

## COLORADO'S FIRST 100 HOME RULE MUNICIPALITIES

Alamosa • Arvada • Aspen • Aurora • Avon • Basalt  
Black Hawk • Boulder • Breckenridge • Brighton  
Broomfield • Burlington • Canon City • Carbondale  
Castle Rock • Cedaredge • Centennial • Central City  
Cherry Hills Village • Colorado Springs  
Commerce City • Cortez • Craig • Crested Butte  
Dacono • Delta • Denver • Dillon • Durango  
Edgewater • Englewood • Evans • Federal Heights  
Fort Collins • Fort Morgan • Fountain • Frisco  
Fruita • Glendale • Glenwood Springs • Golden  
Grand Junction • Greeley • Greenwood Village  
Gunnison • Gypsum • Hayden • Holyoke  
Johnstown • Kiowa • Lafayette • La Junta  
Lakewood • Lamar • Larkspur • Littleton  
Lone Tree • Longmont • Louisville • Loveland  
Manitou Springs • Minturn • Monte Vista • Montrose  
Morrison • Mountain View • Mountain Village  
Mt. Crested Butte • New Castle • Northglenn  
Ophir • Ouray • Pagosa Springs • Parachute • Parker  
Pueblo • Rico • Ridgway • Rifle • Sanford • Sheridan  
Silt • Silver Plume • Silverthorne • Snowmass Village  
Steamboat Springs • Sterling • Telluride • Thornton  
Timnath • Trinidad • Vail • Ward • Westminster  
Wheat Ridge • Windsor • Winter Park  
Woodland Park • Wray • Yuma

# A HISTORY OF HOME RULE

November 2009

*by Kenneth G. Bueche, retired CML executive director*



*The Voice of Colorado's Cities and Towns*



*Top photo: Town of Hayden, Colorado's 100th home rule municipality, by David Kennedy.  
Bottom photo: City and County of Denver, Colorado's first home rule municipality, by Traci Stoffel.*

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Colorado Municipal League  
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Denver, CO 80203



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# INTRODUCTION

More than a century ago (1902), Colorado citizens adopted Article XX of the Colorado Constitution conferring on municipal citizens the right to adopt a home rule charter, thereby providing local control for their municipal government. Since 1902 this opportunity has been utilized by an ever expanding number of communities. In 2009, Ouray and Hayden became the 99<sup>th</sup> and 100<sup>th</sup> municipalities respectively to adopt home rule.

This publication has been written to:

- celebrate over a century of municipal home rule and local control;
- highlight the 100 communities whose citizens have adopted and are utilizing home rule;
- provide information for communities that in the future consider home rule; and
- provide an in depth history of the origin and expansion of home rule for the benefit of current and future officials and citizens.

This publication was researched and written by retired CML Executive Director Ken Bueche, who has been a friend and mentor for so many years. Ken has had the unique experience of following home rule professionally for more than 40 years, as a law student and law clerk for CML, 1963-66; in private practice serving as an assistant city attorney, 1966-68; and as CML general counsel and ultimately executive director, 1968-2005. Following his retirement, Ken conducted extensive research on the early history of home rule utilizing legal documents, historical publications, and other early sources. Many of these are noted in the publication's footnotes and bibliography for readers who may want additional information.

We hope this history of home rule will be helpful for readers now and in the years to come. Municipal home rule is a cherished part of Colorado's Constitution that has stood the test of time.

Sincerely,

Sam Mamet

Executive Director

Colorado Municipal League

*Additional copies of this publication are available for free at*  
[www.cml.org/pdf\\_files/09\\_home\\_rule.pdf](http://www.cml.org/pdf_files/09_home_rule.pdf).

## **MUNICIPAL HOME RULE DEFINED**

Simply stated, municipal “home rule” is a form of government under the control of local citizens rather than state government. It is “self-government,” meaning municipal rather than state control over the organization and operation of local government activities. Home rule does not, however, relate to nor confer any enhanced authority relative to powers of the federal government. Home rule relates to state-local relations, not federal-local relations.

