 § 2, 1986).

2.20.150 Office of the Municipal Court Marshals created.
   There is created within the municipal court the Municipal Court Marshal's Office. The Chief Court Marshal shall be appointed by the Presiding Judge of the municipal court. The Municipal Court Marshal's Office shall consist of the Chief Marshal and such number of assistant and deputy marshals as the Presiding Judge may deem necessary for the efficient operation of said office. The Chief Marshal and his assistants or deputy marshals are not sworn police
agents of the Police Department and shall not be entitled to any of the retirement, pension, disability or other benefits to which sworn police agents are entitled. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 § 42, 1993; Ord. O-88-70 § 2, 1989).

2.20.155 Marshals-Authority.

1. A Municipal Court marshal is a peace officer, as defined in Article 2.5 of Title 16, C.R.S., while engaged in the performance of his or her duties whose enforcement authority and responsibilities shall be restricted to the following:
   A. To provide security within the building commonly referred to as the Lakewood Public Safety Center, its grounds and parking areas;
   B. To serve subpoenas, summonses, show cause orders, and all other legal process within the municipal limits issued by the Municipal Court;
   C. To conduct investigative work relative to locating individuals named in legal process issued by the Municipal Court;
   D. To transport, detain, and maintain control over prisoners en route to and from the lawful place of detention for such prisoners;
   E. To cooperate with and, upon request, assist the Lakewood Police Department within the city;
   F. To serve and execute arrest warrants issued by the Municipal Court within the corporate City of Lakewood boundaries and to serve and execute other arrest warrants within the building commonly referred to as the Lakewood Public Safety Center, its grounds and parking areas; and,
   G. To issue a summons and complaint for any violation of the Lakewood Municipal Code that occurs on the premises of the Lakewood Public Safety Center, its grounds and parking areas.

2. Regardless of the limitations set forth in Subsection (1) of this provision, marshals shall have the authority to take enforcement action, while on-duty within the City of Lakewood, when a felony or misdemeanor has been or is being committed in their presence. The Police Department shall be immediately notified of any such arrest and any person arrested shall be released to the custody of the police department. (Ord. O-2019-24 § 4, 2019; Ord. O-2004-14, §2, 2004; Ord. O-2003-26 § 2, 2003; Ord. O-2002-45 § 1, 2002; Ord. O-2000-38 § 1, 2000; Ord. O-88-70 § 3, 1989).
Chapter 2.21

JUDICIAL REVIEW COMMISSION

Sections:
2.21.005 Establishment of Judicial Review Commission.
2.21.010 Appointment of Commission members.
2.21.015 Terms of office.
2.21.020 Basis for complaint.
2.21.025 Complaint procedure.
2.21.030 Confidentiality.
2.21.035 Subpoena power of the Commission.
2.21.040 Duties.
2.21.045 Rights and duties of judges.
2.21.050 Disciplinary action by the City Council.
2.21.055 Contempt.

2.21.005 Establishment of Judicial Review Commission.

There is created and established a Judicial Review Commission for the purpose of investigating complaints about Presiding Judges, and recommending to City Council what action should be taken in response to complaints. (Ord. O-2019-24 § 4, 2019; Ord. O-84-93 § 1 (part), 1984).

2.21.010 Appointment of Commission members.

A. The City Council shall appoint three members to the Judicial Review Commission. These members shall be registered electors of the City of Lakewood. These electors shall not be attorneys at law.

B. In addition, the city shall appoint an attorney to the Judicial Review Commission. This member shall be designated by the president of the First Judicial District Bar Association. Said designee must have been an attorney in good standing in the State of Colorado for five years prior to appointment, and either must reside or must practice law within the corporate boundaries of the City of Lakewood.

C. The City Council shall further appoint a judge to the Judicial Review Commission. This member shall be either the Chief Judge of the First Judicial District, or another member of the judiciary of the First Judicial District who shall be designated by the Chief Judge. This member shall act as chairman of the Judicial Review Commission.

D. All members of the Commission shall have the power to cast one vote. Votes on any issue shall be decided by a simple majority.

E. No member of the Judicial Review Commission shall be related by blood or marriage within the third degree to any other member of the Commission. Nor shall any member be related by blood or marriage within the third degree to any judge of the municipal court of the City of Lakewood.

F. No member of the Judicial Review Commission shall receive any salary or compensation for his services as a member of the Commission. (Ord. O-84-93 § 1 (part), 1984).

2.21.015 Terms of office.

A. Each member of the Judicial Review Committee shall be appointed for a term of four years. Members may be reappointed.
B. Any vacancy in the Commission caused by death, resignation, or change in residency of any Commission member shall be filled by City Council appointment. The Judicial Review Commission shall not meet until all five members are present.

C. The term of office of a member of the Judicial Review Committee shall end on March 31st of the last year of the member’s term. (Ord. O-2003-30 § 1, 2003; Ord. O-84-93 § 1 (part), 1984).

2.21.020 Basis for complaint.
A complaint may be filed, and the Commission shall have jurisdiction to act on the following grounds: that the judge is guilty of willful misconduct in office, willful or persistent failure to perform his duties, intemperance, or that he has a disability that interferes with the performance of his duties and is or is likely to become of a permanent nature. Willful misconduct shall include, but shall not be limited to, such conduct as is prejudicial to the administration of justice, that brings the judicial officer into disrepute, or violates the Colorado Code of Judicial Conduct. (Ord. O-93-25 § 43, 1993; Ord. O-84-93 § 1 (part), 1984).

2.21.025 Complaint procedure.
A. Forms and information concerning the filing of complaints regarding Presiding Judges shall be made available to the public at the office of the Court Administrator.

B. Any verified complaint filed shall be mailed or delivered to the Chairman of the Commission.

C. The Commission shall meet when necessary to investigate complaints. Such meetings shall be called by the Chairman, with ten days’ notice to all members. At meetings the Commission shall examine all new complaints and decide upon recommendations to be made to the City Council. (Ord. O-2019-24 § 4, 2019; Ord. O-93-25 § 44, 1993; Ord. O-84-93 § 1 (part), 1984).

2.21.030 Confidentiality.
A. All papers filed with, and action taken by the Commission shall be confidential; except as to the City Council. All papers filed with the Council by the Commission, shall not lose their confidential character. Violation of confidentiality by any participant in a Commission proceeding with respect to any papers filed with, proceedings before, or action by the Commission may constitute contempt.

B. The filing of papers with or the giving of testimony before the Commission shall be privileged in any action for defamation. No other publication of such papers or proceedings shall be so privileged; except that the record filed by the Commission with the Council shall continue to be privileged. (Ord. O-84-93 § 1 (part), 1984).

2.21.035 Subpoena power of the Commission.
In the course of any proceedings before the Commission, the members of the Commission shall have the power to administer oaths and affirmations and to compel, by subpoena issued by the Commission, the attendance of witnesses and production of pertinent books, papers, and documents. Every subpoena shall clearly indicate on its face that it is issued in connection with a confidential proceeding before the Commission and that it is a contempt, punishable by order of the district court, for a person subpoenaed or any other participant in a Commission proceeding to in any way breach the confidentiality of such papers, proceedings, or action of the Commission. It shall not be regarded as a breach of confidentiality for a person subpoenaed to consult with an attorney, and the subpoena shall so state. (Ord. O-93-25 § 45, 1993; Ord. O-84-93 § 1 (part), 1984).
2.21.040  Duties.
   A. Upon receiving a complaint, the Judicial Review Commission shall decide whether the complaint merits investigation. If no investigation is required, the Commission shall make written findings to that effect. Copies of these written findings shall be submitted to City Council, to the person making the complaint, and to the judge involved. The Judicial Review Commission may decline investigation of a complaint if it determines that such complaint is obviously unfounded, frivolous, constitutes solely an appellate matter, or is not otherwise within the jurisdiction of the Commission.
   B. If the complaint is believed to be merited, the Commission shall schedule a judicial review hearing. Notice of the hearing shall immediately be provided to the judge.
   C. Hearings shall be scheduled within sixty days of the Commission's decision that a hearing is necessary. Witnesses shall be subpoenaed by the Commission. Witnesses shall give testimony, and shall be subject to examination by the members of the Commission and by the judge or his counsel. The judge may testify if he wishes, but if he elects to do so, he subjects himself to questioning by members of the Commission. Hearings shall be closed to the public. Hearings shall be conducted in accordance with the Colorado Rules of Civil Procedure, and all facts must be proven by a preponderance of the evidence. A verbatim record shall be made and kept of the proceedings of the hearing by court reporter or tape recorder. At the close of the formal hearing, the Commission shall make written findings of fact and conclusions of law with respect to the issues of fact and law in the proceedings, and shall recommend such action as it may deem appropriate. If the Commission finds that none of the charges in the complaint have been proven, the complaint shall be dismissed. If the Commission finds that any of the charges in the complaint have been proven by a preponderance of the evidence, it shall recommend to the City Council the judge be disciplined by either written censure, temporary suspension with conditions for reinstatement, removal, or retirement. (Ord. O-84-93 § 1 (part), 1984).

2.21.045  Rights and duties of judges.
   A. A judge against whom a complaint has been filed shall have the right and reasonable opportunity to defend against charges by the introduction of evidence, to be represented by counsel or to represent himself, and to examine and cross-examine witnesses. He shall also have the right to the issuance of subpoenas for attendance of witnesses to testify or to produce books, papers, and other evidentiary matter. Subpoenas shall be issued by the chairman of the Commission or his designee.
   B. If it appears to the Commission at any time during the proceedings that the judge is not competent to act for himself, or it has been judicially determined previously that he is not competent to act for himself, the Commission shall appoint a guardian ad litem, unless the judge has a guardian who will represent him. In the appointment of such guardian ad litem, consideration may be given to the wishes of the members of the judge's immediate family. The guardian or guardian ad litem may claim and exercise any right and privilege and make any defense for the judge with the same force and effect as if claimed, exercised, or made by the judge if competent; and, whenever these rules provide for serving or giving notice or sending any matter to the judge, such notice or matter shall also be served, given or sent to the guardian or guardian ad litem.
   C. The Commission, upon receiving a statement filed against a judge by an attorney as complainant, may forthwith inquire whether or not the attorney requests that the judge disqualify himself on any particular case or cases in which the attorney is involved. If the answer is in the affirmative, or if without such inquiry the attorney requests, the Commission, if the circumstances so warrant, shall notify the judge of the statement and require his disqualification on the case or cases designated. The Commission, if the circumstances warrant, shall notify the judge of a statement and direct the judge to disqualify himself in a
case or cases involving a nonlawyer complainant. Upon the giving of notice to a judge to
disqualify himself, the judge shall recuse himself forthwith. After completion of action on a
matter concerning a judge, the order of recusal shall be terminated unless otherwise directed
by the Commission. The judge and his attorney of record shall be notified of the Commission's

2.21.050 Disciplinary action by the City Council.
A. Upon receipt of the recommendations of the Judicial Review Commission, the City
Council shall review such recommendation along with the record and the findings of the
Commission. The City Council shall then decide upon the action to be taken. Any disciplinary
action taken must be accomplished by a majority vote of all members of the Council.
B. The Council may discipline a judge through written censure. Such disciplinary letter
shall include the findings of fact and conclusion of law of the Judicial Review Commission, and
a detailed explanation of the City Council's reasons for censure.
C. The Council may suspend a judge, with or without pay, for a period not to exceed
ninety days, on the condition he fulfill such conditions as may be deemed necessary. Such
conditions may include, but shall not be limited to, obtaining legal training in a specific area or
obtaining medical or psychiatric care. If the care or training required as a condition of
suspension is not obtained by the end of such suspension, the judge shall be removed from
office.
D. If it appears from the record of the hearing before the Judicial Review Commission,
and the findings of fact and conclusions of law from that proceeding, that the judge suffers
from a medical affliction or condition which will not or cannot be alleviated with treatment, and
which substantially impairs the judge's ability to fulfill the judicial function, the Council may
vote to retire the judge. Such retirement shall become effective thirty days after the Council
vote, but during that thirty-day period the judge shall be suspended, with pay, from his judicial
duties. Upon an order for retirement, the judge shall thereby be retired with the same rights
and privileges as if the judge had retired pursuant to statute and ordinance.
E. The City Council, after review of the record and findings of the Judicial Review
Commission, may remove a judge from the municipal court by a majority vote of all members
of the City Council. Such removal shall be effective immediately. (Ord. O-84-93 § 1 (part),
1984).

2.21.055 Contempt.
A. The following shall constitute contempt:
1. Misconduct of any persons in the presence of the Commission while it is performing its
official duties, or misconduct so near thereto as to obstruct the Commission in the
performance of its duties, or resistance to any lawful process, order, or rule of the
Commission;
2. Any person subpoenaed to appear and give testimony or to produce books, papers, or
documents, who fails or refuses to appear or to produce such books, papers, or documents,
or any person appearing but refusing to be duly sworn to testify or any person having been
duly sworn to testify who refuses to answer any proper question;
3. Violation of confidentiality by any participant in a Commission proceeding with respect
to any papers filed with, proceedings before, or action taken by the Commission;
4. Failure of a judge to comply with an order or request of the Commission;
B. Any participant in a commission proceeding may be cited for contempt of the
Commission by order of the District Court, requiring such participant in a Commission
proceeding to show cause why he should not be held in contempt. The Commission may
proceed to consider the citation and the response thereto and thereafter shall promptly advise
the court of its findings, conclusions, and recommendations with respect to the alleged
contempt. The court may impose such penalties or sanctions as it deems appropriate. The proceeding pertaining to such contempt shall not lose its confidential character. (Ord. O-84-93 § 1 (part), 1984).
Chapter 2.36

POLICE RETIREMENT

Sections:

2.36.010 Police retirement and disability benefits.

2.36.010 Police retirement and disability benefits.

The city shall provide, for the sworn police agents and recruits of the City of Lakewood, both retirement benefits and disability benefits by sponsoring and making employer contributions to the City of Lakewood Police Pension Plan and by sponsoring the Police Duty Death and Disability Trust, in accordance with the terms and provisions of such plans, as were in effect under this code on December 31, 1992, and as may be subsequently adopted, amended or restated pursuant to the terms of the plans. (Ord. O-95-17 § 1, 1995; Ord. O-93-9 § 2, 1992).
Chapter 2.44

FEDERAL RENT SUPPLEMENT PROGRAM

Sections:

2.44.010 Approval of participation by qualified property owners.

2.44.010 Approval of participation by qualified property owners.

The City Council declares its approval of participation in the Federal Rent Supplement Program pursuant to Section 101 of the Housing and Urban Development Act of 1965 by the owners of property located within the corporate boundaries of the city who qualify for such participation. (Res. 72-124 § 1, 1972).
2.48.010

Chapter 2.48

PARK CONTROL AND MANAGEMENT

Sections:
2.48.010 Powers vested.
2.48.020 Exercise of powers.
2.48.030 Chapter as alternative to park commission.

