

ORDINANCE OF THE CITY OF LONE TREE

Ordinance No. 22-06

AN ORDINANCE IMPLEMENTING A TEMPORARY RATE REDUCTION OF THE VITAL CITY SERVICES SALES AND USE TAX TO 0.5% FOR THE MONTH OF DECEMBER, 2022

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONE TREE,
COLORADO:**

ARTICLE 1 – AUTHORITY

The City of Lone Tree (the “City”) is a home rule municipality operating under a Charter adopted May 5, 1998. Pursuant to the Charter, the Lone Tree Municipal Code (the “Code”) and the authority given to home rule cities, the City may adopt and amend Ordinances.

ARTICLE 2 – DECLARATIONS OF POLICY

A. At the election held on November 2, 2021, the electors of the City approved Ballot Issue 2E authorizing an additional sales and use tax of one percent (1%) to be used to maintain vital city services including repairing, maintaining, and improving City streets and aging infrastructure, maintaining service and response times for public safety and maintaining and improving parks, trails, and open space (“Vital City Services Tax”).

B. Ballot Issue 2E provided that the maximum amount that may be collected by the City from the Vital City Services Tax in 2022 may not exceed \$15,563,749.

C. City staff projects that at the current rate of collections, the City will receive more than \$15,563,749 from the Vital City Services Tax in 2022 due to rising inflation rates and the associated increases in cost of goods.

D. Article X, Section 20 of the Colorado Constitution provides: “Except by later voter approval, if a tax increase or fiscal year spending exceeds any estimate in (b)(iii) for the same fiscal year, the tax increase is thereafter reduced up to 100% in proportion to the combined dollar excess, and the combined excess revenue refunded in the next fiscal year.”

E. In order to assure that the City will not exceed the limit of Ballot Issue 2E, City Council wishes to temporarily reduce the Vital City Services Tax to 0.5% for the month of December, 2022.

F. The temporary rate reduction in the Vital City Services Tax authorized by this Ordinance will be effective for the month of December, 2022 and shall expire at midnight on December 31, 2022.

ARTICLE 3 – ADOPTION OF TEMPORARY RATE REDUCTION OF THE VITAL CITY SERVICES SALES AND USE TAX

Section 1. The City Council hereby adopts a temporary rate reduction in the Vital City Services Sales Tax authorized under Section 4-3-110(a)(3) to 0.5% for the month of December 2022. **The temporary rate reduction of 0.5% in the Vital City Services Sales Tax shall expire automatically without further City Council action at midnight on December 31, 2022.** For the month of December, 2022 only, the total City sales tax rate shall be reduced from 2.8125% to 2.3125%.

Section 2. The City Council hereby adopts a temporary rate reduction in the Vital City Services Use Tax authorized under Section 4-3-120(a)(3) to 0.5% for the month of December 2022. **The temporary rate reduction of 0.5% in the Vital City Services Use Tax shall expire automatically without further City Council action at midnight on December 31, 2022.** For the month of December, 2022 only, the total City use tax rate shall be reduced from 2.8125% to 2.3125%.

Section 3. The City Council authorizes and directs the City Manager and City Finance Director to take all necessary steps to implement the provisions of Section 1 and Section 2 of this Ordinance.

ARTICLE 4 – PROVISIONS REMAIN EFFECTIVE

Except as expressly temporarily amended in Article 3 above, all provisions of Chapter 4, Article III of the Lone Tree Municipal Code shall, and do hereby, remain in full force and effect.

ARTICLE 5 - 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 which can be given the 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 6 - EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days following publication after the first reading if no changes are made on second reading, or twenty (20) days after publication following second reading if changes are made upon second reading.

INTRODUCED READ AND ORDERED PUBLISHED ON SEPTEMBER 20, 2022.

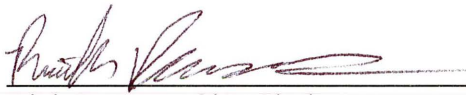
PUBLISHED IN THE DOUGLAS COUNTY NEWS PRESS ON SEPTEMBER 29, 2022; LEGAL NOTICE NO. 942863

**APPROVED AND ADOPTED WITH NO CHANGES ON SECOND READING
THIS 4TH DAY OF OCTOBER, 2022 TO BECOME EFFECTIVE ON OCTOBER
29, 2022.**

CITY OF LONE TREE:


Jacqueline A. Millet, Mayor

ATTEST:


Rick Parsons, City Clerk