Historically in Colorado and throughout the nation, municipalities and other local governments have been creatures of the state legislature, with the local governments dependent on state enabling legislation and subject to state control and interference. This legal doctrine, prevalent in the absence of home rule, is known as “Dillon’s Rule,” named for a 19th century Iowa Supreme Court Justice and municipal law authority.

In Colorado, municipal home rule derives its authority directly from the Colorado Constitution. It affords citizens of cities and towns who adopt a local charter (1) freedom from the need for state enabling legislation and (2) protection from state interference in “both local and municipal matters.”

## **ORIGIN AND HISTORY OF HOME RULE IN OTHER STATES**

The government of many American cities was bad, if not terrible, during the last decades of the 19th century.

The era, 1865 to 1895, was one of tremendous physical growth of cities and expansion of municipal activities. From the standpoint of administration, it was a period of disintegration, waste, and inefficiency. Political machines and bosses plundered many communities. Lax moral standards of the times in business life, the apathy of the public, and general neglect of the whole municipal problem by leading citizens, by the press, and by the universities, all contributed to the low state of city affairs. Lack of a common body of knowledge and of definite standards of municipal government, coupled with legislative interference and local politics, produced a confused situation in local organization and responsibility. Corruption in city government was made possible by the prevailing spoils system, by the activities of national political parties in local elections, and by the absence of adequate instruments of democratic control and of scientific methods of administration. Outstanding public officials and administrators were few; municipal reference and research agencies were nonexistent; and organizations of public officials were in their infancy. The period has been justly described as the “Dark Ages” of American municipal history.<sup>1</sup>

In response to the treatment of cities by state governments, the home rule movement began. In 1875, Missouri became the first state to adopt home rule by including in its new constitution a home rule entitlement for cities over 100,000 population. In 1879, California became the second state to authorize home rule when its new constitution was adopted. Other states conferring home rule rights for cities during the remaining years of the 19th century included Minnesota and Washington.<sup>2</sup>

However, home rule and other municipal reforms became much more popular and prevalent during the Progressive Era – a period that historians generally date from 1900 to about 1915 or 1920.

A leading historian of American city government during the Progressive Era summarized the Progressive Movement this way:

In conclusion, how shall we account for and describe the Progressive Movement? There were national problems of great magnitude evidencing themselves chiefly in the cities. For the most part these were accounted for by the nineteenth-century changes in the nature of the economic world, for which the old assumptions were inadequate and many of them incorrect. Whole groups of people were aroused to compassion and indignant at the now patent injustices because of these facts and the attendant frustrations. Diagnosis and exposure of the nature of the problems had begun. At this point pragmatism with a conscience leading to activism took over. It was a confluence of many strands — populist, utopian, the experience and sensitivity of the settlements, the social gospel and the aroused conscience, the successes and failures of earlier reformers, frustrations of many groups, socialist reasoning, the rising consciousness of organized labor, scientific management, the Spanish-American War and its aftermath, a belief in progress – but all raised to a higher level, together with a freshness of approach and a moral component.<sup>3</sup>

Reformers were interested in a number of reform devices, including home rule, in fostering a sense of community. According to Griffith:

Most stress was laid upon home rule, nonpartisanship, elections-at-large, and development of neighborhood centers. Naturally, there were other arguments also for each of these. Among them was the thought that each would help weaken the power of spoils, the machine, and corrupt politics, at the state, city, and ward levels . . . . Government by the state, an agency outside the control of the voters of the individual city, was naturally the subject of further attack by the exponents of city self-government. The demand on the part of the city was insistent for a greater voice in its own affairs.<sup>4</sup>

Numerous states, including Colorado, adopted municipal home rule during the Progressive Era. The Progressive Movement and the rush for home rule slowed down after the commencement of World War I. However, additional states have adopted home rule over the years since then.<sup>5</sup>

The National Municipal League was probably the most prominent and influential national organization instrumental in promoting home rule and other municipal reforms during the Progressive Era and thereafter. The organization was founded in 1894 by local citizen groups and individuals interested in reforming municipal government. (In later years, the League would devote attention to reforming county and state government.)