2.48.010 Powers vested.
The Mayor and City Council, City Manager and Director of Community Resources are vested with the powers authorized in Part 2 of Title 31, Chapter 25, C.R.S. (Ord. O-89-3 § 2 (part), 1989; Ord. O-73-54 § 1, 1973).

2.48.020 Exercise of powers.
In addition to the powers authorized in Part 2, Title 31, Chapter 25, C.R.S., the City Council and city administration shall have authority to exercise all powers set out in the Charter of the City of Lakewood and the specific provisions of Chapter 2.06 of the Lakewood Municipal Code relating to the City Manager, and Section 2.08.220 of the Lakewood Municipal Code relating to the Director of Community Resources, and Sections 2.08.230 through 2.08.250 of the Lakewood Municipal Code relating to directors of departments. (Ord. O-89-3 § 2 (part), 1989; Ord. O-73-54 § 2, 1973).

2.48.030 Chapter as alternative to park commission.
The vesting of the powers and authority as stated in this chapter is in the alternative to the establishment of a park commission pursuant to Part 2 of Title 31, Article 25, Colorado Revised Statutes, as amended; and determines that the city shall not have a park commission as such pursuant to said statutes. (Ord. O-93-25 § 62, 1993; Ord. O-73-54 § 3, 1973).
Chapter 2.52

INITIATIVE AND REFERENDUM PROCEDURES

Sections:

2.52.010 Procedures generally.
2.52.020 Definitions.
2.52.030 Initiative procedures.
2.52.040 Initiative petitions-Fees.
2.52.050 Initiative petitions-Circulation prerequisites.
2.52.060 Initiative petitions-Filing.
2.52.070 Initiative petitions-Signature requirements.
2.52.080 Requirements of petitions-Initiative.
2.52.090 Sufficiency of petitions-Initiative.
2.52.110 Initiative-Election.
2.52.120 Prohibited action by City Council-Initiative.
2.52.130 Referendum procedures.
2.52.140 Requirements of petitions-Referendum.
2.52.150 Sufficiency of petitions-Referendum.
2.52.170 Referendum-Election.
2.52.180 Prohibited action by City Council-Referendum.
2.52.190 Election procedures.
2.52.200 Ballot.
2.52.210 Receiving money to circulate petitions-Filing.
2.52.220 Fair Campaign Practices Act requirements.
2.52.230 Unlawful acts.
2.52.240 Referral by City Council.
2.52.250 Intent.

2.52.010 Procedures generally.

Pursuant to Article V, Section 1 of the Colorado Constitution, and Article XIII of the home rule charter of the City of Lakewood, there are established procedures for exercising the initiative and referendum powers reserved to the registered electors of the city. The City Clerk may, from time to time, issue administrative rules and regulations not inconsistent with this Chapter 2.52 as may be necessary or desirable to accomplish the purposes of this chapter. (Ord. O-94-3 § 1 (part), 1994).

2.52.020 Definitions.

As used in this chapter, unless the context otherwise requires:

“Ballot issue” means a nonrecall, citizen-initiated or citizen-referred petition or legislatively referred measure which is authorized by the State Constitution, including a proposition which is in the form of a question meeting the requirements of Section 20(3)(c) of Article X of the State Constitution.

“Ballot question” means a proposition which is in the form of a question other than a ballot issue.

“Circulator” means a natural person who circulates a petition and is eighteen years of age or older at the time of petition circulation.

“Draft” means the proposed text of the initiative which, if passed, becomes the actual language of the ordinance.
“Section” means a bound compilation of initiative forms approved by the City Clerk or referendum petitions which shall include pages that contain the warning required by Sections 2.52.080 or 2.52.140, respectively; and the title, the summary, and a copy of the proposed initiative measure or the number, name and a copy of the ordinance which is the subject of the referendum petition; succeeding pages that contain said warning, the title of the initiative measure or the number and name of the referred ordinance and ruled lines numbered consecutively for registered electors’ signatures; and a final page that contains the affidavit required by Sections 2.52.080 or 2.52.140, respectively. Each section shall be consecutively prenumbered by the petitioner prior to circulation.

“Submission clause” means the language which is attached to the title to form a question which can be answered by “yes” or “no.”

“Summary” means a condensed statement as to the intent of the initiative measure.

“Title” means a brief statement that fairly and accurately represents the true intent and meaning of the proposed text of the initiative measure or the number and name of the ordinance that is the subject of the referendum. (Ord. 2004-21 § 1, 2004; Ord. O-94-3 § 1, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.030 Initiative procedures.
A. Any initiated measure shall be in the form of an ordinance, legislative in character, the original draft of which shall be submitted to the City Clerk before the petition relating thereto is circulated to the registered electors of the city. Proponents are encouraged to write such drafts in plain, non-technical language and in a clear and coherent manner using words with common and everyday meaning which are understandable to the average reader. Within ten days after submission, the City Clerk, with the assistance of other city officials as the Clerk deems necessary, shall designate and fix a fair title, submission clause, and summary to the proposed ordinance which shall correctly and fairly express the true intent and meaning of the proposed ordinance. Titles shall be brief, shall not conflict with titles selected for any petition previously filed for the same election, and shall be in the form of a question which may be answered “FOR THE ORDINANCE” to vote in favor of the proposed measure or “AGAINST THE ORDINANCE” to vote against the proposed measure and which shall unambiguously state the subject matter of the ordinance sought to be added, amended, or repealed.
B. If any registered elector submitting such initiated petition is not satisfied with the title, submission clause, or summary as provided, and claims it to be unfair, or that it does not fairly express the true meaning and intent of the proposed measure, such person may file a motion for a hearing with the City Clerk within seven days after the return of the petition to the persons submitting it, which hearing shall be had within two business days thereafter. If the City Clerk rules against the registered elector submitting such initiated petition, then upon the filing of a written request, a certified copy of the petition with the title, submission clause, and summary of such proposed measure, together with a certified copy of such motion for hearing and of the ruling thereon, shall be furnished to the parties by the City Clerk and, if filed with the Clerk of the District Court for Jefferson County within five days thereafter, shall be docketed as a cause there pending and disposed of as expeditiously as circumstances permit. (Ord. O-2004-21 § 2, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.040 Initiative petitions—Fees.
The City Clerk may charge the same fees for certifying a record of any proceedings as are provided for certified copies of other papers, which fees shall be paid by the parties desiring a review of such proceedings. The Clerk of the District Court shall receive the ordinary docket fee for docketing any such cause, which shall be paid by the parties desiring a review of such proceedings. (Ord. O-2004-21 § 3, 2004; Ord. O-94-3 § 1 (part), 1994).
2.52.050 Initiative petitions-Circulation prerequisites.

A. No petition for any initiative measure shall be circulated, nor any signature thereto have any force or effect whatsoever, which has been signed before the title, submission clause, and summary have been fixed and determined as provided in Section 2.52.030. No petition shall be printed, published, or otherwise circulated unless the form and the first printer's proof of the petition have been approved by the City Clerk.

B. Any petition which has not been submitted as required in Section 2.52.030 shall not be accepted for filing by the City Clerk. (Ord. O-94-3 § 1 (part), 1994).

2.52.060 Initiative petitions-Filing.

No petition for any initiated ordinance within the city shall be of any force or effect unless filed with the City Clerk within one hundred eighty days from the date that the title and submission clause therefor have been fixed and determined pursuant to the provisions of Section 2.52.030. The City Clerk shall not accept any petition for filing which is not timely filed under the provisions of this section. (Ord. O-94-3 § 1 (part), 1994).

2.52.070 Initiative petitions-Signature requirements.

A petition for an initiated ordinance shall be signed by persons registered to vote in the city in a number at least equal to five percent of the total number of persons registered to vote in the city on the date of the last regular municipal election. (Ord. O-94-3 § 1 (part), 1994).

2.52.080 Requirements of petitions-Initiative.

A. At the top of each page, including signature pages, of every initiative petition section shall be printed the following:

WARNING:
IT IS AGAINST THE LAW:

For anyone to sign any initiative petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign such a petition when not a registered elector who is eligible to vote on the measure.

DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE

TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE IN THE CITY OF LAKEWOOD Do not sign this petition unless you have read or have had read to you the proposed initiative measure or the summary of the initiated measure in its entirety and understand its meaning.

B. The title shall be printed on each page following the warning required in subsection (A) of this section.

C. Any initiative petition circulated within the city shall be signed only by the registered electors by their own signature, after which the signer shall print his or her name, the address at which he or she resides, including street number and name, city, and the date of signing. Each registered elector signing a petition shall be encouraged by the circulator of the petition to sign the petition in black ink. In the event a registered elector is physically disabled or is
illiterate and wishes to sign such petition, such elector shall sign or make his or her mark in the space so provided. Any person, but not a circulator, may assist the disabled or illiterate elector in completing the remaining information required in this subsection. The person providing assistance shall sign his or her name and address and shall state that such assistance was rendered to the disabled or illiterate elector.

D. To each such petition shall be attached a signed, notarized affidavit of the circulator, stating his or her name, address, the date the affidavit was signed, that he or she circulated the petition, that each signature thereon was affixed in his or her presence, that each signature thereon is the signature of the person whose name it purports to be, that to the best knowledge and belief of the affiant each of the persons signing the petition was at the time of signing a registered elector of the city, and that he or she has not paid or will not in the future pay, and that he or she believes that no other person has so paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix his or her signature to such petition. Each circulator and representative of the petition signers shall sign an agreement in which each agrees to submit to the subpoena authority of the City Clerk. The City Clerk shall not accept for filing any petition which does not have attached thereto an affidavit meeting the requirements of this section and the agreement submitting to the subpoena authority of the City Clerk. Any signature added to a section of a petition after said affidavit has been executed shall be invalid.

E. All initiative petitions shall consist of a complete copy of what is proposed to be initiated including the title, submission clause, and summary as designated and fixed by the City Clerk pursuant to Section 2.52.030. Each petition shall designate by name and address two persons who shall represent the signers thereof in all matters affecting the same, and who shall be registered electors of the city. All such petitions shall be prenumbered serially, and the circulation of any petition described in this chapter by any medium other than personally by a circulator is prohibited. Any petition which fails to conform to the requirements of this chapter or is circulated in a manner other than that permitted in this section shall be invalid.

F. Any disassembly of a section of the petition which has the effect of separating the affidavits from the signatures shall render that section of the petition invalid and of no force and effect.

G. The circulation of any petition section other than personally by a circulator is prohibited. No section of a petition for any initiative measure shall be circulated by any person who is not at least eighteen years of age at the time the section is circulated.


2.52.090 Sufficiency of petitions-Initiative.

A. No petition for initiative shall be filed with the City Clerk unless it contains the required number of signatures. Upon filing of a petition for initiative with the City Clerk, the City Clerk shall make an initial determination of sufficiency and report the results thereof to the City Council within twenty days of the date of such filing, with a final determination of sufficiency and report to City Council to be made within thirty days following the filing. The City Clerk's determination of sufficiency shall be based upon a review of the petition to find whether signatures of individuals are insufficient in the following categories:

1. Address shown by signer not located within the city limits of the City of Lakewood;
2. Any signature appearing on the petition more than once, in which event all signatures of said individual shall be deleted except one;
3. More than one individual signature on a signature line, in which event the line shall count as one;
4. Signature lines containing incomplete information or information which was not completed by the elector or a person qualified to assist the elector shall not be counted;
5. Signatures of individuals who are not registered electors in the city.
B. The petition may not be removed and no signature may be removed or deleted by a signer, circulator, or representative of the City Clerk until the City Clerk has made an initial sufficiency determination. Any request to remove a signature shall be made in writing to the City Clerk. A signature may only be removed between the initial and final sufficiency determination by the City Clerk.

C. After the City Clerk has completed the final sufficiency review of the petitions; the following procedures shall apply:

1. For initiative petitions found to contain an insufficient number of valid signatures, and against which no protest has been filed, the City Clerk shall mail a written notice of insufficiency, summarizing the grounds for the decision, to the representatives of the petitioners. The decision of the City Clerk concerning insufficiency shall be a final decision from which an appeal may be made to the District Court of Jefferson County.

2. For initiative petitions found insufficient, and against which a protest has been filed, the provisions of subsection (D) of this section shall apply.

3. For initiative petitions found sufficient, and against which no protest has been filed, the provisions of Section 2.52.110 shall apply.

4. For initiative petitions found sufficient, but against which a protest has been filed, the provisions of subsection (D) of this section shall apply.

D. A protest to an initiative petition may be filed in the office of the City Clerk by any registered elector of the city within thirty days after the petition is filed with the City Clerk. The protest shall set forth with particularity the grounds of such protest and the names protested. The City Clerk shall mail a copy of such protest to the petitioner representative, together with a notice fixing a time for hearing such protest not less than five nor more than twenty days after such notice is mailed.

