

**TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 01
(SERIES OF 2025)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
ADDING A NEW SECTION 2.7 TO THE TOWN OF BUENA VISTA
MUNICIPAL CODE TO REFER CAMPAIGN FINANCE COMPLAINTS
TO THE COLORADO SECRETARY OF STATE**

WHEREAS, the Board of Trustees does not have a campaign finance complaint and hearing process and does not have the resources to manage campaign finance complaints; and

WHEREAS, therefore, the Board of Trustees desires to adopt this ordinance, which is required pursuant to House Bill 24-1283 to refer campaign finance complaints to the Colorado Secretary of State.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO:

Section 1. A new Section 2.7 is hereby added to the Buena Vista Municipal Code to read as follows:

Sec. 2.7. – Municipal Campaign Finance Complaints.

(a) Purpose and Intent. This section is intended to comply with the requirements of Colorado House Bill 24-1283 for referring municipal campaign finance complaints to the Colorado Secretary of State when a statutory municipality does not have a campaign finance complaint and hearing process. The Town does not have such a process, and therefore, this Section 2.7 establishes the process for the Town Clerk to refer campaign finance complaints to the Colorado Secretary of State.

(b) Definitions.

“Complaint” shall mean a complaint alleging that a violation of Article XXVIII of the Colorado constitution, Article 45 of Title 1 of the Colorado Revised Statutes, or the related rules has occurred in connection with a Town of Buena Vista campaign finance matter.

“Secretary” shall mean the Colorado Secretary of State.

(c) Complaint procedure.

(i) A complainant must file a signed written complaint with Town Clerk, which identifies one or more respondents.

(ii) Upon receipt of such a complaint, the Town Clerk shall conduct an initial review of the complaint within ten (10) business days

of receipt to determine whether it complies with Subsection (i), above. If the complaint does not comply, the Town Clerk shall dismiss the complaint. If the complaint complies, the Town Clerk shall refer the complaint to the Secretary in a form and manner determined by the Secretary within fourteen (14) business days of the Clerk's receipt of the complaint. The Clerk shall notify the complainant of the Clerk's action in dismissing or referring the complaint by email or by regular mail if email is unavailable.

- (d) Requirements/Authorizations.
 - (i) The Secretary is authorized to use the provisions of C.R.S. § 1-45-111.7(3) through (7) to process, investigate, and resolve the complaint;
 - (ii) A complaint shall not be filed more than one hundred eighty days after the date on which the complainant either knew or should have known, by the exercise of reasonable diligence, of the alleged violation;
 - (iii) A Complaint shall be in writing and signed by the complainant on a form provided by the Secretary, including identification of one or more respondents, and including the information required to be provided on the form;
 - (iv) The Town shall cooperate with the Secretary in the processing and investigation of the complaint; and
 - (v) The Town disclaims any interest in fines collected in connection with the complaint.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any part or parts be declared unconstitutional or invalid.

Section 3. Safety. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 14th day of January, 2025.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

By: *Devin Rowe*
Devin Rowe, Mayor Pro Tem

ATTEST:

Paula Barnett
Paula Barnett, Town Clerk

