



Municipal Initiative Petition Guidelines

2024 Municipal Election
November 5, 2024

Office of the City Clerk
cityclerksoffice@bouldercolorado.gov

This document provides general guidelines only and is not intended to be either an exhaustive study of the Petitioning process nor legal advice.

Residents who are considering the Petition process are advised to consult independent legal counsel and to review the Boulder Home Rule Charter and statutory provisions cited below.

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| THE MUNICIPAL INITIATIVE PETITION

1. What is the difference between a *Municipal Initiative*, a *Charter Amendment*, and a *Referendum*?

- **Municipal Initiative**: A municipal initiative proposes an ordinance, resolution, or other measure to the City Council. The City Council can choose to adopt the ordinance, resolution or measure or submit the ordinance, resolution or measure to a vote of the electors.
- **Charter Amendment Initiative**: A charter amendment changes the City of Boulder's Home Rule Charter. All charter amendments must be submitted to a vote of the electors. A charter amendment can be initiated by electors through an initiative process that is different than the process for initiating other matters.
- **Referendum**: A referendum gives the people of the City of Boulder the power, through an election, to approve or reject legislative measures previously passed by the City Council or submitted by the Council to a vote of the electors.

2. Preparing the Municipal Initiative Petition Draft

A Municipal Initiative Petition is the document you use to describe the ordinance or other action you want to propose that city council either adopt or submit to voters. It is circulated to collect the required number of signatures to bring the matter forward to council.

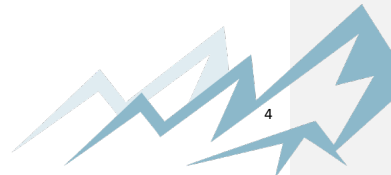
When preparing your Petition draft, please use the Petition format and Cover Sheet provided for you at <https://bouldercolorado.gov/elections> and included at the end of this document. This Petition format has been approved to conform to applicable law.

Generally, the form of the Petition and circulator affidavit must be consistent with applicable law as prescribed in section 31-11-106, C.R.S., except where the Boulder Charter has different requirements and as noted below. The City Clerk requires that Petitions be printed on pages eight and one-half inches wide by eleven inches long, with a margin of two inches at the top for binding; the sheets for signature shall have their ruled lines numbered consecutively and shall be attached to a complete copy of what is proposed, printed in plain block letters no smaller than 8-point font. The form of Warning prescribed by the clerk is as follows, to be printed on each page of the Petition in 10-point or larger font:

“WARNING: IT IS AGAINST THE LAW: For anyone to sign any initiative or 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 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. Do not sign this Petition unless you have read or have had read to you the proposed initiative or referred measure or the summary in its entirety and understand its meaning. “

All pages of paper petitions pertaining to the measure must contain the names and addresses of at least five registered electors who shall be officially regarded as the Petition committee, pursuant to Boulder Home Rule Charter section 38. For communication with the Petition committee, the clerk’s office requires email addresses for all committee members.

Additionally, Petitions shall be worded clearly and simply so the Petition is not misleading or likely to cause confusion to voters. Petition drafts shall present the ballot measure in such a manner that a vote for the measure would be a vote for the proposition and that a vote against the measure would be a vote against the proposition. Petitions shall contain a circulator affidavit signed in the presence of a notary or other qualified official.



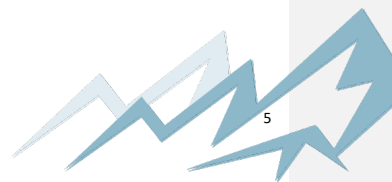
Prior to obtaining any signatures on the Petition, the committee of Petitioners shall submit the proposed Petition form to the city clerk for review and comment, pursuant to Boulder Home Rule Charter section 38B. The clerk will respond with written comments concerning the format or contents of the Petition within 10 calendar days. The Petitioners may amend the Petition in response to some or all of the comments received by the city clerk. The clerk will respond with written comments within 5 calendar days for re-submitted Petition forms. If substantial amendments are made to the Petition that are not in response to the city clerk comments, the amended Petition shall be re-submitted for comment. If the Petitioners fail to submit the proposed Petition form, or any substantial amendment to the proposed form, prior to obtaining signatures, the city clerks may refuse to accept the Petition for filing.

3. Circulating the Municipal Initiative Petition

Once the Petition has been approved, it may be circulated for signatures. To be valid, each signature on the Petition must be that of a registered elector of the City of Boulder. Each registered elector shall sign and print his or her name, the address at which he or she resides, including the street number and name, the city or town, the county and the date of signing. Circulators must be at least 18 years of age at the time a Petition section is circulated for signatures. Pursuant to C.R.S. section 31-11-104, signed Petitions must be filed within 180 days of the Petition being approved by the city clerk. Pursuant to Boulder Home Rule Charter section 39, the signatures on the Petitions must be dated no more than 180 days prior to the date the Petition is filed with the city clerk.

