Gmail Alexander Mulhall <townmanager@townoflakecity.co>

CML Inquiry Response

Law Clerk <lawclerk@cml.org> Mon, Oct 19, 2026 at 9:20 AM
To: Alexander Mulhall <townmanager@townoflakecity.co>

Hi Lex,

I'm sorry for the delay on this! I was at our municipal attorney conference and then out of the office.

Unfortunately, courts have not yet addressed whether home rule and statutory municipalities will be treated differently for the purposes of code adoption.

However, the unfunded mandate statute applies equally to statutory and home rule municipalities. C.R.S. 29-1-304.5(3)(b). The state law specifically requiring local government assistance programs to be approved or denied solely on the basis of statutory or regulatory criteria also does not differentiate between home rule and statutory municipalities. C.R.S. 29-3.5-101(4).

Your local attorney will be able to assist you with determining what makes the most sense for your community specifically!

Please let me know if you have any questions,

This information is provided as a general informational resource for CML's members and is not legal advice on any subject matter. I am not your attorney or the attorney for your municipality; our provision of this support does not create an attorney-client relationship with you. Our communications are not confidential or privileged. We strongly encourage you to discuss your question and CML's information with your municipality's attorney to obtain the benefit of legal advice before proceeding. CML is not responsible for any legal consequences or liability from actions you take or fail to take based on your use of its resources.

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From: Alexander Mulhall <townmanager@townoflakecity.co>
Sent: Wednesday, October 7, 2026 11:40 AM
To: Law Clerk <lawclerk@cml.org>
Cc: alexandermulhall@townoflakecity.co <alexandermulhall@townoflakecity.co>
Subject: [EXTERNAL] Re: CML Inquiry Response

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