

RECALL SUMMARY AND TIMELINE

This document summarizes the provisions for recalling a City officer under Sections 7-7 and 7-8 of Louisville Home Rule Charter and C.R.S. 31-4-501 – 31-4-507. Citations provided are to the Colorado Revised Statutes and the Home Rule Charter, as amended through 2021.

The information contained herein is basic in nature and is not intended to be comprehensive in scope or depth, nor is it to be construed as legal advice. If you have questions regarding your particular situation, you may wish to consult with a private attorney who can provide you with that interpretation. If there is any inconsistency between these guidelines and the applicable provisions of the City Code, City Charter, or state law, the provisions of the Code, Charter, or state law take precedence.

- Every elected or appointed officer of any municipality of the state of Colorado may be recalled from office by the registered electors of the municipality in the manner provided in section 4 of article XXI of the state constitution.
- A recall petition shall not be circulated or filed and no pending recall proceedings may be continued against any officer until the officer has actually held the office for at least six months following the officer's election or reelection, or six months following the assumption of office by an appointed official.
- If the office held by the person sought to be recalled would otherwise be filled at a regular City election scheduled to be held within ninety (90) days after submission of the recall petition, the petition shall not be accepted and no recall election shall be held.
- No recall petition shall be circulated until it has been approved by the City Clerk verifying that it meets statutory requirements.
 - The City Clerk shall approve or disapprove a petition as to form by the close of the second business following submission of the proposed petition. (see sample petition).
- Each petition shall designate by name and address not less than three or more than five persons, referred to as the "committee", who shall represent the signers thereof.
- The petition shall include the name of only one person to be recalled.
- The petition shall contain a general statement, in not more than two hundred words, of the grounds on which the recall is sought.
- Signature Requirements:
 - A petition to recall the Mayor shall be signed by all registered electors of the City.
 - A petition to recall a Councilmember shall be signed by the registered electors of the ward from which the Councilmember was elected.
 - The petition shall be signed by registered electors equal in number to 25% of the entire vote cast for all the candidates for that particular office at the last preceding election at which the person was elected.
- The Committee has 60 days from the date the Clerk approves the petition as to form to gather the requisite signatures.
- Any disassembly of the petition which has the effect of separating the circulator's affidavit from the signatures shall render the petition invalid.

- The Clerk shall not count as valid any signature on a petition if the date of the signature is prior to the date on which the Clerk approved the form of petition.
- Upon submission of the petitions the City Clerk's Office has 5 days to determine if the petition is sufficient
- A protest in writing, under oath, may be filed within 15 days after the petition is filed.
 - City Clerk or a hearing officer will hold a hearing on the protest not more less than 5 or more than 10 days after the statement of sufficiency.
 - The hearing shall be concluded within 30 days after the petition is filed.
 - City Clerk or a hearing officer must issue a ruling on the protest no more than 5 days following the hearing.
- If found insufficient, the petitions may be withdrawn by the majority of the Committee.
 - The petition may be amended and refiled within 15 days.
 - The City Clerk must rule on the amended petition's sufficiency within 4 days of refiled.
 - A protest of a refiled petition must be filed within 5 days of the refiled.
- If found sufficient, the City Clerk shall submit the petition to the City Council at the first meeting following the protest period.
 - The City Council shall order and fix a date for the recall election to be held not less than 30 days nor more than 90 days from the date of the submission of the petition to the City Clerk.
 - The City Council shall determine if the election shall take place as a polling place or mail ballot election.
- If a regular City election is scheduled to be held within ninety (90) days after submission of the recall petition, even though that election is not the one at which the office held by the person sought to be recalled would otherwise be filled, the recall election shall be held at the same time as that regular City election.
- If a general statewide election is scheduled to be held within ninety (90) days after submission of the recall petition, the recall election shall be held at the same time as that statewide election.
- On the recall ballot there must also be printed names of those nominated as candidates to succeed the person against whom the petition is filed.
 - Nominating petitions may be circulated beginning on the first day after the City Council sets the date for the recall election.
 - For a polling place election, nominating petitions must be filed with the City Clerk no later than 20 days prior to the recall.
 - For a mail ballot election, candidates shall have not less than ten calendar days to circulate nominating petitions and must be filed with the City Clerk no later than 45 days prior to the recall election.

If you have questions, please contact the City Clerk's Office, 303.335.4536 or MeredythM@LouisvilleCO.gov.