

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 28-R-2004**

A RESOLUTION OF THE TOWN OF MEAD, COLORADO, SUBMITTING TO THE REGISTERED ELECTORS VOTING IN THE SPECIAL MUNICIPAL ELECTION, TO BE HELD NOVEMBER 2, 2004, A BALLOT ISSUE CONCERNING WHETHER THE TOWN OF MEAD SHOULD ADOPT AN OCCUPATION TAX ON THE SHORT-TERM RENTAL OF ANY HOTEL ROOM, MOTEL ROOM, LODGING ROOM, MOTOR HOTEL ROOM, GUESTHOUSE ROOM, OR OTHER SIMILAR ACCOMMODATION.

WHEREAS, the Town of Mead, Colorado ("Town"), is a statutory town; and

WHEREAS, C.R.S. 31-15-501(1)(c) authorizes the Town to levy occupation taxes within its borders; and

WHEREAS, the provision of lodging rooms and accommodations to the traveling public results in the increased use of Town streets and rights-of-way, increased traffic, increased demands upon municipal services such as police protection, and has substantial effect upon the health, safety, and welfare of the citizens of the Town of Mead and upon the expenditures budgeted by the Town; and

WHEREAS, the Board of Trustees desires and finds that is necessary to adopt a Lodging Occupation Tax, and desires to designate the revenues raised from such tax to be deposited in the General Fund where it may be appropriated and expended for all legal purposes; and

WHEREAS, Article X, Section 20, of the Colorado Constitution ("TABOR Amendment") limits the ability of the Town to enact new taxes; and

WHEREAS, the TABOR Amendment permits electors of the Town to approve the adoption of new taxes and to authorize the expenditure of revenues from such taxes; and

WHEREAS, the Board finds and determines that it is necessary and desirable to submit to the electors of the Town voting at the special municipal election to be held on November 2, 2004, the question of enacting an occupation tax on the short-term rental of any hotel room, motel room, lodging room, motor hotel room, guesthouse room, or other similar accommodation located within the Town.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, COLORADO, AS FOLLOWS:

Section 1. All actions heretofore taken (not inconsistent with the provisions of this resolution) by the Town and the officers thereof, directed toward the election in the objects and purposes herein stated is hereby ratified, approved and confirmed.

Section 2. The following Ballot Issue shall be submitted to the qualified electors of the Town voting at the special municipal election to be held on November 2, 2004:

“SHALL THE TOWN OF MEAD’S TAXES BE INCREASED BY \$ 36,500 IN THE FIRST FULL YEAR (2005) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE ADOPTION OF AN OCCUPATION TAX IN THE AMOUNT OF TWO DOLLARS PER DAY ON THE SHORT-TERM RENTAL (LESS THAN ONE (1) MONTH OR 30 CONSECUTIVE DAYS) OF ANY HOTEL ROOM, MOTEL ROOM, LODGING ROOM, MOTOR HOTEL ROOM, GUESTHOUSE ROOM, OR OTHER SIMILAR ACCOMMODATION LOCATED IN THE TOWN; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT AS GENERAL FUND EXPENDITURES, 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 3. In addition to the notice of election required to be published by the Colorado Municipal Election Code, the Town Clerk shall also caused to be published a notice stating that written comments for or against the ballot issue described above may be filed with the Town Clerk on or before 5:00 PM, on September 17, 2004, and that a summary of such comments will be distributed to registered voters in accordance with law. The Town Clerk is directed to prepare and mail to registered electors, notice concerning the Ballot Issue in accordance with Article X, Section 20, of the Colorado Constitution and other applicable law.

Section 4. The officers and employees of the Town are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 5. Upon approval of the above Ballot Issue by the majority of the registered electors voting thereon, the Board shall enact an implementing ordinance consistent with all of the terms and conditions contained in the above Ballot Issue.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 30th DAY OF August, 2004.

ATTEST:

By Candace Bridgwater
Candace Bridgwater, Town Clerk

TOWN OF MEAD

By Richard E. Kraemer
Richard E. Kraemer, Mayor