

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2025

COUNCIL BILL NO. 25-0920
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at the general municipal election on November 4, 2025, a proposed amendment to the Charter of the City and County of Denver concerning the manner in which at-large council members are elected.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. There is hereby submitted to the properly qualified and registered electors of the City and County of Denver for their approval or rejection at a special municipal election to be conducted at the same time and in conjunction with the coordinated election to be held in the City and County of Denver on November 4, 2025, a proposed amendment to the Charter of the City and County of Denver, as follows:

Effective upon publication and filing with the Secretary of State in accordance with the Constitution and laws of the State of Colorado, the following sections of the Charter of the City and County of Denver are amended to read as follows:

§ 3.1.1 - Composition of City Council; terms.

There shall be elected one Councilmember by the voters of each of the eleven Council Districts, and two to be elected at-large designated as Councilmember at-large Seat A and Councilmember at-large Seat B, by the qualified electors of the City and County of Denver, all for a term of four (4) years or until their successors are duly qualified as in the Charter provided.

§ 3.1.7 - Vacancies in the Office of District Councilmember and Councilmember-at-large.

When any District Councilmember is unable, by reason of resignation, unexcused absence as provided in Section 3.1.6 of this Charter, moving from the district in which the Councilmember

1 resided when elected, or death, to perform the duties of office for the time remaining prior to
2 expiration of his or her term of office, the Council shall declare by resolution that a vacancy exists.
3 Such vacancy shall be filled by a special election, or special election within the Council District in
4 the case of a district Councilmember, which shall be called by the Council to be held not less than
5 seventy-five (75) days nor more than eighty-nine (89) days after the Council declares that such
6 vacancy exists, unless another City-wide election has been scheduled to be held within ninety
7 (90) days after such vacancy is declared; and the candidate receiving the greatest number of
8 votes at said election shall qualify and take such office immediately, and shall hold such office for
9 the unexpired portion of the term in which the vacancy occurs. The name of a candidate filling a
10 vacancy for ~~district~~ Councilmember shall be placed upon the ballot in same manner as provided
11 in section 8.2.7 of this Charter, except that a verified petition shall have been filed in the
12 candidate's behalf not more than fifteen (15) days after such vacancy is declared.

13
14 **§ 3.1.8 Vacancies in the Office of Councilmember-at-large. Reserved.**

15 ~~When any Councilmember-at-large is unable, by reason of resignation, death or unexcused~~
16 ~~absence as provided in Section 3.1.6 of this Charter, to perform the duties of the office for the~~
17 ~~time remaining prior to expiration of the term of office, the Council shall declare by resolution that~~
18 ~~a vacancy exists. Notwithstanding any provision of Section 8.2.3 of this Charter, such vacancy~~
19 ~~shall be filled by a special election, which shall be called by the Council to be held not less than~~
20 ~~120 days nor more than 130 days after the Council declares that such vacancy exists unless~~
21 ~~another City-wide election has been scheduled to be held within 160 days after such vacancy is~~
22 ~~declared; and the candidate receiving the greatest number of votes at said election shall qualify~~
23 ~~and take such office immediately and shall hold such office for the unexpired portion of the term~~
24 ~~in which the vacancy occurs. If two (2) vacancies exist in the office of councilmember-at-large,~~
25 ~~then the two (2) candidates who have received the greatest number of votes cast for that office~~
26 ~~shall fill such vacancies as provided in this Section.~~

27
28 **§ 8.2.6 - Limitation on consecutive terms of office.**

29 Elected officers shall serve no more than three consecutive four-year terms in their
30 respective offices. If, in order to fill a vacancy in an elective office, the officer first takes office by
31 way of succession, appointment or special election occurring more than two years prior to a
32 general City and County election, the officer shall thereafter serve no more than two consecutive
33 four-year terms in that same office. For purposes of this Section, terms are considered

consecutive unless they are at least four years apart and the office of Councilmember shall constitute a singular office. The limitation set forth in this Section shall apply to all officers who are first elected, appointed, or succeed to a particular office on or after January 1, 2001. ~~Any officer who has first been elected, appointed, or succeeds to a particular office prior to January 1, 2001 shall be subject to the limitation on consecutive terms set forth in Section 11(2) of Article XVIII of the Colorado Constitution.~~

§ 8.2.7 - Nomination of candidates.

The name of a candidate for district Councilmember shall be placed upon the ballot when a verified petition of not less than one hundred (100) signatures of registered electors, who reside in the district in which the candidate resides, shall have been filed in the candidate's behalf at least seventy-five (75) days before the day of election in the manner and form and under the conditions established by the Clerk and Recorder, unless otherwise provided by ordinance in pursuance of this Charter. The name of a candidate for Mayor, Auditor, Clerk and Recorder or Councilmember-at-large Seat A or Seat B shall be placed upon the ballot when a verified petition of not less than three hundred (300) signatures of registered electors shall have been filed in the candidate's behalf at least seventy-five (75) days before the day of election in the manner and form and under the conditions established by the Clerk and Recorder.

§ 8.2.19 Number of votes required for election.

To be elected Mayor, Auditor, Clerk and Recorder, ~~or District Councilmember,~~ Councilmember-at-large Seat A, or Councilmember at-large Seat B, a person shall have received a majority of the votes cast for such office at either a general City and County election or at a run-off election as herein provided. ~~To be elected Councilmember-at-large, each person shall have received either the greatest number of votes or the next greatest number of votes at the general City and County election as herein provided. Present elected officials shall serve the term for which they are elected.~~

§ 8.2.20 - Counting of votes; declaration of results.