In 1899, the National Municipal League adopted a “Municipal Program,” publishing it the following year. Later it was to be referred to as a “Model City Charter.” Over the years, the League has published several revised editions, including its current 8th edition published in 2003. (The League has changed its name to the National Civic League and relocated its offices from New York City to Denver. It is not to be confused with the National League of Cities, which is the national association of cities and towns.) This “Municipal Program” contained provisions regarding municipal

home rule to be incorporated in the state constitution and provisions for a Model City Charter. Its home rule features were described as follows:

Special legislation for cities was not absolutely prohibited, but it was surrounded by certain safeguards designed to protect the city from unwarranted interference with its local affairs. Home rule, the right to adopt and amend charters, was given to cities with a population of 25,000 or more. As Chairman Deming said: "The city's independence is guaranteed. The state legislature cannot meddle with purely local affairs." Elsewhere Mr. Deming defined the fundamental principle of the program in these words: ". . . ample power in the city to conduct the local government, without possibility of outside assistance or of outside interference save by such supervision of a central state administrative authority as may be necessary to enforce a state law applicable alike to all the cities or all the inhabitants of the state." All else in the program was detail in the application of this principle. And Professor Rowe declared that the object of the program was to provide such a position in the political system of the state and such a framework of government as would give to the city the widest possible freedom of action in formulating the details of its own organization and in the determination of its local policy.<sup>6</sup>

Home rule has remained a foundation of the National Civic League's municipal reform agenda through the years, including its latest model state constitution and city charter.<sup>7</sup>

## **ORIGIN AND HISTORY OF HOME RULE IN COLORADO**

Municipal home rule in Colorado was clearly a product of the Progressive Era in that it was adopted by state voters in 1902 and clarified and expanded by voters in 1912. Colorado's adoption in 1902 was probably influenced by developments in other states and by recommendations of the National Municipal League. Although historic evidence of this influence may be limited, the 1900 Model City Charter has been credited to have "formed the basis for a sweeping amendment to the Colorado Constitution."<sup>8</sup>

Historically, Colorado's adoption appears to have been prompted primarily by (1) actions of state government affecting Denver and its citizens and (2) a desire to form a consolidated city and county of Denver.

Denver had been granted a charter in 1861 by the territorial legislature. Denver and those other cities that were still operating under territorial charters retained the right to continue to operate under their special charters rather than being governed by general municipal laws when the constitution was adopted and statehood granted in 1876. (Georgetown is the only municipality still operating under a territorial charter.)

Following statehood, Denver's charter was amended or a new one enacted periodically by the General Assembly, and Denver eventually became the "political football" of the party in power. Classic examples of state interference were amendments enacted by the General Assembly in 1889 providing for a board of public works and in 1891 for a fire and police board, with members of both boards appointed by the governor. Thus, Denver's public improvements, public safety and related activities came under the control of state government.

Armed conflict nearly broke out in 1894 when Gov. Davis H. Waite had a dispute with two of his appointees to Denver's Fire and Police Commission over their failure to follow his policies and their subsequent failure to accept his attempt to remove them from office. Armed forces for the state and city faced off before cooler heads prevailed and weapons were withdrawn!

In addition to the desire for local control, civic leaders in Denver wanted to establish a consolidated city and county. Hence, interest in reform for Denver included both home rule and a consolidated city and county.

