

CITY OF LEADVILLE, COLORADO
Ordinance No. 2
Series of 2020

**AN ORDINANCE ADDING A NEW CHAPTER 2.52 TO TITLE 2 OF
THE LEADVILLE MUNICIPAL CODE AUTHORIZING THE USE
OF E-SIGNATURES FOR CITY BUSINESS**

WHEREAS, the City Council of the City of Leadville (“City Council”) possesses the authority pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety and welfare of the citizens of Leadville; and

WHEREAS, the COVID-19 pandemic has given rise to the need for multiple services and functions of local government to be provided electronically; and

WHEREAS, Colorado’s Uniform Electronic Transactions Act, C.R.S. §§ 24-71.3-101 *et seq.* (the “Act”), facilitates and promotes governmental transactions by validating and authorizing the use of electronic records and electronic signatures; and

WHEREAS, the Act at C.R.S. § 24-71.3-118 gives municipalities the authority to determine the extent to which they “will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures”; and

WHEREAS, the City Council desires to exercise its authority under the Act to delineate the extent to which it will accept electronic records and electronic signatures in the conduct of City business and provision of City services; and

WHEREAS, the City Council finds that this Ordinance in the best interest of the City to allow for the greatest extent of flexibility for the City to function and provide services to the public in any circumstances, including the current public health emergency.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF LEADVILLE, COLORADO, AS FOLLOWS:

Section 1. **Recitals.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. **Chapter 2.52 Added.** A new Chapter 2.52, titled “Electronic Signatures,” is hereby added to Title 2 of the Leadville Municipal Code, which shall read in full as follows:

Chapter 2.52 – Electronic Signatures

2.52.010 - Definitions.

For the purposes of this chapter, the words and terms used shall be defined as set forth in the Colorado Uniform Electronic Transactions Act, currently contained in Title 24, article 71.3 of the Colorado Revised Statutes, as the same may be amended from time to time. The definitions of words and terms set forth in the remainder of this chapter shall also apply herein to the extent that they are not inconsistent with the Colorado Uniform Electronic Transactions Act.

2.52.020 - Authorization.

Whenever any provision of this code or any ordinance, rule, regulation, executive order, or policy of the city expresses a requirement for a signature of any person or the city seal to be affixed or associated with any form or document, that requirement shall be deemed to be fully satisfied by an electronic signature or seal when supplied in the manner specified by the city.

Section 3. Remaining Provisions. Except as specifically amended hereby, all other provisions of the Leadville Municipal Code shall continue in full force and effect.

Section 4. Codification Amendments. The codifier of Leadville's Municipal Code is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Leadville Municipal Code.

Section 5. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.


Section 6. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

Section 7. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Leadville, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 8. Effective Date. This ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this 7th day April, 2020.

CITY OF LEADVILLE, COLORADO:



Greg Labbe, Mayor

ATTEST:



Kimberly Jackson, Deputy City Clerk

PUBLISHED in full in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, on this 16th day of April, 2020.

PASSED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY, with any amendments, this 5th day of May, 2020.

CITY OF LEADVILLE, COLORADO:



Greg Labbe, Mayor

ATTEST:



Kimberly Jackson, Deputy City Clerk

PUBLISHED in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, following final reading on this 14th day of May, 2020.