E. All records and hearings shall be public under this section and all testimony shall be under oath, and the City Clerk with whom such petition is filed shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents. Upon failure of any witness to obey the subpoena, the City Clerk may petition the District Court of Jefferson County and upon proper showing the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the order of the court is punishable as a contempt of court. At any hearing held pursuant to this section, the party protesting the finding of the City Clerk concerning the sufficiency of signatures shall have the burden of proof. Hearings before the City Clerk shall be had as soon as is conveniently possible. The result of such hearings shall be certified to the petition representatives and the protestor.

F. The decision of the City Clerk is final. Any appeal of the decision shall be to Jefferson County District Court. (Ord. O-2004-21 § 5, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.110 Initiative-Election.

A. If the petition is found to be sufficient pursuant to Section 2.52.090, the City Clerk shall present the petition to the City Council at its next regular meeting. At that time, the City Clerk shall also determine whether the petition qualifies for a ballot issue election or a ballot question election and shall advise the City Council of such determination. Within thirty days after the petition is presented by the City Clerk, the City Council shall either adopt without alteration the initiated ordinance by a majority vote of all members of City Council, or submit the initiated ordinance to a vote of the registered electors. If the initiated ordinance is one
which may be considered at a ballot question election, it shall be submitted at a special
election held not less than thirty nor more than ninety days after the petition is presented to
the City Council, or at a regular municipal election held within that ninety-day period. If the
initiated ordinance is one which may only be considered at a ballot issue election, it shall be
submitted at the next ballot issue election held not less than ninety days after the petition is
presented to the City Council.

B. Alternative ordinances may be submitted at the same election, and if two or more
conflicting ordinances are approved by the people, the one which receives the greatest
number of affirmative votes shall be adopted in all particulars as to which there is a conflict.

C. If a majority of the registered electors voting vote “for” the ordinance, it shall be
adopted and take effect upon certification of the election results, or at such later date as may
be set forth in the initiated ordinance.

D. Notwithstanding the above provisions, the City Council shall not be deprived of the
right to enact any ordinance, resolution, or other measure. (Ord. O-2019-5 § 2, 2019; Ord. O-

2.52.120 Prohibited action by City Council-Initiative.

No initiated ordinance adopted by the registered electors of the city may be amended or
repealed by the City Council during a period of six months after the date of the election on the
initiated ordinance. (Ord. O-94-3 § 1 (part), 1994).

2.52.130 Referendum procedures.

A. Except as provided in the City’s Charter, all ordinances adopted by the City Council
that are legislative in character shall be subject to referendum. Any ordinance necessary for
the immediate preservation of the public peace, health, or safety; fixing the rate of general
property taxation for any year; related to the issuance of securities; adopting the budget;
making an appropriation for the ensuing fiscal year; calling for a special election; levying
special assessments, or initiating improvement districts shall not be subject to referendum.

B. No ordinance shall take effect and be in force before thirty days after adoption by the
City Council and publication by title, except that no ordinance that zones, rezones, or changes
any zoned district shall take effect and be in force before forty-five days after adoption by the
City Council and publication by title. If, prior to the effective date of an ordinance and during
business hours on a business day in which the City Clerk’s Office is open, a petition signed by
registered electors of the city equal in number to three percent of the total number of persons
registered to vote in the city on the date of the last regular municipal election is filed with the
City Clerk protesting such ordinance, the City Clerk shall begin the initial determination of
sufficiency as set out in Section 2.52.150. (Ord. O-2019-24 § 4, 2019; Ord. O-94-3 § 1 (part),
1994).

2.52.140 Requirements of petitions-Referendum.

A. At the top of each page, including signature pages, of every referendum petition
section circulated within this city relating to a municipal ordinance shall be printed the
following:
WARNING:
IT IS AGAINST THE LAW:

For anyone to sign any referendum petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign such a petition when not a registered elector who is eligible to vote on the measure.

DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE

TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE IN THE CITY OF LAKEWOOD

Do not sign this petition unless you have read or have had read to you the proposed referred measure in its entirety and understand its meaning.

B. The title shall be printed on each page following the warning required in subsection (A) of this section.

C. Any referendum petition circulated within the city shall be signed only by registered electors by his or her own signature, after which the signer shall print his or her name, the address at which he or she resides, including street number and name, city, and the date of signing. Each registered elector signing a petition shall be encouraged by the circulator of the petition to sign the petition in black ink. In the event a registered elector is physically disabled or is illiterate and wishes to sign such petition, such elector shall sign or make his or her mark in the space so provided. Any person, but not a circulator, may assist the disabled or illiterate elector in completing the remaining information required in this subsection. The person providing assistance shall sign his or her name and address and shall state that such assistance was rendered to the disabled or illiterate elector.

D. To each such petition shall be attached a signed, notarized affidavit of the circulator, stating his or her name, address, the date the affidavit was signed, that he or she circulated the petition, that each signature thereon was affixed in his or her presence, that each signature thereon is the signature of the person whose name it purports to be, that to the best knowledge and belief of the affiant each of the persons signing the petition was at the time of signing a registered elector of the city, and that he or she has not paid or will not in the future pay, and that he or she believes that no other person has so paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix his or her signature to such petition. Each circulator and representative of the petition signers shall sign an agreement in which each agrees to submit to the subpoena authority of the City Clerk. The City Clerk shall not accept for filing any petition which does not have attached thereto an affidavit meeting the requirements of this section and the agreement submitting to the subpoena authority of the City Clerk. Any signature added to a section of a petition after the said affidavit has been executed shall be invalid.

E. All referendum petitions shall include a complete copy of the ordinance which is the subject of the petition. Each petition shall designate by name and address two persons who shall represent the signers thereof in all matters affecting the same, and who shall be registered electors of the city. All such petitions shall be prenumbered serially, and the circulation of any petition described in this chapter by any medium other than personally by a
circulator is prohibited. Any petition which fails to conform to the requirements of this chapter or is circulated in a manner other than that permitted in this section shall be invalid.

F. Any disassembly of a section of the petition which has the effect of separating the affidavits from the signatures shall render that section of the petition invalid and of no force and effect.

G. The circulation of any petition section other than personally by a circulator is prohibited. No section of a petition for any referendum measure shall be circulated by any person who is not at least eighteen years of age at the time the section is circulated.

H. As soon as possible, but prior to filing a referendum petition, the circulators shall file with the City Clerk a notice of intent to file a referendum petition. (Ord. O-2004-21 § 7, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.150 Sufficiency of petitions-Referendum.

A. No petition for referendum shall be filed with the City Clerk unless it contains the required number of signatures. Upon filing of a petition for referendum with the City Clerk, the City Clerk shall make an initial determination of sufficiency and report the results thereof to the City Council within twenty days of the date of such filing, with a final determination of sufficiency and report to City Council to be made within thirty days following the filing. The City Clerk's determination of sufficiency shall be based upon a review of the petition to find whether signatures of individuals are insufficient in the following categories:

1. Address shown by signer is not located within the city limits of the City of Lakewood;
2. Any signature appearing on the petition more than once, in which event all signatures of said individual shall be deleted except one;
3. More than one individual signature on a signature line, in which event the line shall count as one;
4. Signature lines containing incomplete information or information which was not completed by the elector or a person qualified to assist the elector shall not be counted;
5. Signatures of individuals who are not registered electors in the city.

B. The petition may not be removed and no signature may be removed or deleted by a signer, circulator, or representative of the City Clerk until the City Clerk has made an initial sufficiency determination. Any request to remove a signature shall be made in writing to the City Clerk. A signature may only be removed between the initial and final sufficiency determination by the City Clerk.

C. After the City Clerk has completed the final sufficiency review of the petitions; the following procedures shall apply:

1. For referendum petitions found to contain an insufficient number of valid signatures, and against which no protest has been filed, the City Clerk shall mail a written notice of insufficiency, summarizing the grounds for the decision, to the representatives of the petitioners. The decision of the City Clerk concerning insufficiency shall be final.
2. For referendum petitions found insufficient, and against which a protest has been filed, the provisions of subsection (D) of this section shall apply.
3. For referendum petitions found sufficient, and against which no protest has been filed, the provisions of Section 2.52.170 shall apply.
4. For referendum petitions found sufficient, but against which a protest has been filed, the provisions of subsection (D) of this section shall apply.

D. A protest to a referendum petition may be filed in the City Clerk’ Office by any registered elector of the city within thirty days after the petition is filed with the City Clerk. The protest shall set forth with particularity the grounds of such protest and the names protested. The City Clerk shall mail a copy of such protest to the petition representative, together with a notice fixing a time for hearing such protest not less than five nor more than twenty days after such notice is mailed.
E. All records and hearings shall be public under this section and all testimony shall be under oath. The City Clerk with whom such petition is filed shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents. Upon failure of any witness to obey the subpoena, the City Clerk may petition the District Court of Jefferson County and upon proper showing the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the order of the court is punishable as a contempt of court. At any hearing held pursuant to this section, the party protesting the finding of the City Clerk concerning the sufficiency of signatures shall have the burden of proof. Hearings before the City Clerk shall be had as soon as is conveniently possible. The result of such hearings shall be certified to the petition representatives and the protester.


2.52.170 Referendum-Election.

A. After final determination of petition sufficiency, to be made not less than thirty days after the petition is filed, the City Clerk shall present the petition to the City Council at its next regularly scheduled meeting. At that time, the City Clerk shall also determine whether the petition qualifies for a ballot issue election or a ballot question election and shall advise the City Council of such determination. Upon presentation to the City Council of such petition by the City Clerk, the ordinances shall be suspended from operation. The City Council shall upon presentation of the referendum petition immediately reconsider the ordinance. If upon reconsideration the ordinance is not repealed in its entirety by a majority of all members of the City Council, the City Council shall submit the same, without amendments or alteration, to a vote of the registered electors if the referred ordinance is one which may be considered at a ballot question election, it shall be submitted at a special election held not less than thirty nor more than ninety days after the petition is presented to the City Council, or at a regular municipal election held within that ninety-day period. If the initial ordinance is one which may only be considered at a ballot issue election, it shall be submitted at the next ballot issue election held not less than ninety days after the petition is presented to the City Council.

B. If a majority of the registered electors voting vote “FOR THE ORDINANCE”, the ordinance shall be effective upon certification of the election results. If a majority of the registered electors voting vote “AGAINST THE ORDINANCE”, the ordinance shall be repealed upon certification of the election results. (Ord. O-94-3 § 1 (part), 1994).

2.52.180 Prohibited action by City Council-Referendum.

No referred ordinance repealed by the registered electors of the city may be subsequently adopted by the City Council during a period of six months after the date of the election on the referred ordinance. (Ord. O-94-3 § 1 (part), 1994).

2.52.190 Election procedures.

Election procedures under this chapter shall comply with the Colorado Municipal Election Code, Title 31, Article 10, of the Colorado Revised Statutes. (Ord. O-94-3 § 1 (part), 1994).
2.52.200 Ballot.
   A. Each initiative or referred measure shall appear on the official ballot by title only. All citizen-initiated or referendum matters shall be indicated on the ballot by number and all City Council referred measures shall be indicated by letter. If more than one question will appear on the same ballot, they shall appear in numerical or alphabetical order by date of receipt, and the question shall be numbered or lettered accordingly. Each title shall appear on the official ballot only once.

   B. Any initiated ordinance approved by the people of the city shall be printed with the official acts of the next City Council meeting, and such ordinance approved by the people of the city shall be published as ordinances are published after adoption. (Ord. O-94-3 § 1 (part), 1994).

2.52.210 Receiving money to circulate petitions-Filing.
   The proponents of any initiative measure or referendum petition shall file with the City Clerk the name of the proposed initiative measure or referendum petition for which petitions were circulated by paid circulators, and the total amount paid to each circulator. The filing shall be made at the same time the petition is filed with the City Clerk. (Ord. O-2004-21 § 9, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.220 Fair Campaign Practices Act requirements.
   The provisions of the Fair Campaign Practices Act of 1974, C.R.S. 1-45-101 et seq., as amended, including the penalty provisions thereof, shall apply to all initiative and referendum measures which are submitted to an election. In addition, a duplicate copy of all reports required to be filed by such act for initiative and referendum issues shall be filed at the same time with the City Clerk of the city. (Ord. O-94-3 § 1 (part), 1994).

2.52.230 Unlawful acts.
   It is unlawful:
   A. For any person willfully and knowingly to circulate or cause to be circulated, or sign or procure to be signed, any initiative or referendum petition bearing the name, device, or motto of any person, organization, association, league, or political party, purporting in any manner to be endorsed, approved, or submitted by any person, or organization, association, league, or political party;
   B. For any person to sign any name other than his or her own to any initiative or referendum petition, or knowingly to sign his or her name more than once for the same measure at one election;
   C. For any person to sign any initiative or referendum petition who is not at the time of signing the same a registered elector of the city;
   D. For any person to sign an affidavit as circulator without knowing or reasonably believing the statements made in such affidavit are true;
   E. For any person to certify that any affidavit attached to a petition was subscribed or sworn to before him or her unless it was so subscribed and sworn to before him or her, and unless such person so certified is duly qualified under the laws of the state to administer an oath;
   F. For any election official or other person to willfully conspire or agree or confederate, with another or others, to do any act which shall hinder, delay or in any manner interfere with the calling, holding or conducting of any election permitted under the initiative and referendum
powers reserved by the people in Section 1 of Article V of the Constitution of the State and this chapter, or of registering electors therefore;

G. For any election official to do willfully any act which shall confuse or tend to confuse the issues submitted or proposed to be submitted in any election held under this chapter, or refuse to submit any petition in the form presented for submission at any election under this chapter; or

H. For any officer or person to willfully violate any provision of this chapter. (Ord. O-2004-21 § 10, 2004; Ord. O-94-3 § 1 (part), 1994).