Relief came in 1901 when Denver Sen. John A. Rush, with the support of Gov. James Orman, secured passage of legislation to refer to statewide voters Article XX of the Colorado Constitution forming Denver as a consolidated home rule city and county and also conferring on the citizens of first- and second-class cities the right to adopt local charters and become home rule municipalities. Gov. Orman, in his inaugural address, gave strong support to the home rule amendment:

The question of home rule for Denver has been a disturbing one ever since the enactment of the law under which the governor appoints the Denver board of public works and the fire and police board. It may occur that governors will be elected that have little or no knowledge of the governmental affairs of such a city as Denver . . . [and] the responsibilities for all city employees should be cast upon the people who live in the cities. Place the responsibility where it belongs – upon the voters of the city.<sup>9</sup>

The amendment was approved by a vote of 59,750 for, to 25,767 against.<sup>10</sup>

While the right of citizens in other cities of the first and second class to adopt home rule was provided, the history is unclear to what extent these cities sought that right and to what extent voters in 1902 were influenced by the extension of home rule prerogatives statewide. A Colorado Municipalities article published in 1925 identified the following charters as having been adopted between the 1902 and the 1912 constitutional amendments: Denver, 1904; Colorado Springs, 1909; Grand Junction, 1909; Pueblo, 1911; Durango, 1912; and Delta, 1912.<sup>11</sup>

Subsequent to passage of the amendment in 1902, a great deal of legal and political controversy and turmoil occurred, apparently primarily involving Denver.<sup>12</sup> This caused supporters of home rule to initiate in 1912 a clarifying and strengthening amendment.

The 1912 measure rewrote Section 6 of Article XX to specifically enumerate various municipal home rule powers and included a powerful "catch-all" paragraph:

It is the intention of this article to grant and confirm to the people of all municipalities coming within its provisions the full right of self-government in both local and municipal matters and the enumeration herein of certain powers shall not be construed to deny such cities and towns, and to the people thereof, any right or power essential or proper to the full exercise of such right.<sup>13</sup>

(Incidentally, the 1912 measure was placed on the ballot by initiative, not referral by the General Assembly. The right of initiative had been made possible by the 1910 voter-approved measure granting initiative and referenda powers to voters statewide.)

The 1912 measure also changed the 1902 provision that entitled home rule status to cities of the first and second class to any city or town “having a population of two thousand inhabitants.” In addition, the measure “ratified, affirmed and validated” the charters and related elections of Denver, Pueblo, Colorado Springs, Grand Junction and of any other unnamed city that had adopted a home rule charter. The title of the 1912 initiative just referred to home rule for cities and towns, again not singling out Denver. The 1912 initiative passed by a vote of 49,596 for, to 44,778 against.

Similar to the situation with the 1902 election, it is unclear to what extent the interests of the five out-state cities that had adopted home rule charters before the 1912 vote, and of other cities, played in the 1912 election. In an effort to shed light on this, the author inquired of the five cities (Colorado Springs, Delta, Durango, Grand Junction and Pueblo) to ascertain if they could locate any local evidence of involvement.

Each city provided results of its research. None of the research indicated that any of the cities had experienced substantial interference from state government or that there had been any political involvement of the cities or their citizens in the drafting or passage of either the 1902 or 1912 amendments. However, the fact that citizens in five cities had chosen home rule before the 1912 statewide election demonstrates substantial statewide awareness or interest in home rule by the time of the 1912 election.

From the information provided by the cities, it appears that home rule supporters in these five cities were motivated in adopting their charters primarily by reforming or restructuring their city governments rather than overcoming state interference. Home rule was the means to achieve their ends.

The principal common provision of the five cities, based upon the histories they provided, was adoption of the commission form of government – a popular structure in that era that vested both administrative and legislative authority in a small number of elected officials. (Eventually, each city amended its charter to establish the council-manager form. In contrast, Denver’s first locally adopted charter of 1904 provided for a mayor-council structure that has evolved into its current strong mayor-council form.)

