

# DOUGLAS COUNTY

HOME RULE COUNTY



DOUGLAS COUNTY  
COLORADO

# Home Rule County

## Today

- There are four Home Rule Counties in Colorado (Weld, Pitkin, Denver, Broomfield)
- The other 60 counties (statutory counties) operate under state regulation

# Home Rule County

## Goal

- Address Harmful Change in State Policies
- Limit State Regulation of Douglas County
- Obtain the authority granted Home Rule counties
- Provide for the unique local needs of the County
- Codify the County's identity
- Create real Local Control

# Home Rule County

## Advantages

- Retain all the authority of statutory counties
- Design the County's government
- Opt out of state regulation
- Increased financial powers
- Increased lawmaking and local regulation
  - Unique laws on matters that are distinct on Douglas County

# Home Rule County

## Disadvantages

- Requires 2 county wide elections
- Widespread misunderstanding of County Home Rule

# Home Rule County

## Process

- Home Rule is a County's Constitutional Right (Art. XIV, § 16)
- Nine-Step Process
  - Minimum 243 day process
  - Requires 21 member Charter Commission

# Home Rule County

## Nine-Step Process

- Step 1 – Initiating Resolution

Action – BOCC adopt Home Rule Resolution

- Step 2 – Division of County

Action – BOCC adopt County Division Resolution  
and Post Election

# Home Rule County

## Nine-Step Process

- Step 3 – First Election – 6/24/25  
Action – Countywide election to 1.) Form Home Rule Commission, and 2.) Select Commissioners
- Step 4 – First Home Rule Commission Meeting  
Action – Elect Officers and Adopt Schedule

# Home Rule County

## Nine-Step Process

- Step 5 – Subsequent Commission Meetings  
**Action – Approve public draft**
- Step 6 – Hold 3 Public Comment Meetings

# Home Rule County

## Nine-Step Process

- Step 7 – Approve Final Draft
  - Action – Commission approves final draft and BOCC forwards final draft
- Step 8 – Second Election
  - Action – County-wide election to adopt Charter
- Step 9 – Adopted Charter effective following January 1st

# Home Rule County

## Home Rule Authority – Four Sources

1. Explicit statutory authority arises from State statutes governing Home Rule Counties.

### Examples:

- Retain all existing authority and duties
- Elect structure of government
- Expanded law making
- Issuance of debt and tax districts
- Local fees and licenses

# Home Rule County

## Home Rule Authority – Four Sources

2. Explicit statutory exemptions are State statutes that exclude home rule counties from state regulation.

### Examples:

- State collective bargaining requirements

# Home Rule County

## Home Rule Authority – Four Sources

3. Implied exemptions are matters not identified as “state concern” open to Home Rule County regulation.
4. Discretionary authority is the ability to enact ordinances covering issues not authorized in state statutes.

## Examples of State Concern:

- TABOR
- Regulating public utilities
- Regulating ballot measures
- Regulating banking

# Home Rule County

## Charter Content

## Other Counties Topics

- Elected Officials
- Executive Departments
- Appointed Officials
- County Seat
- County Powers
- Administrative and Personnel
- Courts
- Budget and Finance
- Elections
- Business Regulations
- Animals
- Safety
- Public Health
- Public Improvements
- Zoning

# Home Rule County

## Charter Content

### What Douglas Could Do -

- Preserve County Structure
- Preserve Property Rights
  - Policy Taxes – Bags / Delivery
  - Gun ownership
- No DEI policies
- No COBCA
- Cooperation with ICE
- Local Election Laws
- Protect and fund law enforcement
- Explicitly exclude county from state regulation
- No state minimum wage
- Neighborhood parking regulation

# Home Rule County

## Charter Content Roadmap

- Mandatory Requirements - Colo. Const. Art. XIV, § 16 (3)
- Form Structure of County Government - C.R.S § 30-35-201(7)
- Explicit Additional Powers - C.R.S. §30-35-201
- Finance and Debt
- Opt Out State Regulations
- Discretionary Authority – local concerns - C.R.S. §30-35-301