ORDINANCE NO. 3
SERIES 2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON ADOPTING WRITE-IN CANDIDATE AFFIDAVIT REQUIREMENTS FOR CITY OF GUNNISON MUNICIPAL ELECTIONS

WHEREAS, the City of Gunnison is a Colorado home-rule municipality; and

WHEREAS, the City of Gunnison has adopted the Colorado Municipal Election Code as contained in Title 31-10-101, et. Seq., except for such provisions as detailed in Article II, Elections, of the City Charter; and

WHEREAS, Section 31-10-306, C.R.S., Write-in candidate affidavit, provides that a municipality may provide by ordinance that no write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the clerk by the person whose name is written in prior to sixty-four 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; and

WHEREAS, City staff recommends that the City adopt such regulation by ordinance for City of Gunnison Municipal Elections.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS:

Section 1. The City of Gunnison hereby adopts the provisions of 31-10-306, C.R.S., and ordains that no write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the clerk by the person whose name is written in prior to sixty-four 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.

Section 2. The City of Gunnison adopts the provisions of Section 31-10-306, C.R.S., as such may be amended.

Section 3. 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 City Council of the City of Gunnison, Colorado, that the remaining provisions of this ordinance shall be given full force and effect if it is possible to do so.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 24th day of January, 2017, on first reading, and introduced, read, passed and adopted on second and final reading this 14th day of February, 2017.

[Signature]
Mayor

[Signature]
City Clerk

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