

TOWN OF MT. CRESTED BUTTE  
ORDINANCE NO. 15  
SERIES 2022

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MT. CRESTED BUTTE, COLORADO, AMENDING ARTICLE II ELECTIONS OF THE TOWN OF MT. CRESTED BUTTE HOME RULE CHARTER**

WHEREAS, the Town of Mt Crested Butte, Colorado (“the Town”) is a home rule municipality duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado; and

WHEREAS, the Town Council placed the question of amending the Town Charter to conduct the Town’s regular municipal election as a coordinated election with Gunnison County on even years in November, on the November 8, 2022 ballot; and

WHEREAS, the Council also asked the voters to extend the terms of the current councilors by seven months to allow for an orderly transition to the new election date if they approved the first ballot question; and

WHEREAS, the voters approved both ballot measures; and

WHEREAS, this ordinance effects the changes to the Town Charter.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MT CRESTED BUTTE, COLORADO, THAT,**

Section 1. Article II Elections of the Town of Mt. Crested Butte Home Rule Charter is hereby amended to read as follows:

A. Colorado municipal election laws.

For any non-Gunnison County coordinated elections, Town elections shall be governed by the Colorado municipal election laws as now existing or hereafter amended or modified except as otherwise provided by this Charter or by ordinance hereafter enacted.

B. Nonpartisan elections.

All special and regular elections shall be nonpartisan. No candidate for any municipal office shall run under any party label.

C. Municipal elections.

The regular municipal election shall be held on the first Tuesday in November of each even numbered year, commencing with the year 2024. Any special municipal election may be called by

resolution or ordinance of the council at least thirty (30) days in advance of such election. The resolution or ordinance calling a special municipal election shall set forth the purpose or purposes of such election. Polling places for all municipal elections shall be open from 7:00 a.m. to 7:00 p.m.

D. Election precincts.

The town shall constitute one (1) voting precinct, provided that the council may, for the convenience of voters, establish additional precincts forty-five (45) days or more prior to any election, by ordinance. The precincts so established by ordinance shall remain for subsequent elections unless provided otherwise by ordinance.

E. Notice of election.

For any non-Gunnison County coordinated election, the town clerk shall cause to be published no later than ten (10) days preceding said election, a notice of said election. Said notice shall consist of a list of the candidates together with the office to be filled, and/or the questions or propositions to be submitted to the voters. The official notice shall be in the same size and form as the official ballot and shall be preceded by a short statement denoting the date and type of election, the hours the polls will be open, and the location of the polling place or places.

F. Recall.

Any elected officer of the town may be recalled at any time after six (6) months in office by the electors entitled to vote for a successor of such incumbent as provided for in Article XXI of the State of Colorado Constitution. Consistent with the Constitution and this Charter, the Council may provide by ordinance for further recall procedures.

Section 2. The current councilmembers' terms are hereby extended by seven months to allow for an orderly transition to the new election date.

Section 3. Severability. Should any section, clause, phrase, or provision of this ordinance be ruled invalid or unenforceable by any court of competent jurisdiction, it is hereby declared the intent of the Town Council of the Town of Mt. Crested Butte, Colorado, that the remaining provisions of this ordinance shall be given full force and effect if it is possible to do so.

INTRODUCED, READ, APPROVED, AND ORDERED PUBLISHED on first reading at a regular meeting of the Town Council of the Town of Mt. Crested Butte, Colorado, this 6<sup>th</sup> day of December, 2022.

PASSED, ADOPTED, AND APPROVED ON SECOND READING at a regular meeting of the Town Council of the Town of Mt. Crested Butte, Colorado, held the 3<sup>rd</sup> day of January, 2022.

TOWN OF MT. CRESTED BUTTE, COLORADO

*Nicholas Kempin*

By: Nicholas Kempin, Mayor

ATTEST:

*Tiffany O'Connell*

By: Tiffany O'Connell, Town Clerk