Municipal government reform was a common concern apparent from historical information provided by Durango, Grand Junction and Pueblo. There was considerable displeasure in each city with their municipal government. Complaints appearing in newspapers or other sources for one or more of these cities mentioned a variety of systemic problems. Citizen efforts to adopt home rule were initially opposed or delayed by some councils and others in the establishment, but the persistence of citizens ultimately prevailed.

The prefatory synopsis to Grand Junction’s charter stated eloquently in 1909 what supporters of home rule today might repeat:

The intent and purpose of this Charter is to establish a free and independent City, so far as the Constitution of the state will permit, their natural, inherent, and inalienable right of local self-government, with all its powers, duties, and responsibilities.

A third measure affecting home rule was approved in 1950. In 1949, the General Assembly passed HCR 10 that referred the amendment to voters. According to its

records, CML sponsored the 1949 legislation and spearheaded the successful vote in 1950.<sup>14</sup>

The 1950 measure amended Section 2 of Article XX relating only to compensation of Denver officers and, more important for municipalities statewide, amended Section 5 to allow charter amendments or the question of whether or not a charter convention be called to be referred by action of the governing body as well as by initiative. (Before 1950, charter measures could be initiated only by local voters. It was a cumbersome process, especially when minor changes were needed.) The amendment passed by a vote of 145,780 for, to 91,700 against.

Another important home rule amendment was approved by voters in 1970 as part of a local government reform measure referred by the General Assembly in 1969. The home rule portion of the measure was included with the support of CML. It added a new Section 9 to Article XX to (1) extend the right to adopt home rule to the citizens of each municipality, regardless of population or when incorporated, and (2) directed the General Assembly to enact statutory procedures to facilitate the adoption, amendment and repeal of home rule charters. (The referred measure also authorized the General Assembly to enact a more limited “structural” form of home rule for counties. Only a few counties have taken advantage of this form of home rule.) The 1970 measure was approved by an overwhelming vote of 325,512 for, to 170,986 against.<sup>15</sup>

The 1970 amendment has enabled many towns under 2,000 population to become home rule and led to CML-drafted Municipal Home Rule Act of 1971 which has served since 1971 as the procedure utilized in the adoption and amendment of charters.<sup>16</sup>

There have been other amendments over the years affecting home rule, such as TABOR in 1992 and the Term Limits Amendment in 1994, and a few specialized amendments, including the 1998 amendments to Article XX that created the City and County of Broomfield.<sup>17</sup>

## **A PERSPECTIVE ON HOME RULE VERSUS STATE JURISDICTION**

Considerable tension has existed and will continue to exist between local and state control. Municipal home rule has not eliminated that tension. However, home rule has established a political atmosphere and legal ground rules that have:

- enabled home rule municipalities to utilize diverse powers, organizations and procedures without the need for state enabling legislation;
- protected home rule municipalities from state interference in matters that are local and municipal in nature; and
- helped establish and preserve an atmosphere of state respect for local control for other local governments, resulting in fairly broad statutory authority for non-home rule local governments and sometimes a disinclination on the part of state officials to micromanage local governments; yet
- maintained for state government the flexibility and prerogative to manage and control matters that are of state or mixed state and local concern without home rule being an obstacle.

Preserving home rule authority has, nevertheless, required constant vigilance by CML, municipalities and other home rule supporters since state officials, private

entities, special interests, and individuals have often challenged home rule authority in the General Assembly and before the courts.

A major threat in recent years has been the attempt of some legislators to pass legislation pre-empting home rule authority, arguing that a subject matter is of state or mixed state-local authority. Some recent subject areas of attempted preemption include tax policy, regulation of weapons, employee residency requirements, breed-specific animal controls and planning and zoning regulations. Although members of the General Assembly are often on record as supporting local control, many have been inclined to vote against local control when partisan politics, member ideology, or special-interest pressures are their priority.

The first line of defense for municipalities and other supporters of home rule has been to defeat the legislation or delete the pre-emption language where it affected important local interests. This has often been effective.