2.52.240 Referral by City Council.

The City Council shall have the power to submit any proposed or adopted ordinance or any question to a vote of the registered electors without the receipt of a petition. (Ord. O-94-3 § 1 (part), 1994).

2.52.250 Intent.

It is not the intention of this chapter to limit or abridge in any manner the powers reserved to the people in the initiative and referendum, but rather to properly safeguard, protect and preserve inviolate for them these modern instrumentalities of democratic government. (Ord. O-94-3 § 1 (part), 1994).
Chapter 2.53

MUNICIPAL ELECTION PROCEDURES

Sections:

2.53.010 Regulating write-in candidate votes.
2.53.020 Provision for cancellation of elections.

2.53.010 Regulating write-in candidate votes.
No write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the clerk by the person whose name is written in by close of business on the sixty-fourth (64th) day before the election indicating that such person desires the office and is qualified to assume the duties of that office if elected.

2.53.020 Provision for cancellation of elections.
If the only matter before the voters is the election of persons to office and if, at the close of business on the sixty-third (63rd) day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the clerk, if instructed by resolution of the governing body either before or after such date, shall cancel the election and by resolution declare the candidates elected. Upon such declaration the candidates shall be deemed elected. Notice of such cancellation shall be published, if possible, in order to inform the electors of the municipality, and notice of such cancellation shall be posted at each polling place and in not less than one other public place.
Chapter 2.54
CAMPAIGN AND POLITICAL FINANCE IN MUNICIPAL ELECTIONS

Sections:

2.54.010 Declaration.
2.54.020 Definitions.
2.54.040 Reporting Requirements-Where and When Filed.
2.54.050 Duties of the City Clerk–Recordkeeping-Enforcement-Sanctions.
2.54.060 City–Limitations on Contributions.
2.54.070 Electioneering.
2.54.080 Miscellaneous Provisions.

2.54.010 Declaration.
As a home rule City established under Article XX of the Colorado Constitution, the City of Lakewood and the Lakewood City Council find and declare that preserving openness and integrity in the political process is in the best interests of the health, safety and welfare of the citizens of Lakewood. It is therefore the intent of this Chapter to foster an open political process that emphasizes transparency and accountability to ensure, as to candidates for municipal office, that campaign donations do not result in corruption or the appearance of corruption. Further, in order to make informed decisions about the election-related materials they see, voters of the City of Lakewood need complete and timely reporting to the City Clerk by all persons subject to disclosure responsibilities, as well as accurate disclaimers that inform voters who paid for the communications distributed. (Ord. O-2018-22 § 2, 2018; Ord. O-2013-22 § 1, 2013).

2.54.020 Definitions.
As used in this Chapter, unless the context otherwise requires:

"Appropriate officer" means the City Clerk of the City of Lakewood. The City Clerk is the individual with whom a candidate, candidate committee, political committee, small donor committee, or issue committee must file pursuant to this Chapter.

"Ballot issue" means a local government matter arising under Section 20 of article X of the state constitution, as defined in Sections 1-41-102(4) and 1-41-103(4) of the Colorado Revised Statutes.

"Ballot question" means a local government matter involving a citizen petition or referred measure, other than a ballot issue.

"Candidate" means any person who seeks nomination or election to any local public office that is to be voted on at any municipal election. A person is a candidate for election if the person has publicly announced an intention to seek election to public office, or has received a contribution or made an expenditure in support of the candidacy. A person remains a candidate for purposes of this Chapter so long as the candidate maintains a registered candidate committee. A person who maintains a candidate committee after an election cycle, but who has not publicly announced an intention to seek election to public office in the next or any subsequent election cycle, is a candidate for purposes of this Chapter.
"Candidate committee" means a person, including the candidate, or persons with the common purpose of receiving contributions or making expenditures under the authority of a candidate. A contribution to a candidate shall be deemed a contribution to the candidate's candidate committee. A candidate shall have only one candidate committee. A candidate committee shall be considered open and active until affirmatively closed by the candidate or by action of the City Clerk.

"Conduit" means a person who transmits contributions from more than one person, directly to a candidate committee. "Conduit" does not include the contributor's immediate family members, the candidate or campaign treasurer of the candidate committee receiving the contribution, a volunteer fund raiser hosting an event for a candidate committee, or a professional fund raiser if the funder raiser is compensated at the usual and customary rate.

"Contribution" means:

(I) the payment, loan, pledge, gift, or advance of money, or guarantee of a loan, made to any candidate committee, issue committee, political committee or small donor committee;

(II) any payment made to a third party for the benefit of any candidate committee, issue committee, political committee or small donor committee;

(III) the fair market value of any gift or loan of property made to any candidate committee, issue committee, political committee or small donor committee;

(IV) anything of value given, directly or indirectly, to a candidate for the purpose of promoting the candidate's nomination, retention, recall or election.

"Contribution" includes, with regard to a contribution for which the contributor receives compensation or consideration of less than equivalent value to such contribution, including, but not limited to, items of perishable or nonpermanent value, goods, supplies, services, or participation in a campaign-related event, an amount equal to the value in excess of such compensation or consideration as determined by the candidate committee. "Contribution" also includes:

(I) Any payment, loan, pledge, gift, advance of money, or guarantee of a loan made to any political organization;

(II) Any payment made to a third party on behalf of and with the knowledge of the political organization; or

(III) The fair market value of any gift or loan of property made to any political organization.

"Contribution" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, candidate committee, political committee or small donor committee; a transfer by a membership organization of a portion of a member’s dues to a small donor committee or political committee sponsored by such membership organization; or payments by a corporation or labor organization for the costs of establishing, administering and soliciting funds from its own employees or members for a political committee or small donor committee.
“Coordination” means one or more substantial discussions relating to the making of one or more expenditures at the request, suggestion, or direction of, or under the control of or in consultation with a candidate committee or its agent (including a consultant) acting on behalf of or with the consent of a candidate, where such expenditure relies on non-public information.

"Corporation" means a domestic corporation incorporated under and subject to the "Colorado Business Corporation Act", articles 101 to 117 of title 7, C.R.S., a domestic nonprofit corporation incorporated under and subject to the "Colorado Revised Nonprofit Corporation Act", articles 121 to 137 of title 7, C.R.S., or any corporation incorporated under and subject to the laws of another state. For purposes of this article, "domestic corporation" shall mean a for-profit or nonprofit corporation incorporated under and subject to the laws of the state of Colorado, and "nondomestic corporation" shall mean a corporation incorporated under and subject to the laws of another state or foreign country. For purposes of this article, "corporation" includes the parent of a subsidiary corporation or any subsidiaries of the parent, as applicable.

"Donation" means:

(I) The payment, loan, pledge, gift, or advance of money, or the guarantee of a loan, made to any person for the purpose of making an independent expenditure;

(II) Any payment made to a third party that relates to, and is made for the benefit of, any person that makes an independent expenditure;

(III) The fair market value of any gift or loan of property that is given to any person for the purpose of making an independent expenditure; or

(IV) Anything of value given, directly or indirectly, to any person for the purpose of making an independent expenditure.

"Donation" shall not include a transfer by a membership organization of a portion of a member's dues for an independent expenditure sponsored by such membership organization.

"Earmark" means a designation, instruction, or encumbrance that directs the transmission by the recipient of all or part of a donation to a third party for the purpose of making one or more independent expenditures of five hundred dollars ($500) or more.

"Election cycle" means the period of time beginning thirty-one (31) days following a municipal election for the particular office and ending thirty (30) days following the next municipal election for that office.

"Electioneering communication" means any communication broadcast by television or radio, printed in a newspaper or on a billboard, directly mailed, transmitted by means of the internet, or delivered by hand to personal residences or otherwise distributed that:

(I) unambiguously refers to any candidate without expressly advocating that candidate; and

(II) is broadcast, printed, mailed, delivered or distributed within sixty (60) days before a municipal election; and
(III) is broadcast to, printed in a newspaper distributed to, mailed to, delivered by hand or electronically transmitted to any communication by persons made in the regular course and scope of their business or any to an audience that includes members of the electorate for such public office.

"Expenditure" means any purchase, payment, distribution, loan, advance, deposit, or gift of money by any person for the purpose of expressly advocating the election or defeat of a candidate or supporting or opposing a ballot issue or ballot question. An expenditure is made when the actual spending occurs or when there is a contractual agreement requiring such spending and the amount is determined.

"Exploratory committee" means a committee formed by a potential candidate for the sole purpose of accepting contributions and making expenditures in order to determine whether or not the potential candidate should seek election to any public office of the city. "Exploratory committee" does not mean a political party, political committee, small donor committee, political organization, or independent expenditure committee.

"Foreign corporation" means:

(I) A parent corporation or the subsidiary of a parent corporation formed under the laws of a foreign country that is functionally equivalent to a domestic corporation;

(II) A parent corporation or the subsidiary of a parent corporation in which one or more foreign persons hold a combined ownership interest that exceeds fifty percent;

(III) A parent corporation or the subsidiary of a parent corporation in which one or more foreign persons hold a majority of the positions on the corporation's board of directors; or

(IV) A parent corporation or the subsidiary of a parent corporation whose United States-based operations, or whose decision-making with respect to political activities, falls under the direction or control of a foreign entity, including the government of a foreign country.

"Frivolous" means a claim or defense is lacking any rational argument based in law, but does not include a legitimate attempt to establish a new theory of law or a good-faith effort to extend, modify, or reverse existing interpretations of law.

"Groundless" means a claim or defense is unsupported by any credible evidence, even if sufficient to withstand a motion to dismiss.

"Independent expenditure" means an expenditure that is not controlled by or coordinated with any candidate or agent of such candidate. Expenditures that are controlled by or coordinated with a candidate or candidate's agent are deemed to be both contributions by the maker of the expenditure, and expenditures by the candidate's committee.

"Independent expenditure committee" means one or more persons that make an independent expenditure in an aggregate amount five hundred dollars ($500) or more, or that collect five hundred dollars ($500) or more from one or more persons for the purpose of making an independent expenditure.

"Issue committee" means any person, other than a natural person, or any group of two or more persons, including natural persons:
(I) that has a major purpose of supporting or opposing any ballot issue or ballot question; or

(II) that has accepted or made contributions or expenditures in excess of two hundred dollars to support or oppose any ballot issue or ballot question.

“Issue committee” does not include political parties, political committees, small donor committees or candidate committees. An issue committee shall be considered open and active until affirmatively closed by such committee or by action of the appropriate authority.

"Limited liability company" includes any form of domestic entity as defined in section 7-90-102 (13), C.R.S., or foreign entity as defined in section 7-90-102 (23), C.R.S.; except that, as used in this Chapter, "limited liability company" shall not include a domestic corporation, a domestic cooperative, a domestic nonprofit association, a domestic nonprofit corporation, a foreign corporation, a foreign cooperative, a foreign nonprofit association, a foreign nonprofit corporation, as those terms are defined in section 7-90-102, C.R.S., a nondomestic corporation as defined in section 1-45-103 (7), or a foreign corporation as defined in section 1-45-103 (10.5).

"Media outlet" means a publication or broadcast medium that transmits news, feature stories, entertainment, or other information to the public through various distribution channels, including, without limitation, newspapers; magazines; radio; the internet; and broadcast, cable, or satellite television.

“Natural person” means a human being.

“Non-public information” means confidential material in any form that is not available to the general public, including a non-public campaign plan, communications plan, campaign budget, specification of unmet and potentially unmet campaign needs, proposed or actual media buy, list or description of households or voters who will receive or have received materials under a mailing or other distribution program, polling or focus group results, or other proprietary material. “Non-public information,” does not include communications dealing solely with candidate positions on legislative or policy issues or communications to or by an attorney, accountant, bookkeeper, or registered agent who provides services within the scope of his or her profession.

"Obligating" means, in connection with a named candidate, agreeing to spend five hundred dollars ($500) or more, s for an independent expenditure or to give, pledge, loan, or purchase one or more goods, services, or other things of value that have a fair market value of five hundred dollars ($500) or more, as an independent expenditure. "Obligating" shall not require that the total amount i of five hundred dollars ($500) or more be finally determined at the time of the agreement to spend moneys for an independent expenditure or to give, pledge, loan, or purchase anything of value.

"Person" means any natural person, partnership, committee, association, corporation, labor organization, lobbyist, or other organization or group of persons.

"Political committee" means any person, other than a natural person, or any group of two or more persons, including natural persons that have accepted or made contributions or expenditures in excess of two hundred dollars to support or oppose the nomination or election of one or more candidates. “Political committee” does not include political parties, issue committees or candidate committees.
"Political organization" means a political organization defined in section 527 (e) (1) of the federal "Internal Revenue Code of 1986", as amended, that is engaged in influencing or attempting to influence the selection, nomination, election, or appointment of any individual to any state or local public office in the state and that is exempt, or intends to seek any exemption, from taxation pursuant to section 527 of the internal revenue code. "Political organization" shall not be construed to have the same meaning as "political organization" as defined in section 1-1-104 (24) for purposes of the "Uniform Election Code of 1992", articles 1 to 13 of this title.

"Political party" means any group of registered electors who, by petition or assembly, nominate candidates for the official general election ballot. "Political party" includes affiliated party organizations at the state, county and election district levels, and all such affiliates are considered to be a single entity for the purposes of this Chapter.

"Small donor committee" means any political committee that has accepted contributions only from natural persons who each contributed no more than fifty dollars ($50) in the aggregate per year. For purposes of this Chapter, dues transferred by a membership organization to a small donor committee sponsored by such organization shall be treated as pro-rate contributions from individual members. "Small donor committee" does not include any entity that qualifies as a political party, political committee, issue committee, or candidate committee.

