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ORDINANCE NO. 7980

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE SPECIAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, THE QUESTION OF AFFIRMING THE CITY'S RIGHT TO PROVIDE HIGH-SPEED INTERNET SERVICES (ADVANCED SERVICES), TELECOMMUNICATIONS SERVICES, AND/OR CABLE TELEVISION SERVICES TO RESIDENTS, BUSINESSES, SCHOOLS, LIBRARIES, NONPROFIT ENTITIES AND OTHER USERS OF SUCH SERVICES, EITHER DIRECTLY OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PARTNERS AS EXPRESSLY PERMITTED BY ARTICLE 27, TITLE 29, OF THE COLORADO REVISED STATUTES, WITHOUT LIMITING ITS HOME RULE AUTHORITY AND SETTING FORTH RELATED DETAILS.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. A special municipal coordinated election will be held in the City of Boulder, County of Boulder and State of Colorado, on Tuesday, November 4, 2014, between the hours of 7:00 a.m. and 7:00 p.m.

Section 2. At that election, there shall be submitted to the electors of the City of Boulder entitled by law to vote the question of re-establishing the city's right to provide high-speed internet services (advanced services), telecommunications services or cable television services as stated below.

Section 3. The official ballot shall contain the following ballot title, which shall also be the designation and submission clause for the question:

Ballot Question NO. 2C

Affirming the City's Right to Provide Telecommunication Services

1 Shall the City of Boulder be authorized to provide high-speed
2 Internet services (advanced services), telecommunications
3 services, and/or cable television services to residents, businesses,
4 schools, libraries, nonprofit entities and other users of such
5 services, either directly or indirectly with public or private sector
6 partners, as expressly permitted by §§ 29-27-101 to 304,
7 "Competition in Utility and Entertainment Services," of the
8 Colorado Revised Statutes, without limiting its home rule
9 authority?

10 For the Measure _____ Against the Measure _____

11 Section 4. If a majority of all the votes cast at the election on the question
12 submitted shall be for the question, the question shall be deemed to have passed and shall
13 be effective upon passage.

14 Section 5. The election shall be conducted under the provisions of the Colorado
15 Constitution, the Charter and ordinances of the City, the Boulder Revised Code, 1981 and
16 this ordinance, and all contrary provisions of the statutes of the State of Colorado are
17 hereby superseded.

18 Section 6. The officers of the City are authorized to take all action necessary or
19 appropriate to effectuate the provisions of this ordinance and to contract with the county
20 clerk to conduct the election for the City.

21 Section 7. If any section, paragraph, clause, or provision of this ordinance shall
22 for any reason be held to be invalid or unenforceable, such decision shall not affect any
23 of the remaining provisions of this ordinance.

24 Section 8. This ordinance is necessary to protect the public peace, health and
25 property of the residents of the City, and covers matters of local concern.

26 Section 9. The City Council deems it appropriate that this ordinance be published
27 by title only and orders that copies of this ordinance be made available in the office of the
28 city clerk for public inspection and acquisition.

1
2 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY

3
4 TITLE ONLY this 17th day of June, 2014.

5
6 
7 Mayor

8 Attest:

9 
10 City Clerk - for

11 READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED

12
13 PUBLISHED BY TITLE ONLY this 19th day of August, 2014.

14
15 
16 Mayor

17 Attest:

18 
19 City Clerk - for