Where legislation pre-empting home rule authority has been enacted, the second line of defense has been the courts. Affected home rule municipalities have often challenged such legislation in the courts or asserted home rule prerogatives in other litigation involving private parties. CML has sometimes filed amicus briefs in support of the home rule position. Only by continuing to assert home rule prerogatives before the General Assembly and the courts on important local control matters can the prerogatives of home rule be protected.

Nevertheless, there are times when state jurisdiction is in the public interest or insistence on local control may be untimely or unwise. In addition, there are other situations where it may be wise for home rule municipalities to take voluntary action collectively rather than relying on home rule protection. For example, CML has coordinated voluntary actions among home rule municipalities on tax administration and simplification, rather than simply relying on home rule prerogatives. Municipal officials need to exercise good judgment and restraint in some circumstances, choosing not always to play the home rule "card."

## CONCLUSION

As the graphs on pages 10 and 11 illustrate, municipal home rule in Colorado has truly stood the test of time. From its modest birth more than a century ago it has grown to be utilized at press time by 100 cities and towns. While statutory municipalites still outnumber home rule municipalities, the home rule municipalities constitute and serve more than 90 percent of the municipal population of Colorado.

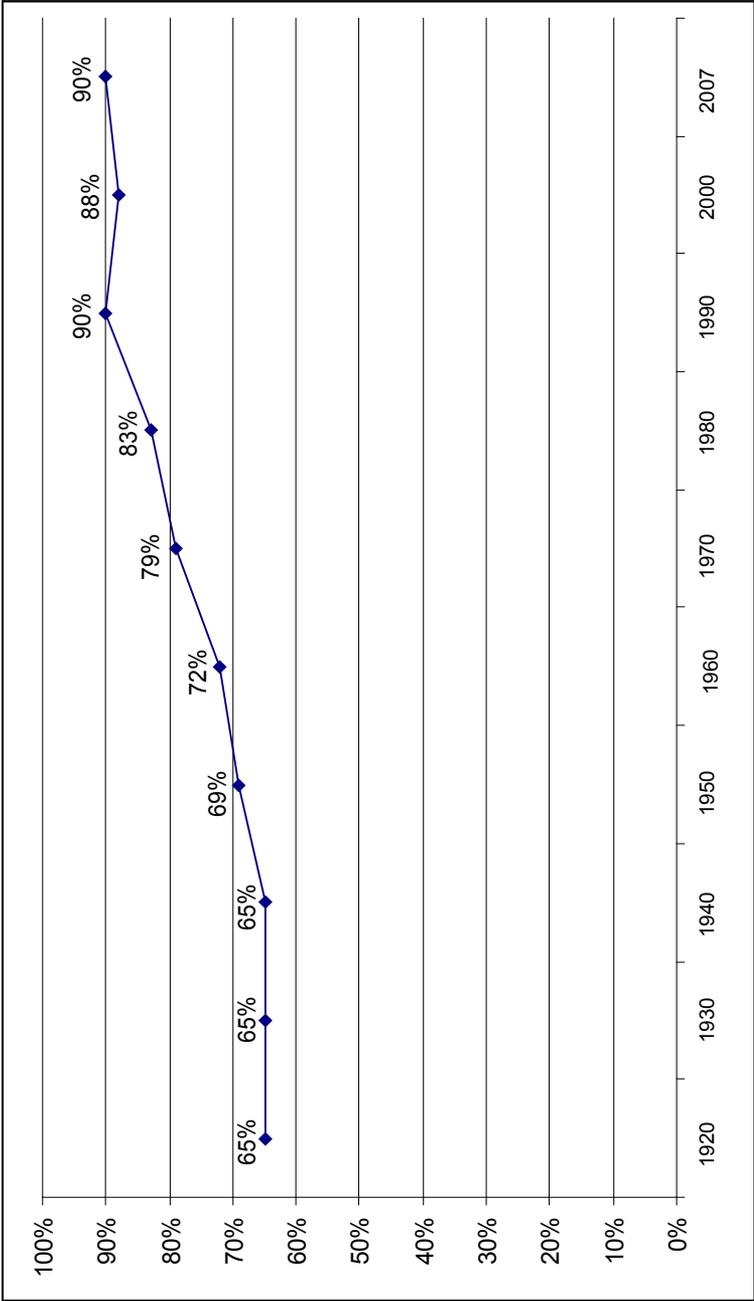
Colorado voters statewide have consistently supported municipal home rule by authorizing it in 1902, clarifying and expanding it in 1912, and extending its availability in 1970 to municipalities of all sizes. Moreover, there is no known instance where local citizens have voted to repeal the home rule status of their municipality.