"Spending" means funds expended influencing or attempting to influence the selection, nomination, election, or appointment of any individual to any state or local public office in the state and includes, without limitation, any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything else of value by any political organization, a contract, promise, or agreement to expend funds made or entered into by any political organization, or any electioneering communication by any political organization.

"Subsidiary" means a business entity having more than half of its stock owned by another entity or person, or a business entity of which a majority interest is controlled by another person or entity.

"Unexpended campaign contributions" means the balance of funds on hand in any candidate committee at the end of an election cycle, less the amount of all unpaid monetary obligations incurred prior to the election in furtherance of such candidacy. (Ord. O-2013-22 § 1, 2013).

2.54.030 Candidates-Committees-Registration-Contributions-Expenditures-Reporting

A. Candidates and Candidate Committees

(1) Affidavit. Within ten days after an individual becomes a candidate and before circulating any petition, such individual shall certify, by affidavit filed with the City Clerk, that the candidate is familiar with the provisions of this Chapter.

(2) Candidate Committee Registration. Except as otherwise provided in this Chapter, all candidate committees shall register with the City Clerk within ten days after accepting any contribution or making any expenditure. Registration shall include a statement listing:

(a) The organization's full name, spelling out any acronyms used therein;
(b) A natural person authorized to act as a registered agent or representative;

(c) A street address and telephone number for the principal place of operations;

(d) All affiliated candidates and committees;

(e) The purpose or nature of interest of the committee or party;

(f) The name of the financial institution where the committee has opened an account.

(3) Contribution Limits. During an election cycle, a candidate committee may accept no more than four hundred dollars ($400) from any natural person or political committee for candidates for City Council, and no more than eight hundred dollars ($800) from any natural person or political committee for candidates for Mayor. No candidate committee shall accept any contribution from any entity that is prohibited from contributing by this chapter.

(4) Reports.

(a) All candidate committees shall report to the City Clerk: their contributions received, including the name, address, and amount contributed of each contributor; expenditures made; and obligations entered into by the committee.

(b) In the case of contributions made to a candidate committee, the disclosure required by this section shall also include the occupation and employer of each person who has made contributions totaling one hundred dollars ($100) or more to such committee.

(5) Reimbursement. A candidate’s candidate committee may reimburse the candidate for expenditures the candidate has made on behalf of the candidate committee. Any such expenditures may be reimbursed at any time. Notwithstanding any other provision of law, any expenditure reimbursed to the candidate by the candidate’s candidate committee within the election cycle during which the expenditure is made shall be treated only as an expenditure and not as a contribution to and an expenditure by the candidate’s candidate committee. Notwithstanding the date on which any such expenditure is reimbursed, the expenditure shall be reported at the time it is made in accordance with the requirements of this section.

(6) Unexpended contributions – candidate committees. Unexpended campaign contributions to a candidate committee may be:

(a) Contributed to a candidate committee established by the same candidate for a different public office, if the candidate committee making such a contribution is affirmatively closed by the candidate no later than ten (10) days after the date such a contribution is made;

(b) Donated to a charitable organization recognized by the internal revenue service; or

(c) Returned to the contributors, or retained by the committee for use by the candidate in a subsequent campaign.

(d) In no event shall contributions to a candidate committee be used for personal purposes not reasonably related to supporting the election of the candidate.
(e) A candidate committee for a former officeholder or a person not elected to office shall expend all of the unexpended campaign contributions retained by such candidate committee, for the purposes specified in this Section 6, no later than nine (9) years from the date such officeholder’s term expired or from the date of the election at which such person was a candidate for office, whichever is later.

(f) In addition to any use described in this Section 6, a person elected to a public office may use unexpended campaign contributions held by the person's candidate committee for any of the following purposes:

(I) Voter registration;

(II) Political issue education, which includes obtaining information from or providing information to the electorate;

(III) Postsecondary educational scholarships;

(IV) To defray reasonable and necessary expenses related to mailings and similar communications to constituents;

(V) Any expenses that are directly related to such person's official duties as an elected official, including, but not limited to, expenses for the purchase or lease of office equipment and supplies, room rental for public meetings, necessary travel and lodging expenses for legislative education such as seminars, conferences, and meetings on legislative issues, and telephone and pager expenses.

(g) Notwithstanding any other provision of law, any unexpended campaign contributions retained by a candidate committee for use in a subsequent election cycle shall be counted and reported as contributions.

(6.5) Unexpended contributions – exploratory committees. Unexpended contributions to an exploratory committee may be:

(a) Donated to a charitable organization recognized by the internal revenue service; or

(b) Returned to the contributors.

(7) Recall. Any candidate or candidate committee supporting any candidate, including an incumbent, in a recall election, shall file reports of contributions and expenditures with the City Clerk fourteen and seven days before the recall election and thirty (30) days after the recall election.

(8) Disclaimer.

(a) A candidate committee making an expenditure on a communication that supports or opposes any candidate and that is broadcast by television or radio, printed in a newspaper or on a billboard, directly mailed, made available by means of the internet, or delivered by hand to personal residences, or otherwise distributed shall state, in the communication produced by the expenditure, that it is paid for by the candidate committee making the expenditure.
(b) The disclaimer required by subsection (a) of this section shall be printed on the communication clearly and legibly in a conspicuous manner.

(c) If the communication is broadcast on radio, the disclaimer shall be spoken at the beginning or end of the communication.

(d) (I) If the communication is broadcast on television, the disclaimer shall be written or spoken at the beginning or end of the communication. If the disclaimer is written, it shall appear for at least four seconds of any communication broadcast on television.

(II) The written disclaimer required by subparagraph (I) of this paragraph (d) shall appear in the communication in a conspicuous manner.

(e) As to communications transmitted by means of the internet, the disclaimer shall be clearly visible and placed on or adjacent to the communication.

(9) Exploratory committees.

(a) An exploratory committee shall be subject to the same prohibitions on sources of contributions, the same dollar limits on contributions, the same registration and disclosure requirements, and the same disclosure calendar as a candidate committee under this chapter.

(b) An exploratory committee's name shall include the first name and last name of the potential candidate who causes it to be formed, as well as the words “Exploratory Committee.”

(c) No exploratory committee may expressly advocate the election of any natural person, by expenditure made or otherwise, or make any contribution to the candidate's candidate committee or to any other candidate's candidate committee.

(d) An exploratory committee must be closed on or before the date of filing a candidate committee by that potential candidate. After closure and the filing of a final report on the next regularly scheduled reporting date as specified in section 2.54.040(1)(a)(I)(A), an exploratory committee shall have no further reporting duties.

(e) An exploratory committee shall place a disclaimer on each of its communications that states:

(I) The communication has been "paid for by (full name of the person paying for the communication)"; and

(II) The name of a natural person who is the registered agent of the exploratory committee.

(f) In the case of a broadcast communication, the statement required by this section shall satisfy all applicable requirements promulgated by the Federal Communications Commission for size, duration, and placement.

(g) In the case of a nonbroadcast communication, the City Clerk shall, by rule, establish size and placement requirements for the disclaimer.

(h) As to communications transmitted by means of the internet, the disclaimer shall be clearly visible and placed on or adjacent to the communication.

B. Issue Committees

(1) Registration. Subject to the provisions of this section, each issue committee shall register with the City Clerk within ten calendar days of accepting or making contributions or expenditures in excess of two hundred dollars to support or oppose any ballot issue or ballot
question. If required to register under the requirements of this subsection, the registration of the issue committee shall include a statement containing the items listed in paragraphs (a) to (f) of Section A-2 of this Chapter in connection with other committees.

(2) Ballot Issue or Ballot Question Determined.

(a) Notwithstanding any other provision of law, and subject to the provisions of this section, a matter shall be considered to be a ballot issue or ballot question for the purpose of determining whether an issue committee has been formally established, thereby necessitating compliance with any disclosure, disclaimer, and reporting requirements of this Chapter:

(I) For a citizen-initiated petition, a title for the matter has been designated and fixed in accordance with law;

(II) For a measure referred to voters by the City Council rather than by initiative petition, the Council has adopted an ordinance to refer such matter to the voters of Lakewood.

(b) Notwithstanding the provisions of this subsection, where a matter concerns a municipal annexation brought pursuant to article 12 of title 31, C.R.S., the matter shall not be considered to be a ballot issue or ballot question for the purpose of determining whether an issue committee has been formally established, thereby necessitating compliance with any disclosure and reporting requirements of this Chapter, unless and until the first notice of the annexation election has been published in accordance with the requirements of section 31-12-112 (6), C.R.S.

(3) Recall. Any issue committee whose purpose is the recall of any elected official shall register with the appropriate officer within ten calendar days of accepting or making contributions or expenditures in excess of two hundred dollars to support or oppose the recall. Reports of contributions and expenditures shall be filed with the appropriate officer within fifteen days of the filing of the committee registration and every thirty (30) days thereafter until the date of the recall election has been established and then fourteen days and seven days before the recall election and thirty (30) days following the recall election.

(4) Disclaimer.

(a) An issue committee making an expenditure of five hundred dollars ($500) or more on a communication that supports or opposes a ballot issue or ballot question and that is broadcast by television or radio, printed in a newspaper or on a billboard, directly mailed, transmitted by means of the internet, or delivered by hand to personal residences, or otherwise distributed shall disclose, in the communication produced by the expenditure, the name of the issue committee making the expenditure.

(b) The disclaimer required by subsection (a) of this section shall be printed on the communication clearly and legibly in a conspicuous manner.

(c) If the communication is broadcast on radio, the disclaimer shall be spoken at the beginning or end of the communication.

(d) (I) If the communication is broadcast on television, the disclaimer shall be written or spoken at the beginning or end of the communication. If the disclaimer is written, it shall appear for at least four seconds of any communication broadcast on television.
(II) The written disclaimer required by subparagraph (I) of this paragraph (d) shall appear in the communication in a conspicuous manner.

(III) In the case of a limited liability company, the disclosure required by this section shall include, in addition to any other information required to be disclosed, each contribution from the limited liability company regardless of the dollar amount of the contribution. (e) If the communication is transmitted by means of the internet, the disclaimer shall appear on or adjacent to the communication.

(5) Unexpended Contributions. Unexpended contributions to an issue committee may be donated to any charitable organization recognized by the Internal Revenue Service or returned to the contributor.

C. Small Donor Committees

(1) Registration. Except as otherwise provided in this section, all small donor committees shall register with the City Clerk within ten days after accepting any contribution or making any expenditure. Registration shall include a statement listing:

(a) The organization’s full name, spelling out any acronyms used therein;

(b) A natural person authorized to act as a registered agent or representative;

(c) A street address and telephone number for the principal place of operations;

(d) All affiliated candidates and committees;

(e) The purpose or nature of interest of the committee or party.

(2) Contribution limits. During an election cycle, only natural persons may contribute to a small donor committee in an amount not more than fifty dollars ($50) to such small donor committee.

(3) Contributions to candidate committees. During an election cycle, small donor committees may contribute up to one thousand, six hundred dollars ($1,600) to candidates for mayor and up to eight hundred dollars ($800) to candidates for city council.

D. All Committees – Disclosures/Prohibited Contributions

(1) Disclosures

(a) All candidate committees shall report to the City Clerk: their contributions received, including the name, address, and amount contributed of each contributor; expenditures made; and obligations entered into by the committee.

(b) Contributions over $100. In the case of the aggregate contributions made to a political committee or issue committee during an election cycle, the disclosure required by this section shall also include the occupation and employer of each person who has made a contribution of one hundred dollars ($100) or more to such committee.
2.54.030

(2) Prohibited Contributions

(a) During an election cycle, no committee may accept any contribution from:

(I) A political party;

(II) An entity formed under and subject to the laws of a foreign country;

(III) A natural person who is not a citizen of the United States;

(IV) A foreign government; or

(V) Any person otherwise prohibited by law from making the contribution.

(b) No committee may accept any contribution in currency or coin of more than twenty dollars ($20) from any contributor or fail to report each contributor of currency or coin, regardless of the amount of the contribution made in currency or coin.

(c) No candidate committee shall accept any contribution from any corporation or any labor organization.

E. Political Organizations

(1) Any political organization shall report to the City Clerk in accordance with the requirements of this Chapter:

(a) Any contributions it receives, including the name and address of each person who has contributed twenty dollars ($20) or more to the political organization in the reporting period, and the occupation and employer of each natural person who has made a contribution of one hundred dollars ($100) or more to the political organization; and

(b) Any spending by the political organization in any one reporting period.

(2) During an election cycle, no political organization shall accept a contribution in currency or coin exceeding twenty dollars ($20) from any contributor or fail to report the receipt of contributors of currency or coin.

(3) Nothing in this section shall be construed to:

(a) Require any political organization to make any additional disclosure pursuant to this section to the extent the political organization is already providing disclosure as a committee in a manner that satisfies the requirements of this Chapter; or

(b) Authorize the City Clerk to require disclosure of the name of any natural person that is a member of an entity unless the natural person has made a contribution to a political organization in the amount of twenty dollars ($20) or more in a reporting period.
F. Independent Expenditures/Independent Expenditure Committees

(1) Registration.

(a) Any person that accepts a donation as an Independent Expenditure Committee that is given for the purpose of making an independent expenditure of five hundred dollars ($500) or more or that makes an independent expenditure of five hundred dollars ($500) or more shall register with the City Clerk within two business days of the date on which an aggregate amount of donations accepted or expenditures made reaches or exceeds five hundred dollars ($500).

(b) The registration required by paragraph (a) of this subsection (1) shall include each of the items listed in Section 2.54.030:

(I) The person's full name, spelling out any acronyms used therein;

(II) A natural person authorized to act as a registered agent;

(III) A street address and telephone number for the principal place of operations; and

(IV) The aggregate ownership interest in the person held by foreign nationals or foreign corporations calculated as of the time the person registers with the City Clerk under paragraph (a) of this subsection (1).

