

TOWN OF FRISCO  
COUNTY OF SUMMIT  
STATE OF COLORADO

RESOLUTION 24-13

A RESOLUTION DIRECTING THE TOWN CLERK TO CANCEL THE MUNICIPAL ELECTION ON APRIL 2, 2024, IF THERE ARE NOT MORE CANDIDATES THAN OFFICES TO BE FILLED IN THE ELECTION.

WHEREAS, the Town of Frisco ("Town") is a Colorado home-rule municipality operating under the authority and limitations of Article XX, Section 6, of the Colorado Constitution; and

WHEREAS, pursuant to Article XX, Section 6, of the Colorado Constitution, the Town is authorized to legislate upon, provide, regulate, conduct and control all matters pertaining to municipal elections in the Town; and

WHEREAS, Section HRC-4-1 of the Charter for the Town of Frisco ("Charter") provides that Town elections shall be governed by the state statutes contained in the Colorado Municipal Elections Code, except as otherwise provided by ordinances not inconsistent with the Charter;

WHEREAS, Section 20-2 of the Code of Ordinances of the Town of Frisco ("Code") provides that if, on the 19<sup>th</sup> day before an election, there are not more candidates than offices to be filled at an election, including candidates filing affidavits of intent to be a write-in candidate, then the Town Clerk is authorized to cancel the election and, thereafter, pursuant to Section 20-3 of the Code, declare the candidates deemed elected; and

WHEREAS, Section 31-10-507 of the Colorado Revised Statutes ("C.R.S."), provides that when there are not more candidates than offices to be filled at a municipal election, including candidates filing affidavits of intent to be a write-in candidate, the Town Clerk, if instructed by resolution of the governing body either before or after the last day for the filing of affidavits of intent, shall cancel the election and by resolution shall declare the candidates elected; and

WHEREAS, Section 31-10-507 provides that notice of cancellation of an election shall be published, if possible, to inform electors of the municipality, and notice of such cancellation shall be posted at each polling place and in not less than one other public place.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO THAT:

Section 1. If on March 14, 2024, there are not more candidates than offices to be filled at the municipal election to be held on April 2, 2024, the Town Clerk shall cancel the election and by resolution shall declare that the candidates have been deemed elected to begin their terms on April 23, 2024.

Section 2. In the event that the Town Clerk cancels the April 2, 2024, election pursuant to Section 1 above, the Town Clerk shall cause notice of such cancellation to be published conspicuously on the Town's website, and posted at each location for the collection of ballots and in not less than one other public place within the Town.

INTRODUCED, READ AND ADOPTED THIS 12<sup>th</sup> DAY OF MARCH, 2024.



Town of Frisco, Colorado:

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Hunter Mortensen, Mayor

ATTEST:

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Stacey Nell, CERA, Town Clerk