After the official abstract of votes cast for all candidates, ballot issues and questions has been certified, the following persons shall be declared elected and entitled to a certificate of election:

(C) Each candidate for the office of ~~District Councilmember,~~ the candidate for

Councilmember at-large Seat A, and the candidate Councilmember at-large Seat B, who has received a majority of the votes cast for that office in the respective districts or for the respective seat.

~~(D) — The two (2) candidates for the office of Councilmember-at-large who have received the greatest number of votes cast for that office.~~

~~(E)(D)~~ The candidate for the Office of Clerk and Recorder who has received a majority of the votes cast for that office.

§ 8.2.21 - Run-off elections.

If, at a general City and County election, no candidate receives a majority of the votes cast for the office of Mayor, for Auditor, for Clerk and Recorder, or for district Councilmember in the respective districts, Councilmember-at-large Seat A, or Councilmember at-large Seat B, a run-off election shall be held for that office on the first Tuesday in June following the general election. The run-off election shall be held in the same manner as a general election, except:

(A) Certification of candidates and publication of election notice shall be on or before the tenth (10th) day before election.

~~(B) If a run-off election for Mayor is required, the two (2) persons with the highest number of votes for Mayor in the general City and County election shall appear on the ballot as candidates for Mayor.~~

~~(C) — If a run-off election for Auditor is required, the names of the two (2) persons with the highest number of votes for Auditor in the general City and County election shall appear on the ballot as candidates for Auditor.~~

~~(D) — In each Council district in which a run-off election is required, the names of the two (2) persons with the highest number of votes for district Councilmember of the respective district in the general City and County election shall appear on the ballot.~~

~~(E) — If a run-off election for Clerk and Recorder is required, the names of the two (2) persons with the highest number of votes for Clerk and Recorder in the general City and County election shall appear on the ballot as candidates for Clerk and Recorder.~~ Only the two (2) candidates with the highest number of votes for the office in the general City and County election shall appear on the runoff ballot for that office.

~~(F)(C)~~ The names of candidates shall be arranged in the same order as the candidates filed their nomination petitions, with the first name being that of the first person to file.

~~(G)(D)~~ After the official abstract of votes cast for all candidates has been certified, the

1 candidates receiving the greatest number of votes cast at said election for the respective offices
2 shall be declared elected and entitled to a certificate of election.

3
4 **§ 8.3.1 - Rights of initiative, referendum and recall reserved to the people.**

5 (E) Recall may be exercised by petition of registered electors entitled to vote for a
6 successor and numbering at a minimum twenty-five (25) per cent of the vote cast for that office in
7 the municipal election in which the official was elected. ~~For Councilmember-at-large, registered~~
8 ~~electors shall number at a minimum ten (10) per cent of the total vote cast for the offices of~~
9 ~~Councilmember-at-large at the election at which the official was elected.~~

10
11 **Section 2.** The ballot shall contain the following title and submission clause:

12
13 **REFERRED QUESTION _____**

14 Shall the Charter of the City and County of Denver be amended to change the method
15 for electing the two at-large councilmembers by designating a Councilmember-at-large
16 seat A and Councilmember-at-large seat B and requiring that a candidate for election
17 to either seat be elected in the same manner as the Mayor, Auditor, and Clerk and
18 Recorder?

19
20 **Section 3.** The proper officials of the City and County of Denver as are charged with duties
21 relating to the election shall, before the election, issue such calls, make such certifications and
22 publications, give such notices, make such appointments, and do all such other acts and things
23 in connection with the submission of this Charter amendment to the registered electors of the City
24 and County of Denver at the election as are required by the Constitution and laws of the State of
25 Colorado and the Charter and ordinances of the City and County of Denver.

26 **Section 4.** Pursuant to Section 31-2-210(4) of the Colorado Revised Statutes, the Clerk
27 and Recorder is directed to publish a notice of the City's special election and to include in that
28 notice the full text of the proposed amendments as stated in this Ordinance. Such notice is to be
29 published within thirty (30) days of the adoption of this Ordinance and not less than sixty (60) days
30 nor more than one hundred twenty (120) days before said election.

31 **Section 5.** The ballots cast at such election shall be canvassed and the results
32 ascertained, determined, and certified in accordance with the requirements of the Constitution
33 and laws of the State of Colorado and the Charter and ordinances of the City and County of
34 Denver.

35 **Section 6.** If any section, paragraph, clause, or other portion of this ordinance is held to

1 be invalid or unenforceable for any reason, the validity of the remaining portions of this ordinance
2 shall not be affected.
3
4 COMMITTEE APPROVAL DATE: June 24, 2025
5 MAYOR-COUNCIL DATE: July 22, 2025
6 PASSED BY THE COUNCIL _____
7 _____ - PRESIDENT
8 APPROVED: _____ - MAYOR _____
9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER
12 NOTICE PUBLISHED IN THE DAILY JOURNAL _____;
13 PREPARED BY: Anshul Bagga, Assistant City Attorney DATE: June 18, 2025
14 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
15 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
16 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
17 § 3.2.6 of the Charter.
18
19 Katie J. McLoughlin, Interim City Attorney
20
21 BY: _____, Assistant City Attorney DATE: _____