Home rule will not produce local control under all circumstances and will continue to be attacked at times before the General Assembly and in the courts. What falls within municipal or state jurisdiction is sometimes in doubt and may always remain in some degree of flux. In addition, constitutional amendments affecting home rule, such as TABOR and term limits, have been and may continue to be a significant factor. The continued viability of home rule will depend, as in the past, on the

vigilance, assertiveness and loyalty of municipal officials and others who value local control.

In the final analysis, municipal home rule has immeasurably strengthened local control and facilitated flexibility and diversity in addressing local needs and desires. Home rule also has benefited statutory municipalities and other local governments by paving the way for new grants of authority based on home rule experience and reinforcing a Colorado ethic favoring local control rather than state interference and micromanagement.

**Graph 1:**  
**Percentage of municipal residents who live in a home rule city or town prepared by CML August 2009**



**Graph 2:  
Growth in home rule municipalities: 1920-2009** prepared by CML August 2009

	1920	1930	1940	1950	1960	1970	1980	1990	2000	2007	2009*
State population	939,191	1,035,791	1,123,296	1,325,271	1,771,158	2,224,610	2,907,856	3,304,042	4,301,261	4,919,884	
Municipal population	566,802	641,847	722,237	888,269	1,212,609	1,656,548	2,120,347	2,383,045	3,125,839	3,567,857	
% of state population in municipalities	60.35%	61.97%	64.30%	67.03%	68.46%	74.46%	72.92%	72.13%	72.67%	72.52%	
Home rule municipal population	368,392	418,667	466,627	610,252	875,871	1,301,486	1,757,578	2,132,834	2,764,817	3,225,293	
% of state population in home rule municipalities	39.22%	40.42%	41.54%	46.05%	49.45%	58.50%	60.44%	64.55%	64.27%	65.56%	
% of municipal population in home rule municipalities	64.99%	65.23%	64.61%	68.70%	72.23%	78.57%	82.89%	89.50%	88.45%	90.40%	
Number of home rule municipalities	9	10	10	13	22	38	56	68	80	96	100

