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Amending 31-2-101 (3) (a), Colorado Revised Statutes 1973, as Amended, Concerning a Reduction in Population Density Requirements for the Incorporation of Municipalities

Colorado General Assembly

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CHAPTER 311

GOVERNMENT — MUNICIPAL

FORMATION AND REORGANIZATION — INCORPORATION

HOUSE BILL NO. 1594. BY REPRESENTATIVES Kirscht, Hayes, Johnson, Lucero, and McCroskey; also SENATORS Phelps, Beno, Gallagher, Groff, MacManus, McCormick, Meiklejohn, and Stewart.

AN ACT

AMENDING 31-2-101 (3) (a), COLORADO REVISED STATUTES 1973, AS AMENDED, CONCERNING A REDUCTION IN POPULATION DENSITY REQUIREMENTS FOR THE INCORPORATION OF MUNICIPALITIES.

Be it enacted by the General Assembly of the State of Colorado:

Section 1. 31-2-101 (3) (a), Colorado Revised Statutes 1973, 1977 Repl. Vol., is amended to read:

31-2-101. Petition to district court. (3) (a) No incorporation election shall be held pursuant to section 31-2-102 unless the court finds that the proposed area of incorporation is urban in character having an average of at least fifty registered electors residing within the boundaries of the proposed area of incorporation for each square mile of area AND UNLESS THE COURT ADDITIONALLY FINDS THAT:

(I) THE PROPOSED AREA OF INCORPORATION HAS AN AVERAGE OF AT LEAST FIFTY REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE PROPOSED AREA OF INCORPORATION FOR EACH SQUARE MILE OF AREA; OR

(II) THE PROPOSED AREA OF INCORPORATION IS MORE THAN TWENTY-FIVE SQUARE MILES, HAS A TOTAL NUMBER OF INHABITANTS OF AT LEAST TWO THOUSAND, AND HAS AN AVERAGE OF AT LEAST FIFTEEN REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE PROPOSED AREA OF INCORPORATION FOR EACH SQUARE MILE OF AREA.

(III) PARAGRAPH (II) OF THIS SUBSECTION (a) IS REPEALED EFFECTIVE July 1, 1981.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

Section 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 21, 1979