(c) If the person identified in subparagraph (I) of paragraph (b) of this subsection (1) is a corporation, a subsidiary may register on behalf of its parent corporation or for other subsidiaries of the parent corporation, and the parent corporation may register on behalf of all of its subsidiaries. In each such case, the registered agent of the person registering shall serve as the registered agent for all such affiliated corporations. Registration of a subsidiary shall include the name of its parent corporation as well as any names under which the subsidiary does business.

(d) If the person identified in subparagraph (I) of paragraph (b) of this subsection (1) is a labor organization, a local labor organization may register on behalf of any affiliated local, national, or international labor organization that will be making independent expenditures, and a national or international labor organization may register on behalf of any affiliated local labor organization that will be making independent expenditures. In each such case, the registered agent of the labor organization that is registering shall serve as the registered agent for each affiliated local, national, or international labor organization.

(2) Reporting.

(a) In addition to any other applicable disclosure requirements specified in this article, any person making an independent expenditure in an aggregate amount of five hundred dollars ($500) or more in any one calendar year shall report the following to the City Clerk:

(I) The person's full name, or, if the person is a subsidiary of a parent corporation, the full name of the parent corporation, spelling out any acronyms used therein;

(II) All names under which the person does business in the state if such names are different from the name identified pursuant to subparagraph (I) of this paragraph (a);
(III) The address of the home office of the person, or, if the person is a subsidiary of a parent corporation, the home office of the parent corporation; and

(IV) The name and street address in the state of its registered agent.

(b) (I) Any person who expends an aggregate amount of five hundred dollars ($500) or more per calendar year for the purpose of making an independent expenditure shall report to the City Clerk, in accordance with the requirements of this section, the name and address of any person that, for the purpose of making an independent expenditure, donates more than two hundred fifty dollars per year to the person expending five hundred dollars ($500) or more on an independent expenditure.

(II) If the person making the donation of two hundred fifty dollars or more is a natural person, the disclosure required by subparagraph (I) of this paragraph (b) shall also include the donor's occupation and employer.

(III) If the person making the donation of two hundred fifty dollars or more is not a natural person, the disclosure required by this paragraph (b) shall also include:

(A) The donor's full name, or, if the donor is a subsidiary of a parent corporation, the full name of the parent corporation, spelling out any acronyms used therein;

(B) All names under which the donor does business in the state if such names are different from the name identified pursuant to subparagraph (I) of this paragraph (b);

(C) The address of the home office of the donor, or, if the donor is a subsidiary of a parent corporation, the home office of the parent corporation; and

(D) The name and street address in the state of the donor's registered agent.

(c) The information required to be disclosed pursuant to paragraph (a) of this subsection (4) shall be reported in accordance with the schedule specified in this Chapter; except that any person making an independent expenditure of five hundred dollars ($500) or more within thirty (30) days before a municipal election shall provide such report within forty-eight hours after obligating moneys for the independent expenditure.

(3) Disclaimer.

(a) In addition to any other applicable requirements provided by law, and subject to the provisions of this section, any communication that is broadcast, printed, mailed, delivered, or otherwise circulated that constitutes an independent expenditure for which the person making the independent expenditure expends of five hundred dollars ($500) or more on the communication shall include in the communication a statement that:

(I) A statement that the communication has been "paid for by (full name of the person paying for the communication)";

(II) A statement that the communication is "Not authorized by any candidate"; and

(III) The name of a natural person who is the registered agent if the person identified in subparagraph (I) of this paragraph (a) is not a natural person.
(b) In the case of a broadcast communication, the statement required by this Section shall satisfy all applicable requirements promulgated by the Federal Communications Commission for size, duration, and placement.

(c) In the case of a nonbroadcast communication, the City Clerk shall, by rule, establish size and placement requirements for the disclaimer.

(d) As to communications transmitted by means of the internet, the disclaimer shall be clearly visible and placed on or adjacent to the communication.

(4) Disclosure. Any person, including a corporation that qualifies under section 501(c)(4) of the Internal Revenue Code, that expends an aggregate amount of five hundred dollars ($500) or more on an independent expenditure in any one calendar year shall deliver written notice to the City Clerk that shall list with specificity the name of the candidate whom the independent expenditure is intended to support or oppose. Where the independent expenditure is made within thirty (30) days before an election, the notice required by subsection (3) shall be delivered within forty-eight hours after the person obligates moneys for the independent expenditure.

(5) Accounting. Any person that accepts any donation that is given for the purpose of making an independent expenditure or expends any moneys on an independent expenditure in an aggregate amount in excess of twenty dollars ($20.00) in any one calendar year shall establish a separate account in a financial institution, and the title of the account shall indicate that it is used for such purposes. All such donations accepted by such person for the making of any such independent expenditures shall only be deposited into the account, and any moneys expended for the making of such independent expenditure shall only be withdrawn from the account. As long as the person uses a separate account for the purposes of this Section, in any enforcement proceeding relating to the use of the person's account, no discovery may be made of information relating to the identity of the person's members and general donors and any discovery is limited to the sources, amounts, and uses of donations deposited into and expenditures withdrawn from the account.

(6) Any person that expends moneys on an independent expenditure of five hundred dollars ($500) or more, regardless of the medium of the communication produced by the expenditure, shall disclose to the City Clerk, in accordance with the schedule specified in this Chapter, any donation given in that reporting period for the purpose of making an independent expenditure.

(7) Any person that donates one thousand dollars or more to any person during any one calendar year for the purpose of making an independent expenditure shall, within forty-eight hours of making the donation, report to the City Clerk the names and addresses of:

(a) the person's chief executive officer or, for entities that have do not have an official with that title, the person performing the largest number of duties of a chief executive officer;

(b) any “professional lobbyist,” as defined by C.R.S. 24-6-301(6), that has been paid by the person to communicate with one or more “covered officials,” as defined by C.R.S. 24-6-301(1.7); and
(c) any person paid to communicate with the Mayor or one or more City Council members concerning the passage, defeat, or amendment of City of Lakewood ordinances, resolutions, or rules.

(8) Any earmarked donation given for the purpose of making an independent expenditure of five hundred dollars ($500) or more shall be disclosed as a donation from both the original source of the donation and the person transferring the donation.

(9) On reports it files with the City Clerk, an independent expenditure committee that obligates five hundred dollars ($500) or more for an independent expenditure shall disclose a good faith estimate of the fair market value of the expenditure if the committee does not know the actual amount of the expenditure as of the date that a report is required to be filed with the City Clerk.

(10) Notwithstanding any other provision of this section, any requirement contained in this section that is applicable to a corporation shall also be applicable to a labor organization.

G. Limited Liability Companies

(1) Prohibition on Contributions.

(a) No limited liability company shall make any contribution to a candidate committee or exploratory committee if one or more of the individual members of the limited liability company is:

(I) A natural person who is not a citizen of the United States;

(II) An entity formed under and subject to the laws of a foreign country;

(III) A foreign government; or

(IV) Otherwise prohibited by law from making the contribution.

(b) No limited liability company shall make any contribution to a political committee if one or more of the individual members of the limited liability company is:

(I) An entity formed under and subject to the laws of a foreign country;

(II) A natural person who is not a citizen of the United States;

(III) A foreign government; or

(IV) Otherwise prohibited by law from making the contribution.

(c) Notwithstanding any other provision of this subsection (G), no limited liability company shall make any contribution to a candidate committee or exploratory committee if either the limited liability company has elected to be treated as a corporation by the internal revenue service pursuant to 26 CFR 301.7701-3 or any successor provision or the shares of the limited liability company are publicly traded. A contribution by a limited liability company with a single natural person member that does not elect to be treated as a corporation by the internal revenue service pursuant to 26 CFR 301.7701-3 shall be attributed only to the single natural person member.
(2) Disclosure

(a) The disclosure required by this Section shall include, in addition to any other information required to be disclosed, each contribution from the limited liability company regardless of the dollar amount of the contribution.

(b) Any limited liability company that is authorized to make a contribution and which does make a contribution of $100 or more to a candidate committee or exploratory committee shall, in writing, affirm to the candidate committee or exploratory committee to which it has made a contribution that it is authorized to make a contribution, which affirmation shall also state the names and addresses of all of the individual members of the limited liability company. No candidate committee or exploratory committee shall accept a contribution from a limited liability company unless the written affirmation satisfying the requirements of this paragraph (b) is provided before the contribution is deposited by the candidate committee or exploratory committee. The candidate committee or exploratory committee receiving the contribution shall retain the written affirmation for not less than one year following the date of the end of the election cycle during which the contribution is received. Any limited liability company that makes a contribution of less than $100 shall not be required to identify the individual members of the limited liability company.


(c) Any limited liability company that contributes to a candidate committee or exploratory committee shall attribute its contribution to its members by their percentage interests. No person who is a member of a limited liability company may exceed the contribution limits imposed by this Chapter. Contributions to candidate committees, exploratory committees, or political committees, whether contributed from a person’s own funds or by the funds attributed to that person from a limited liability company, shall be aggregated for purposes of determining that person’s compliance with the applicable contribution limits.

H. Political committees

(1) Registration. Except as otherwise provided in this section, all political committees shall register with the City Clerk within ten days after accepting any contribution or making any expenditure. Registration shall include a statement listing:

(a) The organization’s full name, spelling out any acronyms used therein;

(b) A natural person authorized to act as a registered agent or representative;

(c) A street address and telephone number for the principal place of operations;

(d) All affiliated candidates and committees;

(e) The purpose or nature of interest of the committee or party.

(2) Contribution limits. During an election cycle, a political committee may not accept not contributions in excess of two hundred fifty dollars ($250) from any contributor.
2.54.040 Reporting Requirements—Where and When Filed.

(1) (a) (I) Except as otherwise provided in this Chapter, all reports that are required to be submitted shall be filed with the City Clerk pursuant to the following schedule:

(A) On the 270th, 180th, 90th, 60th, 30th, and 7th days before the regular municipal election; and

(B) On the 30th day after the regular municipal election.

(II) In addition, such reports must be filed annually, in years other than regular municipal election years, on the first day of the month in which the anniversary of the regular municipal election occurs.

(III) If the reporting day falls on a weekend or legal holiday, the report shall be filed by the close of the next business day.

(b) The reports required by this section shall also include the balance of funds at the beginning of the reporting period, the total of contributions received, the total of expenditures made during the reporting period, and the name and address of the financial institution used by the committee.

(c) The reports required by this section shall be filed regardless of whether the candidate committee received any contributions or made any expenditures during the reporting period. A candidate committee for a former officeholder or a person not elected to office that has no change in the balance of funds maintained by such committee, receives no contributions, makes no expenditures, and enters into no obligations during a reporting period shall nevertheless be required to file a report under this Section for such period.

(d) All reports filed with the City Clerk pursuant to this subsection (1) shall be for the reporting periods established pursuant to rules promulgated by the City Clerk.

(e) The reporting period for all reports required to be filed with the City Clerk shall close three (3) calendar days prior to the mandated date of filing.

(f) After a proposed ballot question or proposed ballot issue becomes an “issue” under section 2.54.030.B.(2)(a), issue committees shall file reports on the fifth day of January, April, July, and October until the sixtieth day before the election at which such issue will be presented to the voters of Lakewood, at which point issue committees shall file on the 60th, 30th, and 7th days before such election, as well as 30 days after such election.

(g) Where a special election has been scheduled, reports by committees or persons who contribute, expend, or spend moneys that are reportable must file their reports on the 60th, 30th, and 7th day before such election, as well as 30 days after such election.

(2) Reserved.

(3) Any candidate or candidate committee supporting any candidate, including an incumbent, in a recall election, or advocating the recall of any incumbent shall file reports of contributions and expenditures with the City Clerk ninety (90), sixty (60), thirty (30), and seven (7) days before the recall election and thirty (30) days after the recall election.
(4) For the purpose of meeting the filing and reporting requirements of this article, candidates in municipal elections, their candidate committees, any political committee in support of or in opposition to such candidate, an issue committee supporting or opposing a municipal ballot issue, and small donor committees making contributions to such candidates, as well as any independent expenditure committees that expressly advocate and any persons making electioneering communications that unambiguously refer to such candidates, shall file with the City Clerk.

(5) (a) The City Clerk shall establish, operate, and maintain a system that enables electronic filing using the internet of the reports required by this article to be filed with the City Clerk’s Office. The City Clerk may require any filing under this section to be made by electronic means as determined by the City Clerk. The rules for use of the electronic filing system shall be promulgated by the City Clerk.

(b) Any person required to file with the City Clerk’s Office shall use the electronic filing system described in paragraph (a) of this subsection (5) in order to meet the filing requirements of this article, if so required by the Clerk in accordance with paragraph (a) of this subsection (5), except insofar as an alternate method of filing may be permitted by the City Clerk. Where a person uses such electronic filing system to meet the filing requirements of this article, the City Clerk shall acknowledge by electronic means the receipt of such filing.

(6) Subsection (1) of this section shall not be construed to require the City Clerk to review electronically filed reports. (Ord. O-2019-24 § 4, 2019; Ord. O-2013-22 § 1, 2013).

### 2.54.050 Duties of the City Clerk – Recordkeeping–Enforcement-Sanctions.


The City Clerk shall:

(1) Prepare forms and instructions to assist candidates and the public in complying with the reporting requirements of this Chapter and make such forms and instructions available to the public free of charge;

(2) Promulgate such rules as may be necessary to enforce and administer any provision of this Chapter;

(3) Maintain a filing and indexing system consistent with the purposes of this Chapter;

(4) Make the reports and statements filed with the City Clerk’s Office available immediately for public inspection and copying. The City Clerk may charge a reasonable fee for providing copies of reports. No information copied from such reports shall be sold or used by any person for the purpose of soliciting contributions or for any commercial purpose;

(5) Keep a copy of any report or statement required to be filed by this Chapter for the period set forth in the City’s records retention policy; and

(6) Notify any person under their jurisdiction who has failed to fully comply with the provisions of this Chapter and notify any person if a complaint has been filed with the City Clerk alleging a violation of this Chapter.
B. Enforcement.

