

ORDINANCE NO.

15-16

Series of 2015

**TITLE: AN ORDINANCE REPEALING AND REENACTING SECTION 2-11 OF THE HUDSON MUNICIPAL CODE REGARDING DEADLINES FOR AFFIDAVITS FOR WRITE IN CANDIDATES AND CANCELLATION OF ELECTIONS**

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Section 2-11 of the Hudson Municipal Code is hereby repealed and reenacted to read as follows:

**Sec. 2-11. Write-in candidates.**

(a) The town shall count write-in votes for any municipal office subject to subsection (b) below.

(b) No write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed by the person whose name is written in not later than sixty four (64) days before the day of the municipal election. The affidavit of intent shall indicate that the person desiring the office is qualified to assume the duties of that office if elected.

(c) If the only matter before the voters is the election of persons to office, and if, at the close of business on the sixty third (63<sup>rd</sup>) day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent pursuant to subsection (b) above, the town clerk, if instructed by resolution of the board of trustees either before or after such day, shall cancel the election. If there are any candidates, the board of trustees 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, 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 in the town.

Section 2. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

11/27/2015

P:\BOT MEETINGS\2015\BOT MEETING 12.02.15\ORD 15-16, ELECTIONCODECHANGES - 0112315.DOC

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 2<sup>ND</sup> day of December, 2015.

TOWN OF HUDSON, COLORADO

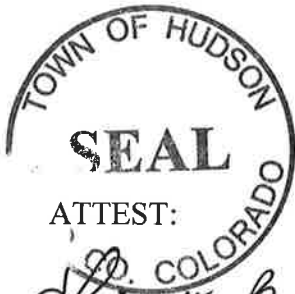


Raymond Patch  
Raymond Patch, Mayor

Linnette Barker  
Linnette Barker, CMC, Town Clerk

PASSED ON SECOND AND FINAL READING this 6<sup>th</sup> day of January, 2016, AND ORDERED PUBLISHED ONCE IN FULL.

TOWN OF HUDSON, COLORADO



Raymond Patch  
Raymond Patch, Mayor

Linnette Barker  
Linnette Barker, CMC, Town Clerk

APPROVED AS TO FORM:

Cory Y. Hoffmann  
Corey Y. Hoffmann, Town Attorney

Affidavit of Publication

STATE OF COLORADO

ss.

County of Weld,

I, Diane McConkey

of said County of Weld, being duly sworn, say that I am an advertising clerk of

**THE GREELEY TRIBUNE,**

that the same is a daily newspaper of general circulation and printed and published in the City of Greeley, in said county and state; that the notice or advertisement, of which the annexed is a true copy, has been published in said daily newspaper for consecutive (days): that the notice was published in the regular and entire issue of every number of said newspaper during the period and time of publication of said notice, and in the newspaper proper and not in a supplement thereof; that the first publication of said notice was contained in the Ninth day of December A.D. 2015 and the last publication thereof: in the issue of said newspaper bearing the date of the Ninth day of December A.D. 2015 that said The Greeley Tribune has been published continuously and uninterruptedly during the period of at least six months next prior to the first issue thereof contained said notice or advertisement above referred to; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof; and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

December 9, 2015

Total Charges: \$64.36

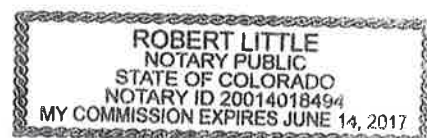
Diane McConkey

9th day of December 2015

My Commission Expires 6/14/2017

Robert Little

Notary Public



**TOWN OF HUDSON  
ORDINANCE NO. 15-16  
Series of 2015**

TITLE: AN ORDINANCE REPEALING AND REENACTING SECTION 2-11 OF THE HUDSON MUNICIPAL CODE REGARDING DEADLINES FOR AFFIDAVITS FOR WRITE IN CANDIDATES AND CANCELLATION OF ELECTIONS

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(c) If the only matter before the voters is the election of persons to office, and if, at the close of business on the sixty third (63rd) day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent pursuant to subsection (b) above, the town clerk, if instructed by resolution of the board of trustees either before or after such day, shall cancel the election. If there are any candidates, the board of trustees 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, 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 in the town.

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Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 2nd day of December, 2015.

TOWN OF HUDSON, COLORADO

Raymond Patch, Mayor

ATTEST:

Linnette Barker, CMC, Town Clerk

The Tribune  
December 9, 2015

Affidavit of Publication

STATE OF COLORADO

ss.

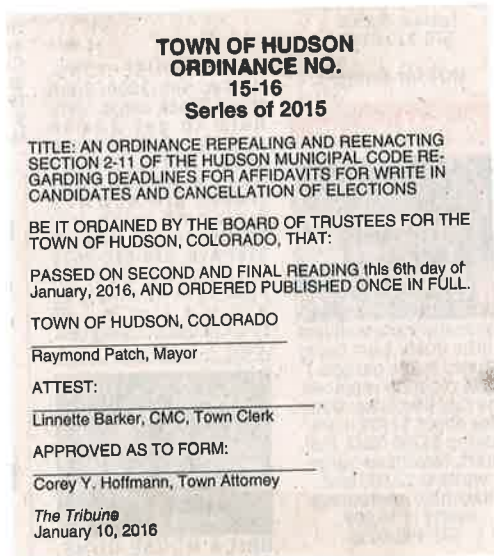
County of Weld,

I, Diane McConkey

of said County of Weld, being duly sworn, say that I am an advertising clerk of

**THE GREELEY TRIBUNE,**

that the same is a daily newspaper of general circulation and printed and published in the City of Greeley, in said county and state; that the notice or advertisement, of which the annexed is a true copy, has been published in said daily newspaper for consecutive (days): that the notice was published in the regular and entire issue of every number of said newspaper during the period and time of publication of said notice, and in the newspaper proper and not in a supplement thereof; that the first publication of said notice was contained in the Tenth day of January A.D. 2016 and the last publication thereof: in the issue of said newspaper bearing the date of the Tenth day of January A.D. 2016 that said The Greeley Tribune has been published continuously and uninterruptedly during the period of at least six months next prior to the first issue thereof contained said notice or advertisement above referred to; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof; and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.



January 10, 2016

Total Charges: \$27.72

Diane McConkey  
10th day of January 2016

My Commission Expires 6/14/2017

Robert Little  
Notary Public