\* population data not available for 2009

## END NOTES

- 1 FRANK MANN STEWART, *A HALF CENTURY OF MUNICIPAL REFORM: THE HISTORY OF THE NATIONAL MUNICIPAL LEAGUE* (University of California Press) (1950) at 10.
- 2 JOHN A. RUSH, *THE CITY-COUNTY CONSOLIDATED* (John A. Rush) (1941) at 141-150.
- 3 ERNEST S. GRIFFITH, *A HISTORY OF AMERICAN CITY GOVERNMENT: THE PROGRESSIVE YEARS AND THEIR AFTERMATH 1900-1920* (Praeger Publishers) (1974) at 32.
- 4 See id at 123.
- 5 See id at 123-25, 258; Rush *supra* note 2, at 150-58.
- 6 See Stewart *supra* note 1, at 38, 53.
- 7 The early history of municipal reform and home rule efforts and developments of the National Municipal League have been published in the following publications: See Stewart *supra* note 1; Alfred Willoughby, *The Involved Citizen: A Short History of the Nat'l Mun. League*, 1969 NAT'L. CIVIC REV.; Proceedings of the Milwaukee Conference for Good City Government and Sixth Annual Meeting of the National Municipal League (1900).
- 8 See Stewart *supra* note 1, at 48.
- 9 Marjorie Hornbein, *Denver's Struggle for Home Rule*, THE COLORADO MAGAZINE, Fall 1971, at 345.
- 10 The primary sources of the Colorado experience discussed above include: See Rush *supra* note 2; Hornbein *supra* note 9; JEROME C. SMILEY, *HISTORY OF DENVER* (Times-Sun Publishing Company) (1901); CLYDE LYNDON KING, *THE HISTORY OF THE GOVERNMENT OF DENVER WITH SPECIAL REFERENCE TO ITS RELATIONS WITH PUBLIC SERVICE CORPORATIONS* (The Fisher Book Company) (1911); Home Rule Amendment, 1901 Colo. Sess. Laws. 97-106 (codified as COLO. CONST. art. XX)
- 11 Don C. Sowers, *How to Secure a Home Rule Charter in Colorado*, COLORADO MUNICIPALITIES, (Oct.1925), at 10.
- 12 See King *supra* note 10.
- 13 1913 Colo. Sess. Laws. 669-671 (relating to the intent of the home rule amendment) (codified as amended at COLO. CONST. art. XX, § 6(h)).
- 14 1949 Colo. Sess. Laws. 775-776 (relating to compensation of officers and charter revisions) (codified as amended at COLO. CONST. art. XX, § 2,5); William A. Grelle, *Legislative Round-Up*, COLORADO MUNICIPALITIES, May 1949, at 72; COLO. MUN. LEAGUE, *Make Home Rule Work*, COLORADO MUNICIPALITIES, Aug. 1950, at 153; Glenn Donaldson, *Victory!*, COLORADO MUNICIPALITIES, Dec. 1950, at 235.
- 15 1969 Colo. Sess. Laws. 1247-1251 (relating to local government, and providing for home rule and service authorities) (codified as amended at COLO. CONST. art. XX, § 9).
- 16 COLO. REV. STAT. § 31-2-201 (2009).
- 17 COLO. MUN. LEAGUE, *HOME RULE HANDBOOK* (1999) app. at B.

## BIBLIOGRAPHY

- Guide for Charter Commissions 5th Edition*, National Civic League, Denver (1991)
- Home Rule Handbook*, Colorado Municipal League, Denver (1999).
- Matrix of Colorado Home Rule Charters*, Colorado Municipal League, Denver (2008).
- Model City Charter 8th Edition*, National Civic League, Denver (2003).
- Overview of Municipal Home Rule*, Colorado Municipal League, Denver (2006).
- Clyde Lyndon King, *The History of the Government of Denver with Special Reference to its Relations with Public Service Corporations*, The Fisher Book Company, Denver (1911).
- Dale A. Osterle and Richard B. Collins, *The Colorado State Constitution - A Reference Guide*, Greenwood Press, Westport, Connecticut (2002).
- Don C. Sowers, "How to Secure a Home Rule Charter in Colorado," *Colorado Municipalities* (October 1925).
- Eric Heil, "Home Rule Advantage," *Colorado Municipalities* (February 2002).
- Ernest S. Griffith, *A History of American City Government: The Progressive Years and Their Aftermath 1900-1920*, Praeger Publishers, New York and Washington (1974).
- Frank Mann Stewart, *A Half Century of Municipal Reform: The History of the National Municipal League*, University of California Press, Berkeley and Los Angeles (1950).
- Hugh R. Catherwood, "Upholding Colorado's Tradition of Local Home Rule," *Colorado Municipalities* (March 1993).
- Jerome C. Smiley, *History of Denver*, The Times-Sun Publishing Company, Denver (1901).
- John A. Rush, *The City-County Consolidated*, published by the author, Los Angeles (1941).
- Marjorie Hornbein, "Denver's Struggle for Home Rule," *The Colorado Magazine* (Fall 1971).