(1) Any person who believes that a violation of this Chapter has occurred may file a written complaint with the City Clerk no later than one hundred twenty (120) days after the date of filing of the report containing the alleged violation. The City Clerk shall determine, based on the complaint and any additional inquiry made by the City Clerk of interested parties, whether the complaint is frivolous or groundless. The City Clerk shall dismiss a frivolous or groundless complaint and so notify the parties. Where a complaint is neither frivolous nor groundless, the City Clerk shall so notify the parties.

(1.1) When a person can cure its non-compliance due to an inadequate report or a failure to file a required report or item thereon, the City Clerk shall accept an amended report or reports within seventy-two (72) hours of notifying the parties that the complaint is neither frivolous nor groundless.

(1.2) Unless any non-compliance is dismissed, is cured as provided herein, or results in penalties imposed by the City Clerk as provided herein, the City Clerk shall refer a non-frivolous, non-groundless complaint to an independent hearing officer within three days of the City Clerk’s determination. The hearing officer shall hold a hearing within fifteen days of the referral of the complaint, but any party shall be granted an extension of up to thirty (30) days upon motion, or longer upon a showing of good cause. The City Attorney or his designee shall represent the City Clerk in any non-frivolous, non-groundless complaint referred to a hearing officer. The hearing officer shall render a decision within fifteen days after the hearing. If the hearing officer determines that a violation has occurred, the decision shall include any appropriate order, sanction or relief authorized by this Chapter. The decision of the hearing officer shall be final, subject to review by the district court. The hearing officer is not a necessary party to the review. When final, the decision shall be enforced by the City Clerk.

(1.3) Based on information of which the City Clerk is aware and finds credible and reliable, the City Clerk may initiate a complaint by transmitting specific allegations, in writing, to the party believed to be in violation of any provision of this Chapter. When the City Clerk has written confirmation that the Complaint has been received by the party to whom it was addressed, the provisions of subsections (1.2) and (2) of this section apply.

(2) The City Clerk, and upon referral to a hearing officer, a hearing officer are authorized to issue subpoenas. Any subpoenas requiring the production of documents by an issue committee shall be limited to documents pertaining to contributions to, or expenditures from, the committees’ separate account established pursuant to this Chapter to support or propose a ballot issue or ballot question. If the issue committee fails to form a separate account through which a ballot issue or ballot question is supported or opposed, the subpoena shall not be subject to the foregoing limitation.

C. Sanctions.

(1) Any person who violates any provision of this Chapter by making prohibited contributions to any committee shall be subject to a civil penalty of at least double and up to five times the amount contributed, received, or spent in violation of the applicable provision. Any candidate committee that accepts prohibited contributions shall be subject to a penalty in the amount of one to two times the amount contributed. Candidates shall be personally liable for penalties imposed upon the candidate’s committee.
(2) (a) Any committee other than an exploratory committee that fails to file required reports or any required disclosure on such reports shall be subject to penalties, imposed by the City Clerk, of up to:

$10 per day for the first through the fifth day the information is late;  
$25 per day for the sixth through the tenth day the information is late;  
$50 per day for eleventh through the fifteenth day the information is late.

(b) For information filed more than 15 days after it is due, the City Clerk shall refer the matter to a hearing officer who may impose appropriate penalties based upon the evidence admitted at hearing.

(2.2) (a) As to all persons and committees other than candidate committees and exploratory committees, the City Clerk shall impose the following penalties if it is established that a disclaimer required to be used pursuant to this Chapter was not included on the communication distributed or did not materially comply with the requirements of this Chapter:

$1,000 for communications received more than 75 days prior to the next regular municipal election by natural persons who are qualified to vote for the office(s) referred to in the communication;  
$2,500 for communications received more than 30 but less than 75 days prior to the next regular municipal election by natural persons who are qualified to vote for the office(s) referred to in the communication;  
$5,000 for communications received up to 30 days prior to the next regular municipal election by natural persons who are qualified to vote for the office(s) referred to in the communication.

(b) As to candidate committees, the City Clerk shall impose the following penalties if it is established that a disclaimer required to be used pursuant to this Chapter was not included on the communication distributed or did not materially comply with the requirements of this Chapter:

$100 for communications received more than 75 days prior to the next regular municipal election by natural persons who are qualified to vote for the office(s) referred to in the communication;  
$250 for communications received more than 30 but less than 75 days prior to the next regular municipal election by natural persons who are qualified to vote for the office(s) referred to in the communication;  
$500 for communications received up to 30 days prior to the next regular municipal election by natural persons who are qualified to vote for the office(s) referred to in the communication.

(2.3) (a) An exploratory committee that fails to file any required reports or any required disclosure on such reports shall be subject to penalties, imposed by the City Clerk, of up to $10 per day for each day the information is late.

(b) As to exploratory committees, the City Clerk shall impose a penalty if it is established that a disclaimer required to be used pursuant to this Chapter was not included on the communication distributed or did not materially comply with the requirements of this Chapter. Such penalty shall be $100 for communications received prior to the potential candidate’s filing of his or her candidate affidavit, as provided in Section 2.54.030.A(1).
(2.4) Where a disclaimer has been omitted but the origin of the communication is not apparent to the City Clerk, the City Clerk may retain appropriate professionals to assist in identifying, investigating, and, where appropriate, initiating a complaint against the person that paid for or facilitated the distribution of such communication without the required disclaimer. Persons who paid for or facilitated the distribution of such communications may be ordered, as part of any sanction imposed, to fully reimburse the City Clerk for the costs of identifying and investigating said person or persons.

(3) Upon imposition of a penalty pursuant to this subsection, the City Clerk shall send the person upon whom the penalty is being imposed proper notification by certified mail of the imposition of the penalty. If an electronic mail address is on file with the City Clerk, the City Clerk shall also provide such notification by electronic mail.

(4) Any person required to file a report with the City Clerk or required to include a disclaimer on a candidate communication regulated by this Chapter and upon whom a penalty has been imposed pursuant to this section may appeal such penalty by filing a written appeal with the City Clerk no later than thirty (30) days after the date on which notification of the imposition of the penalty was mailed to such person’s last known address. Except as provided herein, the City Clerk shall refer the appeal to the hearing officer. Any hearing conducted by a hearing officer shall be conducted in accordance with any rules and regulations promulgated by the City Clerk pursuant to this Chapter. The hearing officer shall set aside or reduce the penalty upon a showing of good cause, and the person filing the appeal shall bear the burden of proof. The decision of the hearing officer shall be final and subject to review by the district court. If the hearing officer finds that the filing of an appeal brought pursuant to this section was frivolous, groundless, or vexatious, the hearing officer shall order the person filing the appeal to pay reasonable attorney fees and costs of the City Clerk in connection with such proceeding.

(5) In connection with any complaint brought to enforce any requirement of this Chapter, including a complaint initiated by the City Clerk, the hearing officer shall order disclosure of the source and amount of any undisclosed donations, spending, contributions, or expenditures.

(6) In any action brought to enforce any provision of this Chapter, the membership lists of a labor organization or, in the case of a publicly held corporation, a list of the shareholders of the corporation, shall not be disclosed by means of discovery or by any other manner.

(7) The City Clerk may reject any report if it is incomplete or contains any inaccurate information. The applicant shall have ten days from the date the City Clerk provides notice of the deficiency to amend the report to cure any such deficiency.

(8) The City Clerk shall adopt rules that establish criteria for waiver of a penalty for non-compliance in the event a committee has substantially complied with this ordinance or any non-compliance occurred despite the good faith efforts of the committee to comply with this ordinance.

(9) Any unpaid debt owed to the City of $1,000 or more, resulting from a penalty imposed pursuant to this chapter 2.54, shall be collected by the City of Lakewood through such judicial remedies as the City of Lakewood may initiate. If the City of Lakewood pursues such remedies, it shall be entitled to recover its: costs incurred as provided in subsection (2.4) of

(Lakewood 07-27-2019) 2-70
this section 2.54.050; attorney fees; costs of litigation; and other fees associated with the legal action undertaken. The court may also issue such orders as it finds necessary or appropriate to enforce any order requiring disclosure of the source and amount of any undisclosed donations, spending, contributions, or expenditures. (Ord. O-2013-22 § 1, 2013).

2.54.060 City - Limitations on Contributions.

(1) (a) (I) No agency, department, board, division, bureau, commission, or council of the City of Lakewood shall make any contribution in campaigns involving the nomination, retention, or election of any person to any public office, nor shall any such entity make any donation to any other person for the purpose of making an independent expenditure, nor shall any such entity expend any moneys from any source, or make any contributions, to urge electors to vote in favor of or against any:

(A) Statewide ballot issue that has been submitted for the purpose of having a title designated and fixed pursuant to section 1-40-106 (1) or that has had a title designated and fixed pursuant to that section;

(B) Local ballot issue that has been submitted for the purpose of having a title fixed pursuant to section 31-11-111 or that has had a title fixed pursuant to that section;

(C) Referred measure, as defined in section 1-1-104 (34.5);

(D) Measure for the recall of any officer that has been certified by the appropriate election official for submission to the electors for their approval or rejection.

(II) Nothing in this section shall be construed as prohibiting:

(a) a member or employee of any such agency, department, board, division, bureau, commission, or council of the City of Lakewood from responding to questions about any such issue described in subparagraph (I) of this paragraph (a) if the member, employee, or public entity has not solicited the question. A member or employee of any such agency, department, board, division, bureau, commission, or council who has policy-making responsibilities may expend not more than fifty dollars of public moneys in the form of letters, telephone calls, or other activities incidental to expressing his or her opinion on any such issue described in subparagraph (I) of this paragraph (a).

(b) (I) an agency, department, board, division, bureau, commission, or council of the City of Lakewood from expending public moneys or making contributions to dispense a factual summary, which shall include arguments both for and against the proposal, on any issue of official concern before the electorate in the jurisdiction. Such summary shall not contain a conclusion or opinion in favor of or against any particular issue. As used herein, an issue of official concern shall be limited to issues that will appear on an election ballot in the jurisdiction.

(II) an elected official from expressing a personal opinion on any issue.

(III) an agency, department, board, division, bureau, commission, or council of the City of Lakewood:

(A) Passing a resolution or taking a position of advocacy on any issue described in subparagraph (I) of paragraph (a) of this subsection (1); or
2.54.060

(B) Reporting the passage of or distributing such resolution through established, customary means, other than paid advertising, by which information about other proceedings of such agency, department, board, division, bureau, or council of the City of Lakewood is regularly provided to the public.

(C) a member or an employee of an agency, department, board, division, bureau, commission, or council of the City of Lakewood from expending personal funds, making contributions, or using personal time to urge electors to vote in favor of or against any issue described in subparagraph (I) of paragraph (a) of this subsection (1).

(2) The provisions of subsection (1) of this section shall not apply to:

(a) An official residence furnished or paid for by the City of Lakewood;

(b) Security officers who are required to accompany a candidate or the candidate's family;

(c) Publicly owned motor vehicles provided for the use of the chief executive of the City of Lakewood;

(d) Publicly owned aircraft provided for the use of the chief executive of the City of Lakewood or the executive's family for security purposes; except that, if such use is, in whole or in part, for campaign purposes, the expenses relating to the campaign shall be reported and reimbursed pursuant to subsection (3) of this section.

(3) If any candidate who is also an incumbent inadvertently or unavoidably makes any expenditure which involves campaign expenses and official expenses, such expenditures shall be deemed a campaign expense only, unless the candidate, not more than ten working days after the such expenditure, files with the City Clerk such information as the City Clerk may by rule require in order to differentiate between campaign expenses and official expenses. Such information shall be set forth on a form provided by the City Clerk. In the event that public moneys have been expended for campaign expenses and for official expenses, the candidate shall reimburse the City of Lakewood for the amount of money spent on campaign expenses.

(4) Any violation of this section shall be subject to any appropriate order or relief, including an order directing the person making a contribution or expenditure in violation of this section to reimburse the fund of the City of Lakewood from which such moneys were diverted for the amount of the contribution or expenditure, injunctive relief, or a restraining order to enjoin the continuance of the violation.

(5) Failure to comply with any provision of this Chapter shall have no effect on the validity of any election. (Ord. O-2019-24 § 4, 2019; Ord. O-2013-22 § 1, 2013).

2.54.070 Electioneering Communications

(1) Any person, including a corporation that qualifies under section 501(c)(4) of the Internal Revenue Code, that expends five hundred dollars ($500) or more per calendar year on electioneering communications shall report to the City Clerk, in accordance with the disclosure required by this section, the amount expended on the communications and the name and address of any person that contributes more than two hundred fifty dollars ($250) per year to the person expending five hundred dollars ($500) or more on the communications. If the person making a contribution of more than two hundred fifty dollars ($250) is a natural
person, the disclosure required by this section shall also include the person’s occupation and employer. (Ord. O-2013-22 § 1, 2013).

(2) Any person, including a corporation that qualifies under section 501(c)(4) of the Internal Revenue Code, that contributes five hundred dollars ($500) or more during any one calendar year for the purpose of making an electioneering communication shall, within forty-eight hours of making the donation, report to the City Clerk the names and addresses of:

(a) the person’s chief executive officer or, for entities that have do not have an official with that title, the person performing the largest number of duties of a chief executive officer;

(b) any “professional lobbyist,” as defined by C.R.S. 24-6-301(6), that has been paid by the person to communicate with one or more “covered officials,” as defined by C.R.S. 24-6-301(1.7); and

(c) any person paid to communicate with the Mayor or one or more City Council members concerning the passage, defeat, or amendment of City of Lakewood ordinances, resolutions, or rules.

