

**TOWN OF PARACHUTE
ORDINANCE NO. 702-2016**

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO SUBMITTING TO THE TOWN'S REGISTERED ELECTORS A BALLOT QUESTION PERTAINING TO THE TOWN'S AUTHORITY TO PROVIDE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND/OR ADVANCED SERVICE WITHIN THE TOWN.

WHEREAS, the Town of Parachute, Colorado (the "Town") is a municipal corporation duly organized and operating under a home rule charter (the "Town Charter") and the Constitution of the State of Colorado;

WHEREAS, through Senate Bill 2005-152, codified at Section 29-27-101, *et seq.*, C.R.S., the Colorado General Assembly authorized the Town to provide cable television service, telecommunications service, and advanced service;

WHEREAS, C.R.S. § 29-27-201 requires the Town to call an election on whether or not it shall provide cable television service, telecommunication service, or advanced service and seek approval of a majority of the voting electors prior to the provision of proposed services;

WHEREAS, affordable, reliable, and innovative telecommunications services, including, but not limited to, broadband internet services, are hereby found and determined to be essential for the Town's residents and businesses in today's economic environment and for quality of life;

WHEREAS, the Town Board of Trustees finds and believes that re-establishing the Town's authority to either directly or indirectly provide cable television service, telecommunication service, and advanced service within the municipal boundaries is in the best interest of the community and its citizens and visitors; and

WHEREAS, the Town will participate in the coordinated election on November 8, 2016, at which election the Town's registered electors shall be submitted a ballot question to decide if the Town should have the authority to either directly or indirectly provide cable television service, telecommunication service, or advanced service.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. Recitals. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Ballot Question. The Board of Trustees hereby submits to the registered electors of the Town of Parachute the following ballot question and title for the coordinated election to take place on November 8, 2016:

WITHOUT INCREASING TAXES, SHALL THE TOWN OF PARACHUTE BOARD OF TRUSTEES RE-ESTABLISH THE AUTHORITY OF THE TOWN OF PARACHUTE TO PROVIDE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND/OR ADVANCED SERVICE (HIGH SPEED INTERNET/BROADBAND), AS DEFINED IN TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES, INCLUDING ANY NEW OR IMPROVED HIGH BANDWIDTH SERVICES BASED ON EXISTING OR FUTURE TECHNOLOGIES, TELECOMMUNICATIONS SERVICES, AND CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NON-PROFIT ENTITIES, GOVERNMENTAL AND QUASI-GOVERNMENTAL ENTITIES, AND OTHER USERS OF SUCH SERVICES, EITHER DIRECTLY OR INDIRECTLY, TO ANY AND ALL SERVICE AREAS, WITH PUBLIC OR PRIVATE SECTOR PARTNERS?

YES

NO

Section 3. Challenges to Ballot Title and Content. For the purposes of C.R.S. § 1-11-203.5, this Ordinance shall serve to set the title and content of the ballot question set forth herein and the ballot title for such ballot question shall be the text of the ballot question itself. Any petition to contest the form or content of the ballot title must be filed with the District Court in and for Garfield County and a copy served on the Town Clerk within five days after the date of publication of this Ordinance.

Section 4. Conduct of Election. The officers and employees of the Town are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Ordinance.

Section 5. Effect of Election Results. If a majority of the votes cast on the ballot question submitted at the election shall be in favor of the ballot question, the Board of Trustees shall take such action, by ordinance, to amend the Parachute Municipal Code as may be necessary.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 6 to 0 of the Board of Trustees of the Town of Parachute, Colorado at its regular meeting held on the 19th day of May 2016.

**BOARD OF TRUSTEES OF THE TOWN
OF PARACHUTE, COLORADO**

S. Denise Chiaretta, Town Clerk

S. Denise Chiaretta

ATTEST:



By:

Roy McClung

Roy McClung, Mayor

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO SUBMITTING TO THE TOWN'S REGISTERED ELECTORS A BALLOT QUESTION PERTAINING TO THE TOWN'S AUTHORITY TO PROVIDE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND/OR ADVANCED SERVICE WITHIN THE TOWN.

was introduced before the Board of Trustees on May 19, 2016; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on May 19, 2016, and approved by the Mayor on May 19, 2016.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this 20th day of May 2016.

TOWN OF PARACHUTE

S. Denise Chiaretta
S. Denise Chiaretta, Town Clerk