

ORDINANCE NO. 1-2008

AN ORDINANCE PROVIDING FOR WRITTEN AFFIDAVITS OF INTENT FOR WRITE-IN CANDIDATES TO THE ELECTED OFFICES IN THE TOWN OF MOFFAT, AND GRANTING THE BOARD OF TRUSTEES THE AUTHORITY TO CANCEL AN ELECTION IF THERE ARE AN INSUFFICIENT NUMBER OF CANDIDATES

WHEREAS, the Board of Trustees wishes to conduct municipal elections in a manner respectful of the public's money, while safeguarding the public's right to vote for Trustees of the Town of Moffat, and

WHEREAS, uncontested elections expend public money and other resources for a result that can be obtained without having said election, and

WHEREAS, the Colorado Municipal Election Code of 1965 grants the Board of Trustees the authority to cancel uncontested elections if there are an insufficient number of candidates to allow for a contested election.

NOW THEREFORE, Be it ordained by the Board of Trustees of the Town of Moffat, Colorado:

1. Pursuant to C.R.S. § 31-10-306, write-in candidates for any elected office in the Town of Moffat shall provide an affidavit of intent to run as a write-in candidate at least twenty days before the election. The affidavit must indicate that the person desires the office and is qualified to assume the duties of that office.
2. Pursuant to C.R.S. § 31-10-507, if at the close of business on the nineteenth day before the election, there are not more candidates than offices to be filled at such election, including candidates filing the aforementioned affidavits of intent, the Board of Trustees may instruct the Clerk by resolution, either before or after the nineteenth day prior to the election, to cancel the election and declare by the same resolution that the candidates are deemed elected.
3. Notice of such cancellation shall be published, if possible, and notice of cancellation shall be posted at each polling place and not less than one other public place.

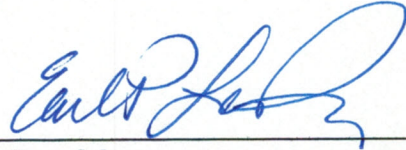
THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON PASSAGE DUE TO THE NECESSITY OF PASSING THE ORDINANCE TO CANCEL THE APRIL 2008 ELECTION IMMEDIATELY, BEFORE THE TOWN OF MOFFAT EXPENDS SUCH FUNDS ON AN UNCONTESTED ELECTION.

INTRODUCED, and read in full, this 5th day of February, 2008.

ADOPTED, and signed this 4th day of March 2008.

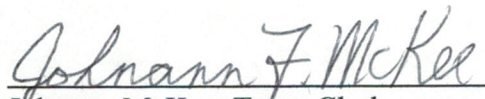
SIGNED this 5th day of MAY, 2009, *nunc pro tunc*.

APPROVED:



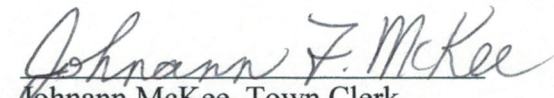
Earl LeRoy, Mayor

ATTEST:


Johann McKee, Town Clerk

CERTIFICATION

I HEREBY CERTIFY that the within Ordinance was introduced, and read in full on the 5th of February, 2008, and was adopted and signed the 4th day of March, 2008, at a regular meeting of the Board of Trustees of Moffat, Colorado, and published by posting in the designated places on May 6, 2009.


Johann McKee, Town Clerk