

Town of Marble
Ordinance Number 1
Series of 2018

AN ORDINANCE REGARDING WRITE-IN CANDIDATES FOR MUNICIPAL ELECTIONS

WHEREAS:

- A. The Town of Marble is a statutory town organized pursuant to Colorado Law; C.R.S. §31-1-101 *et seq.*
- B. The Town conducts municipal elections pursuant to the Municipal Election Code.
- C. C.R.S. § 31-10-306 was recently amended to read: “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.”
- D. The deadline of 64 days provided in the new version of C.R.S. § 31-10-306 was previously 20 days, and the Town had adopted an ordinance (2002-1) in accordance therewith.
- E. It is necessary to adopt a new ordinance in conformance with the new version of C.R.S. § 31-10-306.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE, COLORADO THAT:

- 1. In all municipal elections, 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. In all municipal elections,
 - i. If the only matter before the voters is the election of persons to office; and
 - ii. If, at the close of business on the sixty-fourth day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent; and
 - iii. If the Board passes a resolution to instruct the clerk to cancel the election and declare that the candidates shall be deemed elected;

The clerk shall cancel the election and declare the candidates elected. Upon such declaration the candidates shall be deemed elected.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED BY TITLE this 4th day of January, 2018, by a vote of 2 in favor and 1 opposed.

TOWN OF MARBLE:

ATTEST:


Judy Morande, Mayor Pro Tem


Ron Leach, Clerk