

**TOWN OF FRASER  
ORDINANCE NO. 462  
SERIES OF 2018**

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 1 OF THE FRASER MUNICIPAL  
CODE REGARDING MUNICIPAL ELECTIONS

WHEREAS, the Colorado State Statues have been revised and the current town code requires amending accordingly.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FRASER, COLORADO, AS FOLLOWS:

PART 1: AMENDMENT OF MUNICIPAL CODE

Chapter 2 (Administration), Article 1 (Elections) of the Fraser Municipal Code (herein sometimes referred to as the "Municipal Code") is hereby amended as follows [Note: additions are shown in **bold underlined** print; deletions are shown as ~~striketrough~~ print]:

ARTICLE 1 - Elections

Sec. 2-1-10. - Write-in candidate affidavit.

No write-in vote for any municipal 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 ~~twenty (20)~~ **sixty-four (64)** days before the day of the election, indicating that such person desires the office and is qualified to assume the duties of that office if elected.

Sec. 2-1-20. - 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 ~~nineteenth~~ **sixty-fourth** day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the Town Clerk, if instructed by resolution of the Board of Trustees either before or after such date, shall cancel the election and by resolution declare the candidates elected. Upon such declaration, the candidates shall be deemed elected.
- (b) Notice of such cancellation shall be published, 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.

PART 2: REPEAL. Any and all existing ordinances or parts of ordinances of the Town of Fraser covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

PART 3: SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall

not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town of Fraser hereby declares that it would have adopted this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases thereof be declared invalid or unconstitutional.

PART 4: EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after passage, adoption and publication thereof as provided by law.

PART 5: PUBLICATION. This Ordinance shall be published by title only.

READ, PASSED, ADOPTED AND ORDERED PUBLISHED BY THE BOARD OF TRUSTEES AND SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

Votes in favor: \_\_\_\_\_  
Votes opposed: \_\_\_\_\_  
Votes abstained: \_\_\_\_\_

BOARD OF TRUSTEES OF THE  
TOWN OF FRASER, COLORADO

BY: \_\_\_\_\_  
Philip Vandernail, Mayor

ATTEST:

(S E A L)

\_\_\_\_\_  
Antoinette McVeigh, Town Clerk

Published in the *Middle Park Times* on \_\_\_\_\_, 2018.