(3) Disclaimer.

(a) In addition to any other applicable requirements provided by law, and subject to the provisions of this section, any electioneering communication on which the person responsible for the communication expends five hundred dollars ($500) or more shall include in the communication a statement that:

(I) The communication has been "paid for by (full name of the person paying for the communication)";

(II) The communication is "Not authorized by any candidate"; and

(III) The name of a natural person who is the registered agent if the person identified in subparagraph (I) of this paragraph (a) is not a natural person.

(b) In the case of a broadcast communication, the statement required by this section shall satisfy all applicable requirements promulgated by the Federal Communications Commission for size, duration, and placement.

(c) In the case of a nonbroadcast communication, the City Clerk shall, by rule, establish size and placement requirements for the disclaimer.

(d) As to communications transmitted by means of the internet, the disclaimer shall be clearly visible and placed on or adjacent to the communication.

2.54.080 Miscellaneous Provisions.

A. Media outlets - political records.

Any media outlet that is subject to the provisions of 47 U.S.C. sec. 315 (e) shall maintain and make available for public inspection such records as the outlet is required to maintain to comply with federal law or rules.
B. Immunity from liability.

(1) Any individual volunteering his or her time on behalf of a candidate or candidate committee shall be immune from any liability for a fine or penalty imposed pursuant to this Chapter in any proceeding that is based on an act or omission of such volunteer if:

(a) The volunteer was acting in good faith and within the scope of such volunteer's official functions and duties for the candidate or candidate committee; and

(b) The violation was not caused by willful and intentional misconduct by such volunteer.

(2) Any media outlet shall be immune from civil liability in any court where the media outlet:

(a) Withdraws advertising time reserved by an independent expenditure committee that fails to register in accordance with the requirements of Section 2.54.030(F); or

(b) Elects to void an advertising contract and the advertisement:

(I) Is paid for by an independent expenditure committee that fails to register under this Chapter;

(II) Is paid for by an independent expenditure committee that is registered under Section 2.54.030 but the committee fails to file a required disclosure report through the date of the most recent required report; or

(III) If the independent expenditure committee otherwise fails to satisfy any requirements of this Chapter.

(3) An affected media outlet may void a contract that implicates paragraph (b) of subsection (2) of this section in the sole discretion of the media outlet.

C. Expenditures - political advertising - rates and charges.

(1) No candidate shall pay to any radio or television station, newspaper, periodical, or other supplier of materials or services a higher charge than that normally required for local commercial customers for comparable use of space, materials, or services. Any such rate shall not be rebated, directly or indirectly.

(2) Any radio or television station, newspaper, or periodical that charges a candidate committee a lower rate for use of space, materials, or services than the rate such station, newspaper, periodical, or supplier charges another candidate committee for the same public office for comparable use of space, materials, or services shall report the difference in such rate as a contribution to the candidate committee that is charged such lower rate.

(3) Nothing in this article shall be construed to prevent an adjustment in rates related to frequency, volume, production costs, and agency fees if such adjustments are offered consistently to other advertisers.

D. Encouraging withdrawal from campaign prohibited.

No person shall offer or give any candidate or candidate committee any money or any other thing of value for the purpose of encouraging the withdrawal of the candidate's candidacy, nor
Chapter 2.55

BUDGET AND AUDIT BOARD

Sections:
2.55.010 Budget and Audit Board Established.
2.55.020 Board Composition, Chair.
2.55.030 Appointments and Term of Office.

2.55.010 Budget and Audit Board Established.
There is created and established the Budget and Audit Board for the purpose of serving as a financial oversight committee, reviewing financial statements and budget forecasts and providing feedback on budgetary compliance with City of Lakewood policies. (Ord. O-2019-24 § 4, 2019; Ord. O-2018-12 § 2, 2018).

2.55.020 Board Composition, Chair.
The Budget and Audit Board shall be comprised of six members, of which three shall be citizen members and three shall be members of the City Council. At the first meeting of each calendar year, the members of the Budget and Audit Board shall elect a Chair from among the three City Council members who shall serve for a one-year term. The Chair shall preside over all meetings and may undertake other duties as may be approved by the Board. (Ord. O-2018-12 § 2, 2018).

2.55.030 Appointments and Term of Office.
After the initial terms and appointments as shown below, all citizen members shall be appointed by Council resolution for three-year terms commencing on January 1 and ending on December 31. The City Council members shall be appointed as stated in the Council Policies and Procedures Manual.

Initial terms and appointments are as follows:

Citizens:    Jon Ludwigson – term ends December 31, 2020
          Donald Tallman – term ends December 31, 2019
          (vacant) – term ends December 31, 2021

Council members:  Karen Harrison
                   Mike Bieda
                   Jacob LaBure

Chapter 2.56
LAKEWOOD ADVISORY COMMISSION

Sections:
2.56.010 Lakewood Advisory Commission Established.
2.56.020 Mission Statement.
2.56.030 Membership and Terms.
2.56.040 Officers.
2.56.050 Subcommittees; Chairs.
2.56.060 Executive Committee.
2.56.070 Meetings.
2.56.080 Commission Staffing.

2.56.010 Lakewood Advisory Commission Established.
The Lakewood Advisory Commission for an Inclusive Community created by City Council Resolution 2007-48, as amended, is hereby established as a regular City Council advisory commission pursuant to Section 4.5 of the Charter and shall henceforth be known as the “Lakewood Advisory Commission.” (Ord. O-2018-16 § 1, 2018).

2.56.020 Mission Statement.
In order to support Lakewood as a vibrant and inclusive community, the Lakewood Advisory Commission is an advocate and informed voice for the community by providing research and recommendations on local issues to the City Council. (Ord. O-2018-16 § 1, 2018).

2.56.030 Membership and Terms.
A. The Lakewood Advisory Commission shall consist of thirty (30) members, each of which shall serve a three (3) year term beginning January 1 and ending December 31. The members’ terms shall be staggered.
B. Those individuals who are members of ACIC as of the effective date of this Ordinance shall continue as members of the Lakewood Advisory Commission and shall fulfill the remainder of their existing terms.
C. Upon expiration of a term, the appointment or reappointment of a member shall be by City Council resolution upon recommendation of the City Council Screening Committee as set forth in the Council Policies and Procedures Manual. (Ord. O-2018-16 § 1, 2018).

2.56.040 Officers.
The membership of the Lakewood Advisory Commission shall annually elect, from among all Lakewood Advisory Commission members, a Chair, Vice Chair and Secretary who shall serve as the Officers of the Lakewood Advisory Commission. The Officers shall prepare and present an annual report to City Council. (Ord. O-2018-16 § 1, 2018).

2.56.050 Subcommittees; Chairs.
The Lakewood Advisory Commission shall be divided into the three (3) subcommittees: Sustainability, Neighborhoods and Civic Awareness. Each subcommittee shall annually elect its own chair from the membership of the subcommittee. (Ord. O-2018-16 § 1, 2018).
2.56.060 Executive Committee.

The Lakewood Advisory Commission shall have an Executive Committee, which shall consist of the Chair, Vice Chair, Secretary and the three subcommittee chairs. The Executive Committee will work closely with the Commission Advisor for assignments and guidance on City Council requests for research and recommendations. The Executive Committee shall relay City Council assignments to the appropriate subcommittee(s) and shall ensure proper action/follow-up by such subcommittee(s). (Ord. O-2018-16 § 1, 2018).

2.56.070 Meetings.

A. The Lakewood Advisory Commission shall meet monthly unless a meeting is cancelled for cause by a vote of the Executive Committee.

B. The subcommittees shall meet as necessary to work on and complete City Council requests for research and recommendations. (Ord. O-2018-16 § 1, 2018).

2.56.080 Commission Staffing.

The City shall staff the Lakewood Advisory Commission with a Commission Advisor and a Commission Coordinator, which positions may be filled by a single individual, as determined by the City Manager. (Ord. O-2018-16 § 1, 2018).
CHAPTER 2.57
HOUSING POLICY COMMISSION

Sections:
2.57.010 Housing Policy Commission Established.
2.57.020 Policy Development and Use.
2.57.030 Membership and Terms.
2.57.040 Staffing.
2.57.050 Meetings.

2.57.010 Housing Policy Commission Established
There is hereby created and established the Housing Policy Commission for the purpose of developing and recommending housing-related policies to the City Council for discussion and possible action. (Ord. O-2019-26 § 2, 2018).

2.57.020 Policy Development and Use
A. The Housing Policy Commission shall research, analyze and develop policies for consideration and possible adoption by the City Council. Policies regarding land use are subject to review and comment by the Planning Commission, while policies regarding housing may be subject to the jurisdiction of the Lakewood Housing Authority, d/b/a Metro West Housing Solutions. The Housing Policy Commission’s authority shall extend to the following enumerated and related areas and in other areas as directed by the City Council:
   1. Desired ratio of residential housing relative to commercial development (e.g., retail, office, and light industrial);
   2. Housing density and housing growth;
   3. Impacts of increased housing on infrastructure (e.g., streets and utilities such as electricity, gas and water), public schools and shared community amenities and values (e.g., recreation facilities and parks);
   4. Housing stock diversity, availability, attainability and affordability;
   5. Housing options that are both attainable and affordable for special populations and seniors;
   6. Protecting historic buildings and neighborhood character; and
   7. Housing quality, safety, and sustainability (e.g., alternative energy, energy efficiency, recycling facilities, gardening plots).
B. If the City Council adopts housing policies recommended by the Housing Policy Commission, those policies will be used to develop legislative goals and to inform the following and additional processes as directed by the City Council:
   1. City Council annual planning meetings;
   2. Relevant commissions and committees;
   3. Discussions regarding changes to the City Charter;
   4. Annual budgeting activities;
   5. Ongoing Zoning Code review and revision process;
   6. Economic development efforts and areas of focus;
   7. Departmental prioritization meetings and service plan reviews, for which these policies will or may have decision-making impact, including but not limited to the Planning Department and its Sustainability Division, Community Resources and Public Works; and
   8. Discussions with municipalities that border or provide services to Lakewood or that have a quasi-governmental role in Lakewood, such as special districts.
B. **Commission Priorities.** The Commission shall determine its priorities based on those identified at the City Council Annual Planning meeting, or such other later meeting at which City Council priorities are established and shall do so at the next Commission meeting occurring after the meeting at which City Council priorities are set. (Ord. O-2019-26 § 2, 2018).

2.57.030 **Membership and Terms**

A. **Membership.** The Commission shall consist of six (6) members and include the Mayor and one (1) Councilmember from each Ward. Membership shall be determined using the committee assignment process set forth in the Council Policies and Procedures manual.

B. **Term.** Each member shall serve a term of one (1) year.

C. **Chair.** At its first meeting each calendar year the Commission shall select a chairperson from among the members by simple majority vote. (Ord. O-2019-26 § 2, 2018).

2.57.040 **Staffing**

The City Manager shall appoint such City of Lakewood staff to support the Commission as s/he deems necessary. Such staff may include, but is not necessarily limited to, a City of Lakewood Staff Liaison and secretary or clerk. (Ord. O-2019-26 § 2, 2018).

2.57.050 **Meetings**

A. The Commission shall hold meetings as necessary and not less than once each calendar year.

B. **Voting.** In order to allow the City Council to consider the range of proposed policies, the Commission’s votes will result in the following dispositions:

1. A majority vote of the Commission members present in favor of a proposed policy shall result in the policy being presented to the City Council with the Housing Policy Commission’s recommendation of approval. Proposals that receive a minority of votes will be listed as alternate proposals for City Council consideration; and

2. A tie vote of the Commission members present shall result in the proposed policies being presented in summary form to the City Council with no recommendation. In all cases, a policy presented with no recommendation may nevertheless be adopted by the City Council, rejected by the City Council, or remanded to the Commission. (Ord. O-2019-26 § 2, 2018).
CHAPTER 2.58
PLANNING DEPARTMENT-DESIGN REVIEW COMMISSION

Sections:
2.58.010 Design Review Commission.
2.58.020 Removal for cause.

2.58.010 Design Review Commission
A. The Design Review Commission shall consist of five members: three urban design
professionals appointed by City Council, a design review planner appointed by the Planning
Director, and the case planner for the subject project. The terms of the appointed members
shall be four years or until such time as their successors are appointed. Members who are
appointed to the Design Review Commission may serve a maximum of two consecutive
terms. For purposes of this Chapter, any appointed member who serves or has served at least
one-half of a term on the Design Review Commission shall be considered to have served a
full term on the commission. Appointments to fill vacancies on the Design Review Commission
shall be for the unexpired term of office.
B. A quorum shall consist of three of the five members of the Design Review
Commission. An affirmative vote of many of those members of the Design Review
Commission present at a meeting of the Commission shall be necessary to pass any item.
C. Members of the Design Review Commission shall be entitled to receive compensation
in an amount to be set by resolution of the City Council. Each member of the Design Review
Commission may be reimbursed for actual expenses incurred as such member. The expenses
shall be documented to the Secretary to the Planning Commission.
D. The Design Review Commission shall have the authority to review certain design
review applications within designated areas of the City, and to approve, modify such
applications. The specific duties and responsibilities of the Design Review Commission shall
be set forth in the Zoning Ordinance, the City of Lakewood Municipal Code, and any Rules
and Regulations adopted by the Design Review Commission.
E. The Design Review Commission may adopt reasonable rules and regulations, in
conformity with applicable ordinances and the Charter of the City, governing its internal
operations, and such rules and regulations shall be made available to the public in written or
printed form at the office of the Planning Department.

2.58.020 Removal for cause
Upon presentation of written charges and after a hearing thereon, any member of the
Design Review Commission may be removed for cause by the City Council.