

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 5, SERIES 2022**

**AN ORDINANCE ADOPTING CAMPAIGN FINANCE LIMITATIONS FOR
CANDIDATES FOR ELECTED TOWN OFFICES**

WHEREAS, the Town of Timnath (the “**Town**”) is a home rule municipality operating under the Timnath Home Rule Charter (the “**Charter**”) adopted on November 7, 2006 and amended on November 3, 2015, and the Town’s Municipal Code (the “**Code**”). Pursuant to the Charter, the Code and the authority given home rule municipalities, the Town may adopt and amend ordinances; and

WHEREAS, in 2019, the Colorado General Assembly amended the Fair Campaign Practices Act to place limitations on the amount of campaign contributions that may be received by a candidate committee for a candidate for a County elected office from particular sources, as set forth in Section 1-45-103.7(1)(a), C.R.S.

WHEREAS, there are no similar limitations on campaign finance contributions to candidate committee for candidates for municipal offices, unless adopted by Home Rule Charter or ordinance by the subject municipality; and

WHEREAS, the Town of Timnath has not adopted any campaign finance limitations in the past; and

WHEREAS, a recent survey of Town residents indicated that a majority of residents would prefer to have campaign finance limitations apply to candidates for elected Town offices; and

WHEREAS, the Town Council would like to adopt campaign finance limitations as set forth below, which would apply to candidates for municipal office terms beginning on or after June 1, 2022; and

WHEREAS, the Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of public health, welfare, peace, safety and/or property and that this Ordinance is necessary for the protection of public convenience and welfare.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO, ORDAINS:

ARTICLE 1 –

The Timnath Municipal Code is hereby amended to add a new Section 2-2-120 to read as follows:

2-2-120 Campaign Contribution Limits

- (a) For all elected Town offices with terms commencing on or after June 1, 2022, the following limitations shall apply:
 - (1) The maximum amount of aggregate contributions that any one person other than a small donor committee, federal PAC, or a political party may make to a candidate committee of a candidate for Town office, and that a candidate committee for such candidate may accept from any such person, is one thousand two hundred fifty dollars per election.
 - (2) The maximum amount of aggregate contributions that any one small donor committee may make to a candidate committee of a candidate for Town office, and that a candidate committee for such candidate may accept from any one small donor committee, is twelve thousand five hundred dollars per election.
 - (3) The maximum amount of aggregate contributions that a federal PAC or a political party may make to a candidate committee of a candidate for Town office, and that a candidate committee for such candidate may accept from any political party, is one dollar per election.
- (b) Candidates may accept contributions subject to the aggregate limits specified in subsection (a) of this section and other requirements of applicable law.
- (c) Any monetary amount specified in subsection (a) of this section must be adjusted in accordance with the adjustments made to other contribution limits as specified in section 3 (13) of article XXVIII of the state constitution, from and after 2019, so that the adjusted limitations for Town officials are the same as the adjusted limitations for County officials under 1-45-103.7(1)(a) in any given year.
- (d) For purposes of this Section 2-2-120, "Town office" means a Town Councilmember, including Mayor. Terms used in this Section 2-2-120 and not defined elsewhere in the Code shall have the meaning set forth in Section 1-45-103, C.R.S., as amended from time to time.
- (e) In addition, candidates and candidate committees shall be subject to all reporting requirements and contribution prohibitions contained in the Fair Campaign Practices Act, which are applicable to municipal officials and not conflict with the limitations set forth in this section.

ARTICLE 2 – SEVERABILITY

If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

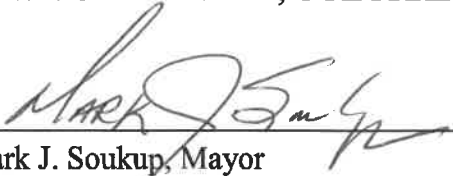
ARTICLE 3 – EFFECTIVE DATE

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.


INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON FEBRUARY 8, 2022, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6 P.M. ON FEBRUARY 22, 2022 AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 8TH DAY OF FEBRUARY, 2022.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON FEBRUARY 22, 2022.

TOWN OF TIMNATH, COLORADO


Mark J. Soukup, Mayor

ATTEST:


Milissa Peters-Garcia, CMC
Town Clerk

