

**CITY AND COUNTY OF BROOMFIELD
LEGAL NOTICE**

ORDINANCE NO. 2278

An ordinance submitting to a vote of the registered electors of the City and County of Broomfield at the coordinated election to be held on November 4, 2025, a proposed amendment to the Section 4.7 of Broomfield Charter regarding vacancies

Recitals.

Whereas, Broomfield became a City and County in November 2001, but the Home Rule Charter has been in effect since 1974. Home rule charters detail the structure and powers of a local government; and

Whereas, Council established a Charter Review Committee (CRC) to do a comprehensive review of and recommend changes to the Charter; and

Whereas, Council also discussed and gave consideration to changes to the Charter that it would like the voters to consider; and

Whereas, Section 4.7 of the Charter governs when vacancies in elected office occur and how such vacancies shall be filled; and

Whereas, appointments to fill vacancies should only be until the next eligible election when the voters would have the opportunity to select a person to represent them; and

Whereas, the Mayor Pro Tem is selected by Council to preside at meetings of Council in the absence or disability of the Mayor and has all other powers and duties of the Mayor in the Mayor's absence or disability; and

Whereas, in Broomfield, the Mayor Pro Tem is an active participant with the Mayor in ensuring that the Council obligations and responsibilities are met and, in doing so, the Mayor Pro Tem is very familiar with the duties of the office of the Mayor; and

Whereas, currently, a vacancy in the office of the Mayor is filled either by a special election or, if the vacancy occurs within 6 months of the expiration of the mayor's term, by Council election; and

Whereas, special elections can be costly; and

Whereas, the Mayor Pro-Tem can fill a vacancy in the office of the Mayor until such time as the voters, at the next eligible election, can select a new Mayor; and

Whereas, Charter amendments are permitted by Broomfield's Constitutional Amendment and Section 18.6 of the Charter, and may be referred to the voters via an ordinance adopted by Council.

Now therefore, be it ordained by the City Council of the City and County of Broomfield, Colorado:

Section 1.

That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2.

Subject to the approval of the registered electors of the City and County of Broomfield, Chapter IV, Section 4.7 of the Broomfield Charter shall be amended with the addition shown in **bold** or deletion shown stricken below, which ballot question shall be submitted to the registered electors of the City as "Proposed Charter Amendment No. 1C", or with the number as set forth in Section 4 below, at the November 2025 election:

Section 4.7 - Vacancies.

- (a) An elected official shall continue to hold office until a successor is duly qualified. An elective office shall become vacant whenever any officer is recalled, dies, becomes incapacitated, resigns, refuses to serve, or ceases to be a resident of the city or ward, if elected by ward, is convicted of a felony.
- (b) Within ~~thirty~~ **sixty** days after a **councilmember** vacancy occurs, the remaining councilmembers shall choose by majority vote a duly qualified person to fill such vacancy. The individual selected shall serve **until the next eligible general or coordinated election, at which election a successor will be elected to serve out any unexpired portion of the original term remaining** ~~the unexpired term until a successor is duly qualified~~. If four or more vacancies exist simultaneously, the remaining councilmembers shall, at the next regular meeting of the Council, call a special election to fill such vacancies, provided there will not be a ~~general municipal~~ **coordinated** election within ninety days and provided that their successors have not previously been elected.
- (c) If a vacancy occurs in the office of Mayor, **the Mayor Pro-Tem shall become the Mayor immediately and shall serve until the next eligible general or coordinated election at which election a successor will be elected to serve**

~~out any unexpired portion of the original term remaining. the Council shall call a special election within 60 days to elect a new mayor, unless said vacancy occurs within 180 days of the general municipal election.~~

Section 3.

The following ballot title and question shall be placed on the ballot of the November 4, 2025 election for the City and County of Broomfield for consideration by the registered electors:

**Proposed Charter Amendment No. 1C
(Elected Official Vacancy Provision)**

Shall Section 4.7 of the Broomfield Home Rule Charter be amended to provide that individuals selected by Council to fill a councilmember vacancy shall only serve until the next general or coordinated election, at which time the voters shall select a successor, and that a mayoral vacancy shall be filled by the mayor pro tem but only until the next general or coordinated election, at which time the voters shall elect a mayor?

_____ Yes/For
_____ No/Against

Section 4.

It is Council's intent that the numbers for the Broomfield ballot questions be as low as possible. Council authorizes staff to modify the ballot number if needed so that the Broomfield Charter change ballot questions are sequential and with the lowest numbers possible.

Section 5.

Publication of this ordinance in full after final approval constitutes publication of notice of an election upon the proposed amendment pursuant to Section 31-2-210(4) of the Colorado Revised Statutes.

Section 6.

If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 7.

This ordinance is effective seven days after publication following final passage.

Ordinance 2278 Update and Language Revisions (July 2025)
NO CHANGES EFFECTIVE UNLESS APPROVED BY THE VOTERS

Introduced and approved after first reading on July 8, 2025, and ordered published in full.

Introduced a second time and approved on August 12, 2025, and ordered published in full.

Finally adopted and ordered published on August 12, 2025.

THE CITY AND COUNTY OF
BROOMFIELD, COLORADO
/s/ Guyleen Castriotta
Mayor

ATTEST:
/s/ Tasha Reynolds
City and County Clerk Administrator

APPROVED AS TO FORM:
/s/ Nancy Rodgers
City & County Attorney

Published by title in the Broomfield Enterprise on Sunday, August 17, 2025
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