

ORDINANCE 323

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO AMENDING CHAPTER 1, SECTIONS 1-5-1 AND 1-5-2 OF THE TOWN MUNICIPAL CODE REGARDING ELECTIONS, AND DECLARING AN EMERGENCY THEREFORE

WHEREAS, the Town of Ignacio (Town) is a statutory Town and utilizes the Colorado Municipal Election Code (MEC) for Town elections; and

WHEREAS, the Town Municipal Code specifies requirements for write-in candidate affidavits and provisions for cancelling municipal elections in accordance with the MEC; and

WHEREAS, the Colorado State Legislature had amended Colorado Revised Statute Section 31-10-306, changing deadlines within the MEC specific to the submission of affidavits for write-in candidates and the cancellation of elections; and

WHEREAS, the Town wishes to amend the Municipal Code to be compliant with state statute and the MEC.

NOW THEREFORE, BE IT ORDAINED BY THE Board of Trustees of the Town of Ignacio:

1. Chapter 1, Sections 1-5-1 and 1-5-2 of the Municipal Code shall be amended as follows:

1-5-1. No write-in vote for any municipal office shall be counted in any municipal election unless an affidavit of intent has been filed with the Town Clerk to seek office by the twentieth day prior to the day of the election indicating that such person desires the office and is qualified to assume the duties of that office if elected.

1-5-2 If the only matter before the voters in the municipal election is any election of persons to office, and if at the close of business on the nineteenth day before the election there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent under Section 1-5-1 above, the Clerk shall certify such fact to the Board of Trustees and the Board of Trustees may cancel the election by resolution and declare the candidates which have been properly nominated elected. Upon the passage of such resolution by the Board of Trustees, the candidates shall be deemed properly elected. In the event an election is cancelled hereunder, notice of such cancellation shall be published if possible, to inform the electors of the municipality of the cancellation. In any event, notice of cancellation shall be posted at each polling place and in not less than one other public place within the Town of Ignacio.

2. The Board of Trustees hereby finds, determines, and declares that an emergency exists and that this Ordinance is necessary for the immediate preservation of public property and welfare of the Town in that the immediate effective date of this ordinance will allow the ordinance to take effect, and codify dates for write-in candidate affidavits prior to the next municipal election. This Ordinance shall take effect immediately upon adoption.

PASSED AND APPROVED BY THE Board of Trustees at its regular meeting on February 17, 2016, by an affirmative vote of not less than 6 members of the Board of Trustees.

TOWN OF IGNACIO

Attest:

Stella Cox, Mayor

Georgann Valdez, Town Clerk