

ORDINANCE NO 573

SERIES 2024

AN ORDINANCE INCREASING THE TOWN OF DOLORES SALES TAX RATE BY ONE HALF PERCENT FROM 3.5% to 4% BEGINNING JULY 1, 2024, AS AUTHORIZED BY THE QUALIFIED ELECTORS OF THE TOWN OF DOLORES AT THE MUNICIPAL ELECTION HELD APRIL 2, 2024

WHEREAS, the Town of Dolores Board of Trustees passed Resolution Number R566 Serries 2023 on December 13, 2023, pursuant to Article X, Section 20 of the Colorado Constitution and Part 3, Article 1, Title 29 C.R.S. referring the question of whether to increase the Town of Dolores sales tax by one half percent from 3.5 percent to 4.0 percent effective July 1, 2024 to the eligible electors of the Town of Dolores at the April 2, 2024 municipal election.

WHEREAS, specifically, the following question approved by the Board of Trustees was referred to the voters as Ballot Question 3A and appeared on the April 2, 2024, ballot:

SHALL THE TOWN OF DOLORES SALES TAX RATE BE INCREASED BY ONE HALF OF ONE PERCENT (.005%) BEGINNING JULY 1, 2024, AND BY WHATEVER AMOUNTS THAT MAY BE GENERATED THEREAFTER, BY INCREASING THE TOWN SALES TAX RATE FROM 3.5% TO 4.0% EFFECTIVE July 1, 2024, WITH SUCH ADDITIONAL TAX REVENUE TO BE USED SOLEY FOR THE MAINTENANCE AND IMPROVEMENT OF THE TOWN'S STREETS AND OTHER PUBLIC IMPROVEMENTS FOR A PERIOD OF FIVE YEARS FROM THE EFFECTIVE DATE AND FOR ANY GENERAL PURPOSE OF THE TOWN THEREAFTER, AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND SPEND ALL REVENUES DERIVED THEREFROM AS A VOTER- APPROVED REVENUE CHANGE AND EXCEPTION TO ANY CONSTITUTIONAL, AND STATUTORY SPENDING LIMITATIONS WHICH MAY OTHERWISE APPLY?

VOTE FOR YES OR NO:

_____ YES _____ NO

WHEREAS, at said election, a majority of qualified and registered electors of the Town of Dolores voted to approve Ballot Question 3A, authorizing the Town of Dolores to so increase the sale tax beginning July 1, 2024 by one half percent with the proceeds thereof to be used solely for the maintenance and improvement of the Town's Streets and other public improvements for a period of five years from the effective date of and for any general purpose thereafter as set forth above.

WHEREAS, the voters exempted this sales tax increase from TABOR limits.

WHEREAS, the Colorado Department of Revenue requires a final implementing ordinance to be passed not later than 14 days after the certification of election results in order for this sales tax increase to take effect.

WHEREAS, the Board of Trustees recall that the Town of Dolores declared an emergency over historic flooding in 2023 which gives rise in material to the necessity of the passage of the sales tax increase dedicated for the first five years to the improvement of streets and public works.

NOW THEREFORE, BE IT ORDAINED BY TOWN OF DOLORES BOARD OF TRUSTEES as follows:

SECTION 1: EMERGENCY. The Trustees of the Town of Dolores hereby finds that this ordinance must take effect immediately to meet deadlines imposed by the Colorado Department of Revenue for implantation of the voter approved tax increase effective July 1, 2022, and this ordinance is necessary to the immediate preservation of the public peace, health and safety, for the reasons stated above, an emergency exists, and this ordinance shall take effect immediately upon adoptions.

SECTION 2: AMENDMENT TO THE DOLORES MUNICIPAL CODE. Chapter Three of the Dolores Municipal Code is amended to impose an additional sales tax of one-half percent beginning July 1, 2024, such that the total sales tax imposed on the sale of tangible personal property and certain services as defined in Chapter 3 after said date shall be a total of four percent. The definitions, exemptions and other provisions of Chapter 3 shall otherwise remain in effect.

SECTION 3: LIMITATION ON USE. Such additional tax revenue generated from said one-half percent sales tax increase shall be used solely for the maintenance and improvement of the Town's streets and other public improvements for a period of five years from the effective date (July 1, 2024) and for any other general purpose of the Town thereafter.

SECTION 4: EFFECTIVE DATE. The provisions of Ordinance shall become effective upon adoption.

SECTION 5: SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Passed adopted and approved on the first and final reading this 22nd day of April 2024.

DOLORES BOARD OF TRUSTEES:

By: _____ Mayor Chris Holkestad

Attest:

By: _____
Town Clerk Tammy Neely