

ORDINANCE NO. 18-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, AMENDING SECTIONS 2-1-20 AND 2-1-30(a) OF CHAPTER 2 OF THE CASTLE PINES MUNICIPAL CODE REGARDING THE TIMELINE OF ELECTIONS

WHEREAS, the City of Castle Pines is a statutory municipality organized pursuant to Article 4 of Title 31 of the Colorado Revised Statutes; and

WHEREAS, the City is authorized pursuant to Section 31-15-401, C.R.S., to exercise its police powers to promote and protect the health, safety, and welfare of the community and its inhabitants; and

WHEREAS, coordinated and non-coordinated elections operate with different timelines under the Uniform Election Code of 1992 (“Uniform Election Code”), which is comprised of Articles 1 through 13 of Title 1 of the Colorado Revised Statutes; and

WHEREAS, the State legislature has amended the Colorado Municipal Election Code to address procedures for mail ballot elections, correct durational residency provisions, and make other changes consistent with the Uniform Election Code; and

WHEREAS, passage of the state legislation necessitates amendments to the election provisions of the City’s Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO:

Section 1. Section 2-1-20 of Chapter 2 of the Castle Pines Municipal Code, entitled “Write-in candidate affidavit”, is hereby amended to read in full as follows:

Sec. 2-1-20. – Write-in candidate affidavit.

In accordance with Section 31-10-306, C.R.S., no write-in vote for any City office shall be counted unless an affidavit of intent has been filed with the City Clerk by the person whose name is written in prior to sixty-four (64) days before the date of election indicating that such person desires the office and is qualified to assume the duties of that office if elected.

Section 2. Section 2-1-30(a) of Chapter 2 of the Castle Pines Municipal Code, entitled “Cancellation of election”, is hereby amended to read in full as follows:

Sec. 2-1-30. – Cancellation of election.

- (a) 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 (64th) day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent as set forth in Section 2-1-20, the City Clerk, if instructed by resolution of the City Council either before or after such date, shall cancel the election and the candidates, by resolution of the City Council, shall be declared to be elected.

Section 3. Severability. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section,

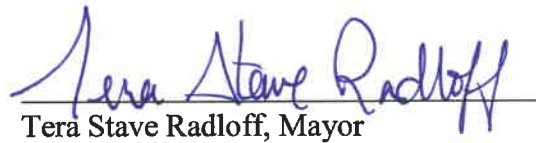
paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 4. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after publication following final adoption, unless it is adopted as an emergency ordinance, in which event it shall be effective immediately upon adoption.

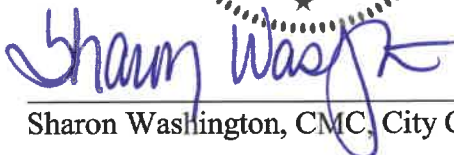
INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 23rd DAY OF JANUARY, 2018.

READ, PASSED, AND ADOPTED ON SECOND READING BY AT LEAST 3/4 OF ALL THE MEMBERS OF CITY COUNCIL, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 13TH DAY OF FEBRUARY, 2018.

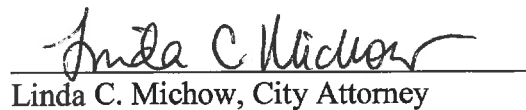



Tera Stave Radloff, Mayor

ATTEST:


Sharon Washington, CMC, City Clerk

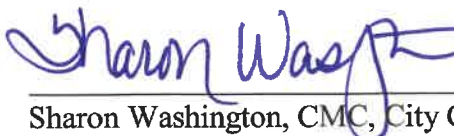
Approved as to form:


Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a noticed public meeting of the Castle Pines City Council on January 23, 2018; published by reference by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of all ordinances is available through the City Offices and on the City’s official website”; and finally passed and adopted by the City Council on February 13, 2018 following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on February 22, 2018.

ATTEST:


Sharon Washington, CMC, City Clerk