

## ORDINANCE NO. 10 2017

### **AN ORDINANCE REINSTATING TITLE 1 ADMINISTRATION, CHAPTER 7 MUNICIPAL ELECTIONS ACT TO THE WESTCLIFFE MUNICIPAL CODE TO CONFORM TO STATE LAW REGARDING ELECTION DEADLINES.**

**WHEREAS**, the Westcliffe Municipal Code requires elections to be conducted in accordance with the Colorado Municipal Election Code of 1965; and

**WHEREAS**, the Westcliffe Municipal Code further states that the Town may by ordinance determine to follow all or part of the provisions of the Uniform Election Code of 1992 for any election; and

**WHEREAS**, the Board of Trustees finds and determines that it is in the best interest of the citizens of Westcliffe to adopt the provisions of the Municipal Election Code such that State Statutes control.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, TITLE 1, CHAPTER 7, MUNICIPAL ELECTIONS ACT OF THE WESTCLIFFE MUNICIPAL CODE SHALL BE REINSTATED.**

#### **Section 1: Conduct of Elections.**

All elections other than coordinated elections shall be held and conducted in accordance with the Colorado Municipal Election Code as codified in Article 10 of Title 31 of the Colorado Revised Statutes. All coordinated elections shall be held and conducted in accordance with applicable provisions of the Uniform Election Code of 1992 as codified in Title 1 of the Colorado Revised Statutes. To extent that the Uniform Election Code of 1992 applies to non-coordinated elections, those provisions shall govern such elections.

#### **Section 2: Write-in candidate affidavit.**

No write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the Town Clerk by the person whose name is written in by close of business on the sixty-fourth (64<sup>th</sup>) day 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.


#### **Section 3: Cancellation of election.**

If the only matter before the voters is the election of persons to office and if, at the close of business on the sixty-third (64<sup>th</sup>) day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the Town Clerk, if instructed by resolution of the Board of Trustees either before or after such date, shall cancel the election. The Board of Trustees, by resolution, shall declare

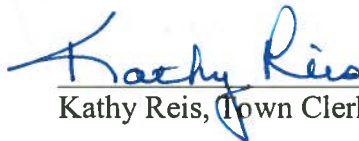
the candidates elected and the candidates shall be deemed elected. Notice of such cancellation shall be published, if possible, in order to inform the electors of the Town, and notice of such cancellation shall be posted at each ballot collection place and in not less than one (1) other public place.

**This Ordinance was introduced and adopted by the Board of Trustees of The Town of Westcliffe, Colorado, upon a motion duly made, seconded and passed at its regular meeting held at The Town of Westcliffe on the 3<sup>rd</sup> day of October, 2017.**

**TOWN OF WESTCLIFFE**

By:   
Audrey Gluschke, Mayor Pro-Tem

ATTEST:

  
Kathy Reis, Town Clerk