

**TOWN OF LYONS, COLORADO  
RESOLUTION 2018-11**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO  
APPROVING A BALLOT QUESTION TO BE SUBMITTED TO THE VOTERS AT THE  
REGULAR MAIL BALLOT ELECTION TO BE HELD APRIL 3, 2018 RELATED TO THE  
IMPOSITION OF A LODGING OCCUPATION TAX FOR THE TOWN OF LYONS**

**WHEREAS**, the Town of Lyons ("Town") will conduct a regular mail ballot election on Tuesday, April 3, 2018; and

**WHEREAS**, the Lyons Board of Trustees has the authority, and desires to place on the April 3, 2018 election ballot a question concerning the imposition of a lodging occupation tax in the Town; and

**WHEREAS**, Article X, Section 20 of the Colorado Constitution, authorizes the Town of Lyons to refer the question herein submitted to a vote of the registered electors of the Town of Lyons as a "revenue change;" and

**WHEREAS**, the Board of Trustees is of the opinion that it is in the best interests of the citizens of the Town of Lyons to adopt a lodging occupation tax, to be spent on any lawful use, including but not limited to the general marketing and promotion of the Town of Lyons and the marketing and promotion of Lyons special events, to be collected and spent by the Town notwithstanding the limitations of Article X, Section 20 of the Colorado Constitution; and

**WHEREAS**, the Board of Trustees is of the opinion that such question should properly be decided by the registered electors of the Town of Lyons.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO that:**

**Section 1.** The Board of Trustees hereby refers and approves the following ballot question for submission to the registered electors and to appear on the April 3, 2018 regular mail ballot election:

SHALL TOWN OF LYONS TAXES BE INCREASED BY \$88,000.00 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE ADOPTION A TOWN OCCUPATION TAX ON THE SHORT-TERM RENTAL (LESS THAN 30 CONSECUTIVE DAYS) OF ANY HOTEL ROOM, MOTEL ROOM, LODGING ROOM, MOTOR HOTEL ROOM, GUEST HOUSE ROOM, BED AND BREAKFAST ROOM, CAMPSITE, OR OTHER SIMILAR ACCOMMODATION LOCATED IN THE TOWN IN THE AMOUNT OF THREE DOLLARS (\$3.00) PER DAY EFFECTIVE JUNE 1, 2018, AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT ON ANY LAWFUL MUNICIPAL PURPOSE, INCLUDING BUT NOT LIMITED TO THE GENERAL MARKETING AND PROMOTION OF THE TOWN OF

LYONS AND THE MARKETING AND PROMOTION OF LYONS SPECIAL EVENTS, WITH SUCH REVENUES TO BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

YES \_\_\_\_\_  
NO \_\_\_\_\_

**Section 2.** If a majority of all the votes cast at the election shall be for the measure, the measure shall be deemed passed, and the Town of Lyons shall be authorized to collect, retain, and expend the full lodging occupation tax revenues in accordance with the approved measure and to budget and appropriate such revenues and expenditures apart from any other expenditure of the Town of Lyons which may be limited pursuant to Article X, Section 20 of the Colorado Constitution, and notwithstanding the passage of any other State of Colorado initiative limiting such collection or expenditure, the revenues authorized for expenditure by the passage of this measure shall not be counted in any such expenditure limitation.

**Section 3.** For purposes of C.R.S. § 31-11-111, this Resolution shall serve to set the title and content for the ballot question set forth herein and the ballot title for such question shall be the text of the question itself.

**Section 4.** The Town Clerk is authorized to correct typographical errors and omissions and to cause to be entered into any blanks of the ballot question the appropriate ballot question number or letter upon designation of the ballot number or letter by the appropriate election official.

**Section 5.** The Town Clerk of the Town of Lyons shall give public notice of the election on the question hereby submitted (a) by causing a notice to be published in the Lyons Recorder as provided by law, (b) by mailing to “all registered voters” at each address within the Town of Lyons at which a voter is registered at least 30 days before the election a notice entitled “Notice of Election on a Referred Measure.” This notice shall include only: (a) the election date and hours for voting, (b) the ballot title, (c) the text of the measure to be voted upon, (d) the office address and telephone number of the Town Clerk, and (e) two summaries, not more than 500 words each, one for and one against the measure, of written comments filed with the Town Clerk no later than 45 days before the election. No summary shall mention names of persons or private groups, nor any endorsements of or resolutions against the measure to be voted upon. The Town Clerk shall maintain on file and accurately summarize all relevant written comments.

**Section 6.** The Town Administrator, Town Attorney, and Town Clerk are hereby authorized and directed to take all necessary and appropriate action to effectuate the provisions of this Resolution including the taking of all reasonable and necessary action to cause such approved ballot question to be printed and placed on the ballot for the April 3, 2018 regular mail ballot election.

**Section 7.** If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section,

paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution.

**Section 8.** This Resolution shall take effect upon its approval by the Board of Trustees.

**ADOPTED THIS 16<sup>TH</sup> DAY OF JANUARY, 2018.**

**TOWN OF LYONS, COLORADO**

By: \_\_\_\_\_  
Connie Sullivan, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Deb Anthony, Town Clerk

**APPROVED TO FORM:**

By: \_\_\_\_\_  
Town Attorney