

Title 3

ELECTIONS AND RECALL OF OFFICIALS

Chapters:

- 3.02 Conduct of Elections
- 3.04 Board of Trustees and Mayor

Chapter 3.02

CONDUCT OF ELECTIONS

- 3.02.010 Write-In Candidate Affidavit Required.
- 3.02.020 Election May Be Cancelled When Only One Candidate.

3.02.010 Write-In Candidate Affidavit Required. No write-in vote for any municipal office shall be counted at a regular or special municipal election unless an affidavit of intent has been filed with the Town Clerk by the person whose name is written in prior to SIXTY-FOUR (64) days before the date of the election. This affidavit shall indicate that the person desires the office and is qualified to assume the duties of the office if elected.

(Ord. 474 §4, 2016)

3.02.020 Election May Be Cancelled When Only One Candidate. If at any general or special municipal 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-FOURTH (64<sup>th</sup>) day before the election, there are not more candidates than offices to be filled at such an election, including candidates filing affidavits of intent as provided in Section 3.02.010 of the De Beque Municipal Code, the Board of Trustees by resolution adopted either before or after such date may instruct the Town Clerk to cancel the election and declare the candidates elected. In such case, the Clerk shall cancel the election. Upon such declaration the candidate(s) shall be deemed elected. Notice of the cancellation of the election shall be published, if possible, in order to inform the electors of the Town, and notice of the cancellation of the election shall be posted at each polling place and in not less than one (1) other public place.

(Ord. 286 §1, 2004) (Ord. 474 §4, 2016)

Chapter 3.04

BOARD OF TRUSTEES AND MAYOR

Sections:

- 3.04.010 Board of Trustees--Term.
- 3.04.020 Mayor--Term.
- 3.04.030 Board of Trustees, Mayor—Vacancies

3.04.010 Board of Trustees--Term. Effective with the general election held in April, 1982, the term of office for members of the Board of Trustees shall be four (4) years. Said term of office shall not be altered by the filling of vacancies as provided in this Chapter.

At the general election held in April, 1982, the three (3) candidates receiving the highest number of votes for Trustee shall be elected to a term of four (4) years, and the three (3) candidates receiving the next highest number of votes shall be elected for two-year (2) terms. At the next subsequent regular election and each regular election thereafter, three (3) Trustees shall be elected to serve four-year (4) terms. (Ord. 165-A §1(part), 1988).

3.04.020 Mayor--Term. Effective with the general election held in April, 1982, the term of the office of Mayor shall be four (4) years. (Ord. 165-A §1(part), 1988).

3.04.030 Board of Trustees, Mayor--Vacancies. A. The Board of Trustees shall have the power, by appointment, to fill all vacancies in the Board, including the office of Mayor, and the person so appointed shall hold his office until the next regular election and until his successor is elected and has complied with Section 31-4-401, C.R.S., as amended. If the term of the person creating the vacancy was to extend beyond said next regular election, the person elected to fill the vacancy at said election shall be elected for the remainder of the unexpired term only.

Where a vacancy or vacancies exist in the office of Trustee, and a successor or successors are to be elected at the next election to fill the unexpired term or terms, the three (3) candidates for Trustee receiving the highest number of votes shall be elected to four-year (4) terms and the candidate or candidates receiving the highest number of votes, in descending order, shall be elected to fill the unexpired term or terms.

B. The Board of Trustees shall also have the power to fill a vacancy in the Board, including the Office of Mayor, by ordering a special election, subject to the requirements of the Colorado Municipal Election Code, to fill the vacancy until the next regular election and until a successor has been elected and has complied with Section 31-4-401, C.R.S., as amended. If the term of the person creating the vacancy was to extend beyond said next regular election, the person elected to fill the vacancy shall be elected for the unexpired term only.

C. If a vacancy in the Board, including the Office of Mayor, is not filled by appointment

or an election is not ordered within sixty (60) days after the vacancy occurs, the Board of Trustees shall order a special election, subject to the requirements of the Colorado Municipal Election Code, to be held as soon as practicable to fill the vacancy until the next regular election and until his successor has been elected and has complied with Section 31-4-401, C.R.S., as amended. If the term of the person creating the vacancy was to extend beyond the next regular election, the person elected to fill the vacancy shall be elected for the unexpired term only.

(Ord. 165-A §1(part), 1988; Amended Ord. 166, 1988;