

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 855**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING
SECTIONS 2-1-20 AND 2-1-30 OF THE *MEAD MUNICIPAL CODE* AS THEY
RELATE TO THE COUNTING OF WRITE IN VOTES IN MUNICIPAL
ELECTIONS AND THE CANCELLATION OF MUNICIPAL ELECTIONS.**

WHEREAS, the *Mead Municipal Code* provides that write-in votes cast in municipal elections will only be counted if a candidate files an affidavit of intent with the Town Clerk prior to 20 days before the day of the municipal election; and

WHEREAS, the Colorado legislature revised the municipal election laws to change the deadline for filing a affidavit of intent and such revision requires an amendment to the *Mead Municipal Code*; and

WHEREAS, the *Mead Municipal Code* provides that if the only matter before the voters in a municipal election is the election of persons to office, and at the close of business on the 19th day before the election, there are not more candidates than offices to be filled at such election, the Board of Trustees may instruct the Town Clerk to cancel the election and declare the candidates elected; and

WHEREAS, the Colorado legislature revised the municipal election laws to change the rules for allowing the cancellation of municipal elections and such revision requires an amendment to the *Mead Municipal Code*;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Section 2-1-20 of the *Mead Municipal Code* is hereby repealed in its entirety and replaced by the following new section to read as follows:

“Sec. 2-10-20. Write-in votes.

No write-in vote for any municipal office shall be counted unless the candidate files an affidavit of intent with the Town Clerk as provided for in the Colorado Municipal Election Code.”

Section 2. Section 2-1-30 of the *Mead Municipal Code* is hereby repealed in its entirety and replaced by the following new section to read as follows:

“2-1-30. Cancellation of municipal elections.

(a) In any municipal election, if the only matter before the voters is the election of persons to office and if there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the Town Clerk shall certify such fact to the Board of Trustees and it shall hold a meeting and by resolution shall instruct the Town Clerk to cancel the election and declare the candidates elected as provided for in the Colorado Municipal Election

Code.

(b) Upon cancellation of a municipal election and the declaration of election provided by Subsection (a) above, the candidates shall be deemed elected and upon compliance with Section 31-4-401, C.R.S., serve in their respective offices until their successors are elected and have complied with Section 31-4-401, C.R.S.

(c) 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 polling place and in not less than one (1) other public place.”

Section 3. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 4. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 5. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 6. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 27th DAY OF November, 2017.

ATTEST:

TOWN OF MEAD

By Mary E. Strutt
Mary E. Strutt, Town Clerk

By Gary R. Shields
Gary R. Shields, Mayor

