

TOWN OF MONUMENT

ORDINANCE 11-2014

AN EMERGENCY ORDINANCE AMENDING CHAPTER 1.12 OF THE MONUMENT MUNICIPAL CODE AUTHORIZING MAIL BALLOT ELECTIONS FOR ALL MUNICIPAL ELECTIONS FOR THE TOWN OF MONUMENT NOT COORDINATED WITH THE COUNTY CLERK AND RECORDER; ADOPTING TITLE 31, ARTICLE 10 OF THE COLORADO REVISED STATUTES MUNICIPAL ELECTION CODE

WHEREAS, C.R.S. Section 31-1-101 (10), provides that the Town of Monument has a Regular Municipal Election on the first Tuesday of even numbered years; and

WHEREAS, C.R.S. Section 31-10-1539, provides that the Town of Monument is a Statutory Town governed by the Colorado Municipal Election Code of 1965; and therefore will comply with Title 31, Article 10 of the Colorado Revised Statutes Municipal Election Code; and

WHEREAS, House Bill 14-1164, known as the “Colorado Local Government Election Code”, contingent upon signing by Governor Hickenlooper, at which point will become effective immediately allowing for municipalities to conduct mail ballot elections in accordance with Title 31, Article 10 as revised by HB 14-1164; and

WHEREAS, C.R.S. 31-10-102 (3.5) as revised by House Bill 14-1164 defines “Permanent Absentee Voter” as “an eligible elector who applies to receive a ballot by mail for every polling place election and whose name is placed on the list pursuant to C.R.S. 31-10-1002”; and

WHEREAS, the Town Clerk recommends the Town of Monument adopt an ordinance defining “Permanent Absentee Voter” as “Any Active Registered Voter Within The Municipal Election Precinct” for the purposes of Mail Ballot Elections not coordinated by the County Clerk and Recorder; and

WHEREAS, the Town Clerk recommends the Town of Monument adopt an ordinance for Mail Ballot Elections in compliance with Title 31, Article 10 as revised by House Bill 14-1164 so as all Municipal Elections not coordinated with the Clerk and Recorder be held as Mail Ballot Elections.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Monument that the Town of Monument shall adopt an emergency ordinance amending Chapter 1.12 of the Monument Municipal Code authorizing Mail Ballot Elections for all Municipal Elections for the Town of Monument not coordinated with the County Clerk and Recorder; adopting Title 31, Article 10 of the Colorado Revised Statutes Municipal Election Code as follows:

Sections:

- 1.12.010 Cancellation of election.
- 1.12.020 Write-in candidate.

1.12.010 Cancellation of election.

The board of trustees may provide that, if the only matter before the voters is the election of persons to office, and if, at the close of business nineteen (19) days before the election, there are not more candidates than offices to be filled at such election, including write-in candidates filing affidavits of intent, the clerk must certify such fact to the board of trustees so that it may pass a resolution instructing the clerk to cancel the election and declare the candidates elected. In the event of such cancellation, notice of cancellation shall be published, if possible, and notice of cancellation must be posted at each polling place and in at least one other public place.

(Prior code § 2-2-7)

1.12.020 Write-in candidate.

No write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the clerk prior to twenty (20) days before the day of the election by the person whose name is to be written in indicating that such person desires the office and is qualified to assume the duties of that office if elected.

1.12.030 Permanent Mail Ballot Elections

The Town of Monument shall conduct permanent mail ballot elections in accordance with Title 31, Article 10 of the Colorado Revised Statutes Municipal Election Code and Monument Municipal Election Code.

1.12.040 Permanent Absentee Voter

A "Permanent Absentee Voter" shall be defined as any active registered voter within the municipal election precinct for the purposes of Mail Ballot Elections not coordinated by the County Clerk and Recorder.

PASSED AND RESOLVED by the Board of Trustees of the Town of Monument, El Paso County, Colorado, this 18 day of February, 2014 by a vote of 6 for and 0 against.

TOWN OF MONUMENT

Travis W. Easton, Mayor

ATTEST:

Cynthia Sirochman, Town Clerk