Each petition packet will contain no more than 50 signatures per packet. The number of **valid signatures needed for 2024 is 3,401**. The number is calculated to be at least 10% of the average of the number of registered electors of the city who voted in the previous two municipal candidate elections pursuant to Boulder Home Rule Charter section 38A.

4. Filing the Municipal Initiative Petition



Municipal initiatives must be filed with the city clerk no later than the 160th day prior to the election. If the 160th day falls on a weekend or holiday, the Petition is due the last business day before the weekend or holiday. For 2024 the 160th day is . **Wednesday May 29th, 2024 and all petitions are due that day by 5:00 pm.**

To submit a completed Petition, please call 303-441-4222 to schedule an appointment with the city clerk's office. Allow 1-2 hours for the appointment. All sections of the Petition must be complete and filed together, along with the Initiative Petition Cover Sheet. The clerk will reject any attempt to file more sections after that appointment unless a certificate of insufficiency has

been issued. The clerk must examine the Petitions and submit a written determination of whether the Petition is sufficient by the 15th calendar day after the 160th day before the election. The inspection may consist of examining the information on the signature lines for patent defects, comparing the information on the signature lines with a list of registered electors provided by the county, or any other method of inspection reasonably expected to ensure compliance.

If the Petition is found to be *insufficient*, it may be amended (cured) within 10 days from the date of the finding of insufficiency. Petitions containing supplemental signatures must conform to all of the requirements of municipal initiatives, including the requirement that all sections of the Petition are filed at one time at a pre-scheduled appointment with the city clerk's office. If the Petition is so amended, the clerk again makes an examination to determine the sufficiency of the Petition, within 15 days of the new filing. If the Petition is sufficient, the clerk shall certify it as such. If the Petition is still insufficient, the clerk will notify the Petition committee and file the Petition in Central Records. However, even if there has been a final finding of insufficiency, a new Petition on the same measure may be filed at a later time.

5. Submission to City Council

The clerk must certify a Petition to the city council no later than 120 days prior to the election. For 2024, that day is **July 8**. The certified Petition is then submitted to the city council at its next regular meeting. City council will read the Petition, set the ballot title and hold a public hearing. Pursuant to Charter section 48, the council shall seek the input of the committee of the Petitioners prior to setting the ballot title. The final action includes either adopting the initiative or placing it on the ballot.

6. Important Dates for 2023 Municipal Initiatives

Initiative Requirement	Time Requirement for City and Petitioners
City Review of Petition Form Submitted by Petition Committee Before Obtaining Signatures	The city must submit written comments to the Petition Committee by the 10th calendar day after the first submittal of the Petition form by the Committee. For second and subsequent submittals, the city must submit written comments to the Committee by the 5th calendar day after submittal of a revised Petition form. Deadlines that fall on a weekend or holiday will be the due the next business day.
Petition Committee Files Signed Petition with the City DUE by May 29, 2024 by 5:00 pm.	The Petition Committee submits the signed Petition to the city on or before the 160th day prior to the election. If the 160th day prior to the election falls on a weekend or holiday, the Petition must be filed by the last business day before the 160th day before the election. If that day falls on a weekend or holiday, the Petition is due the last business day before the weekend or holiday.

<p>Determination of Sufficiency of Signatures on Submitted Petition</p> <p>DUE by June 13, 2024</p>	<p>The city must submit its written determination of whether the Petition is sufficient by the 15th calendar day after the 160th day before the election. The 15 days is calculated based on the actual day of the 160th day before the election, regardless of whether that day is a weekend or holiday.</p> <p>For example, if the 160th day prior to the election is on a Saturday, the Petition is due on Friday, the last business day before the weekend or holiday. The 15 days for the Determination of Sufficiency is counted from Saturday, the actual 160th day before the election.</p>
<p>Petition Committee May Submit Additional Signatures</p> <p>(Called a “Cure”) if Original Petition Deemed Insufficient</p>	<p>The Petition Committee has 15 calendar days from the date of the city clerk’s Determination of Insufficiency to submit additional Petition sections (“cure” the Petition) with additional signatures.</p>
<p>City Review of Additional Signatures Obtained During Cure Period</p>	<p>The city must submit its written determination of whether the cured Petition sections are sufficient by the 10th calendar day after submittal of the cured Petition sections.</p>
<p>City Clerk Certifies Petitions to City Council</p> <p>DUE: July 18, 2024</p>	<p>The city must certify Petitions to the city council by the 120th day prior to the election.</p>
<p>Protests</p>	<p>Protests of petitions may be made as provided by Colorado law and the Boulder Revised Code but must be submitted by 40 calendar days after submittal of the petition to the clerk.</p>
<p>Ballot Content Submitted to Boulder County</p> <p>DUE: September 6, 2024</p>	<p>Final content for the 2024 ballot must be submitted by the city clerk to Boulder County by the 60th day before the election.</p>

