

## METROPOLITAN AND OTHER SPECIAL DISTRICTS

C.R.S. Title 32.

### A. Purpose.

Metropolitan districts are the most common form of special districts that may be organized under C.R.S. Title 32 to provide ambulance services, fire protection, hospital, mosquito control, park and recreation, safety protection (i.e., traffic and safety controls and devices on streets and highways), sanitation, street improvements, television relay and translation, transportation, and water development.

### B. Formation.

1. Approval by City Council of the district's service plan, which is the document that governs the district's actions;
2. A petition signed by 30% or 200 of the electors of the District, whichever is less is approved by the District court and an election is ordered; and
3. Approval of the District by the electors within the District.

Subareas within the District may be formed.

### C. Governance.

A metropolitan district is governed by a five member board of directors. A director must be an "elector" of such district, defined as a person who, at the time, is registered to vote in the State and: (I) who has been a resident of the district for not less than thirty days; or (II) who, or whose spouse, owns taxable real or personal property situated within the boundaries of the district, whether said person resides within the district or not. There is no City appointment. The board is responsible for the administration of the district, annual budgeting and levying of taxes, rates, and charges sufficient to pay operating costs and debt service of the district.

### D. Powers.

1. Common Powers. All special districts have the following powers:
  - a. To have a perpetual existence;
  - b. To have and use a corporate seal;
  - c. To sue and be sued;
  - d. To enter into contracts and agreements affecting the affairs of the special district;
  - e. To borrow money and incur indebtedness and to issue notes or issue bonds evidencing such indebtedness;
  - f. To acquire, sell and lease property;
  - g. To manage, control and supervise all the business and affairs of the special district, including all construction, operation and maintenance of special district improvements;
  - h. To fix, charge and collect fees, rates, tolls, penalties or charges for services, programs or facilities furnished by the special district.
  - i. To furnish services and facilities outside the boundaries of the special district.
  - j. To adopt, amend, and enforce bylaws and rules and regulations for carrying on the business, objects and affairs of the special district.
2. Additional Powers Depending Upon Type of District:
  - a. Metropolitan Districts: In addition to the common powers, metropolitan districts have the following powers: to enter into contracts with public utilities and municipalities for street lighting service; to erect and maintain traffic and safety controls and devices, providing fire protection, parks or recreation, water or water and sanitation service; to condemn both inside and outside the District's boundaries for the purposes of providing fire protection, street improvements, television facilities, certain park and recreation purposes, water and sanitation services.

b. Ambulance Districts: Ambulance districts have the additional power to own, operate and maintain ambulances and other emergency vehicles; to provide emergency medical services; and to provide a voluntary ambulance service.

c. Fire Protection Districts: Fire protection districts have the additional power to acquire, sell and encumber fire stations and fire protection and fire fighting equipment; to condemn property; to operate an ambulance service, an emergency medical service, a rescue unit and a diving and grappling service; and to adopt and enforce fire codes.

d. Hospital Districts: Hospital districts have the additional power to establish, maintain and operate health and personal care facilities; and to operate an ambulance service.

e. Parks and Recreation Districts: Parks and recreation districts have the additional power to condemn for television relay and translation, and easements and rights-of-way for access to park and recreation facilities; to operate television relay and translator facilities; and to use, acquire, equip and maintain land, buildings and other recreational facilities.

f. Sanitation, Water and Sanitation, and Water Districts: A sanitation, water and sanitation, and a water district have the additional power to compel connection to the sewer, water and sewer, or water lines; to establish, construct, operate and maintain works and facilities along any public street or public lands, and across any watercourse; to acquire water rights and construct and operate lines and facilities within and without the district; to condemn; to fix tap fees; and to assess availability of service or facilities charges.

#### E. Financial Powers.

1. A special district has the power
  - a. To fix, charge and collect fees, rates, tolls, penalties or charges for services, programs or facilities;
  - b. To levy and collect ad valorem taxes on and against all taxable property within the special district;
  - c. To issue general obligation and revenue bonds of the special district; and
  - d. To use the taxes and other revenue to pay off bonds and for maintenance and operating costs.
  - e. To issue revenue bonds.
2. Issuance of bonds or other debt requires an election and approval by the electors of the district.

#### F. Existing Metropolitan Districts in Denver. See the attached list.

#### G. City Council's Role.

1. Formation. City Council approves the proposed District's Service Plan and any material modifications to the Service Plan.
2. Annual Requirements. City Council must levy the District's taxes by December 31<sup>st</sup> of each year.