

TOWN NEW CASTLE, COLORADO
ORDINANCE NO. TC 2016-6

AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL AMENDING SECTION
1.16.040 OF THE NEW CASTLE MUNICIPAL CODE REGARDING CANCELLATION OF
ELECTIONS.

WHEREAS, Chapter 1.16 of the New Castle Municipal Code addresses the conduct of elections and includes several deadlines pertaining to election procedures; and

WHEREAS, the Colorado General Assembly has enacted Senate Bill 16-142 making certain changes to the Uniform Election Code of 1992 and to the Municipal Election Code; and

WHEREAS, the Charter of the Town of New Castle requires that all candidates for elected offices be nominated by petition; and

WHEREAS, the New Castle Town Council desires to amend Section 1.16.040 of the Code in order to conform to changes adopted by the State Legislature and to the Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE NEW CASTLE TOWN COUNCIL AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Town Council.

Section 2. Code Amendments.

Section 1.16.040 of the New Castle Municipal Code is amended as indicated below. Deleted provisions appear with ~~strikethrough~~, and new provisions appear in **BOLD CAPITAL LETTERS**:

1.16.040 Cancellation of Elections. If the only matter before the voters in a municipal election is the election of persons to office and if, at the close of business on the ~~nineteenth~~ **SIXTY-FOURTH (64TH)** day before the election, **THE TOWN CLERK HAS NOT RECEIVED MORE CANDIDATE NOMINATION PETITIONS** ~~there are not more candidates than~~ **THERE ARE** offices to be filled at such election, ~~including candidates filing affidavits of intent pursuant to [Section 1.16.020](#) or [1.16.030](#) of this chapter,~~ the town clerk, if instructed by resolution of the town council either before or after such date, shall cancel the election and **THE TOWN COUNCIL SHALL** by resolution declare the candidates elected. Upon such declaration the candidates shall be deemed elected. 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 other public place.

Section 3. Severability. The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

INTRODUCED on September 6, 2016, at which time copies were available to the Council of the Town of New Castle, Colorado, and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time on September 20, 2016, at a duly-noticed regular meeting of the Council of the Town of New Castle, Colorado, read by title and number, passed with amendment as set forth herein, approved, and ordered published as required by the Charter.

TOWN COUNCIL OF TOWN OF
NEW CASTLE, COLORADO

By: _____

Mayor Art Riddile

ATTEST:

Town Clerk Melody Harrison, CMC