

ORDINANCE NO. 6

Series 2018

AN EMERGENCY ORDINANCE AMENDING CHAPTER 12 OF TITLE 1 OF THE  
BRECKENRIDGE TOWN CODE CONCERNING MUNICIPAL ELECTIONS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,  
COLORADO:

Section 1. Chapter 12 of Title 1 of the Breckenridge Town Code is amended by the addition of new a Section 1-12-9, which shall read in its entirety as follows:

1-12-9: WRITE-IN CANDIDATE AFFIDAVIT: No write-in vote for any Town office shall be counted 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 indicating that such person desires the office and is qualified to assume the duties of that office if elected.

Section 2. Chapter 12 of Title 1 of the Breckenridge Town Code is amended by the addition of new a Section 1-12-10, which shall read in its entirety as follows:

1-12-10: ELECTION MAY BE CANCELLED – WHEN: If the only matter before the voters is the election of persons to Town 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 election, including write-in candidates filing affidavits of intent pursuant to Section 1-12-9 of this Chapter, the Town Clerk, if instructed by resolution of the Town Council either before of after such date, shall cancel the election and by resolution declare the candidates elected. Upon such declaration the candidates shall be deemed elected. Notice of cancellation shall be published by the Town Clerk, 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. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 4. The Town Council of the Town of Breckenridge hereby finds, determines, and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public property, health, welfare, peace or safety. The only matter before the voters at the April 3, 2018 regular Town election will be the election of persons to Town office, and the Town Council has been advised by the Town Clerk that it appears that there will not be more candidates than offices to be filled at such election, including write-in candidates filing affidavits of intent as required by Section 1 of this ordinance. The Town Council finds and determines that it would be in the best interest of the Town for there to be in place a mechanism to allow for the cancellation of the April 3, 2018 regular election if, in fact, there will not be more candidates than offices to be filled at such election. For this reason, the Town Council further determines that the adoption of this ordinance as an emergency ordinance is in the best interest of the citizens of the Town of Breckenridge.

Section 5. Pursuant to Section 5.11 of the Breckenridge Town Charter this Ordinance shall take effect and be in full force upon adoption of this ordinance by the affirmative votes of at least five (5) members of the Town Council.

Section 6. This ordinance shall be published in full within ten (10) days after adoption, or as soon thereafter as possible, as required by Section 5.11 of the Breckenridge Town Charter.

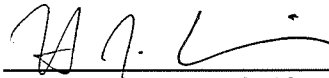
ADOPTED AND APPROVED as an Emergency Ordinance this 23rd day of January,  
2018.

TOWN OF BRECKENRIDGE, a Colorado  
municipal corporation


By: \_\_\_\_\_

Eric S. Mamula, Mayor

ATTEST:

  
\_\_\_\_\_  
Helen Cospolich, CMC,  
Town Clerk

APPROVED IN FORM

  
\_\_\_\_\_  
Town Attorney