Commented [EP1]: Should this be 20? Sec. 39 - By 140 calendar days before the November election the clerk shall attach to said petition a certificate showing the result of said examination.

Commented [LT2R1]: I agree, except I wouldn’t even say 20 days, I would just say 140 days before the election.

Commented [EP3]: I think this may be incorrect? Sec 39 says *The city clerk shall make like examination of the amended petition, with such examination being completed by 120 calendar days before the November election, and shall certify whether the petition is sufficient or insufficient on or before that day.*

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Initiative Petition Cover Sheet

Office of the City Clerk

Please check the relevant areas below and turn in a copy of this cover sheet when you submit your Petition form for review. Submit another updated copy when you file your Petition after circulation.

This is an initiative Petition for a: _____ Municipal Initiative _____ Charter Amendment

Submitted on: _____, 20____.

The City Clerk has provided forms and guidelines at <https://bouldercolorado.gov/elections> and will attempt to facilitate the initiative Petition process. However, an initiative Petition involves a legal process. The city cannot provide legal advice to you, and you should consult your own attorney.

_____ Use the Petition forms provided by the Clerk's Office or follow the applicable law to include all necessary information, warnings, signature blocks, etc.

_____ Include the names and addresses of at least five City of Boulder registered electors on all communications to the city pertaining to this measure. Please include email addresses.

_____ Call 303-441-4222 to schedule an appointment to file your Petition with the City Clerk's Office. Allow 1-2 hours for the appointment. If you have any questions not covered in this guide, please contact the office via email at cityclerksoffice@bouldercolorado.gov.

ADDITIONAL REQUIREMENTS FOR CHARTER AMENDMENTS

_____ The Petition shall state whether the proposed amendment is sought to be submitted at the next November election or at a special election. If a special election is requested, the Petition shall state the approximate date for such special election.

_____ Include a Statement of Intent to circulate a Petition. The Statement of Intent must be signed by at least five City of Boulder registered electors.

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Summary: [The summary is prepared by the City Clerk after submittal of the Petition form]

All notices or information concerning the Petition shall be mailed to the following five persons who shall represent the proponents in all matters affecting this Petition:

<u>Name:</u>	<u>Mailing Address:</u>	<u>Email Address:</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

[Text of Measure – to be filled in by Petition Committee]

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Summary: [The summary is prepared by the City Clerk after submittal of the Petition form]

1	Signature	Residence Address (Street & Number)	County
	Printed Name	City/Town	Date of Signing
2	Signature	Residence Address (Street & Number)	County
	Printed Name	City/Town	Date of Signing
3	Signature	Residence Address (Street & Number)	County
	Printed Name	City/Town	Date of Signing
4	Signature	Residence Address (Street & Number)	County
	Printed Name	City/Town	Date of Signing
5	Signature	Residence Address (Street & Number)	County
	Printed Name	City/Town	Date of Signing

AFFIDAVIT OF CIRCULATOR

I do solemnly affirm under penalty of perjury that:

- I have read and understand the laws governing the circulation of Petitions;
- I was at least 18 years of age at the time this section of the Petition was circulated and signed by the listed electors;
- I circulated this section of the Petition;

- Each signature on this Petition was affixed in my presence;
- Each signature on this Petition is the signature of the person whose name it purports to be;
- To the best of my knowledge and belief, each of the persons signing this Petition section was, at the time of signing, a registered elector; and
- I have not paid or will not in the future pay, and I believe that no other person has 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 the signer's signature to the Petition.

Circulator Name (please print)

Last Name First Name

Permanent Residence Address (or location if homeless)

Street Name and Number City/Town County State Zip Code

Sign and Date in the Presence of a Notary

Signature of Circulator Date of Signing

A NOTARY PUBLIC MUST COMPLETE THE FOLLOWING SECTION

STATE OF COLORADO

COUNTY OF _____

Subscribed and affirmed before me this _____ day of _____,
20_____, by _____ [Circulator named above].

Signature of Notary (S E A L)

