

ORDINANCE NO. 66-B

AN ORDINANCE PROVIDING FOR THE TIME FOR FILING OF NOTICE OF INTENT BY A WRITE-IN CANDIDATE IN MUNICIPAL ELECTIONS OF THE TOWN OF STRATTON, AND PROVIDING FOR CIRCUMSTANCES FOR CANCELLATION OF ELECTIONS OF THE TOWN OF STRATTON, COLORADO

WHEREAS, The Colorado Municipal Election Laws provide that the governing body of a municipality may provide by ordinance that no write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the clerk by the person whose name is written in prior to sixty four days before the day of the election indicating that such person desires the office and is qualified to assume the duties of that office if elected (C.R.S. 31-10-306, as amended), and

WHEREAS, The Colorado Municipal Election Laws provides that the governing body may also provide that, if the only matter before the voters is the election of persons to office and if, at the close of business on the 64th day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the clerk if instructed by resolution of the governing body either before or after such date, shall cancel the election and by resolution declare the candidates elected. If so provided by ordinance, upon such declaration the candidates shall be deemed elected. Notice of such cancellation shall be published, if possible, in order to inform the electors of the municipality, and notice of such cancellation shall be posted at each polling place and in not less than one other public place (C.R.S. 31-10-507), and

WHEREAS, The Board of Trustees is the governing body of the Town of Stratton and desires to provide for the time for the filing of notice of intent by a write-in candidate, in municipal elections of the Town of Stratton, Colorado, and to provide for circumstances for cancellation of elections of the Town of Stratton, Colorado, and

NOW THEREFORE, IT IS ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON, COLORADO.

1. No write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the clerk by the person whose name is written in prior to sixty four days before the day of the election indicating that such person desires the office and is qualified to assume the duties of that office if elected.

2. If the only matter before the voters is the election of persons to office and if, at the close of business on the 64th day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the clerk shall certify such fact to the Board of Trustees, and the Board of Trustees shall hold a meeting and may cancel the

election and by resolution declare the candidates elected. Notice of such cancellation shall be published, if possible, in order to inform the electors of the municipality, and notice of such cancellation shall be posted at each polling place and in not less than one other public place, and

3. The Board of Trustees finds and determines that this ordinance is necessary for the immediate preservation of the public peace, health and safety and, therefore an emergency exists and that this ordinance shall become effective five days after publication thereof.

PASSED, ADOPTED AND ORDERED PUBLISHED **THIS** 23rd DAY OF JANUARY, 2020.

Mayor

(SEAL)

ATTEST:

X

Town Clerk

STATE OF COLORADO)
County of Kit Carson) ss.
Town of Stratton)

CLERK'S CERTIFICATE

I, Melanee Johnson, the official Town Clerk of the Town of Stratton, do by these presents say that the foregoing Ordinance No. 66-B was passed and adopted by the Board of Trustees of the Town of Stratton on the 23rd day of January, **2020**, and that the above entitled Ordinance is a true, correct and full copy of the Ordinance as shown in Ordinance Book _____ at Page _____ of the records of the Town of Stratton, Stratton, Colorado.

Dated this 23rd day of **January**, 2020.

X

Town Clerk

(SEAL)

STATE OF COLORADO)
County of Kit Carson) ss.
Town of Stratton)

CLERK'S CERTIFICATE OF PUBLICATION

I Melanee Johnson, the official Town Clerk of the Town of Stratton, do by these present say that the foregoing Ordinance No. 66-B and Clerk's Certificate attached thereto was published in the Stratton Spotlight, a weekly newspaper of general circulation in Stratton, Kit Carson County, on January 23, 2020, and "Proof of Publication" is filed therewith.

X

Town Clerk

