

**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 2  
SERIES OF 2019**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING  
ARTICLE 1 OF CHAPTER 2 OF THE RIFLE MUNICIPAL CODE  
REGARDING CITY ELECTIONS.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, Articles 10 and 11 of Title 31, Colorado Revised Statutes, sets forth procedures for municipal elections; and

WHEREAS, the Rifle Municipal Code currently references Title 1, Colorado Revised Statutes for elections, which pertains to general and primary elections handled by the County Clerk; and

WHEREAS, the Rifle City Council desires to amend Sections 2-1-10 and 2-1-30 of the Rifle Municipal Code to reference the more relevant municipal election provisions in the Colorado Revised Statutes for Rifle municipal elections.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. The City Council incorporates the foregoing recitals as conclusions, facts, determinations, and findings by the City Council.

2. Section 2-1-10 of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike through language deleted~~:

**Sec. 2-1-10. – Conduct of elections.**

- (a) All elections shall be held and conducted in accordance with the provisions of Article II of the Charter; provided, however, that any municipal election of the City may be conducted by mail ballot as provided below.
- (b) Upon the call of a mail ballot election by resolution of the City Council, the City Clerk is authorized to conduct elections by mail ballot.
- (c) Unless provided otherwise by the Charter or this Code, such elections shall be conducted pursuant to the requirements of Articles 7.5 10 and 11 of Title 31, C.R.S., the Colorado Mail-Ballot Municipal Election Code Act and Municipal Initiatives, Referenda, and Referred Measures, as it they may be amended from time to time, except the following provisions thereof:
  - ~~(1) Section 1-7.5-107.3, C.R.S., regarding county coordinated elections;~~
  - ~~(2) Section 1-7.5-109, C.R.S., regarding write in candidate affidavits; and~~
  - ~~(3) Any provisions of the Act that the City determines are inconsistent with the~~

City's authority over its elections pursuant to Article XX of the Colorado Constitution.

- ~~(d) To the extent that the Colorado Mail Ballot Election Act does not control specific provisions relevant to the conduct of a municipal election conducted by mail ballot, the provisions of the Colorado Municipal Election Code shall apply.~~
- ~~(e) Notwithstanding the provisions of Sections 31-10-302 and 31-10-305, C.R.S., with respect to nomination petitions for candidates for municipal office in a mail ballot election, such nomination petitions shall be circulated no earlier than ninety-one (91) days and no later than seventy one (71) days prior to the day of the election. Any nomination petition may be amended to correct or replace signatures at any time prior to sixty-eight (68) days prior to the date of the election. Any nomination petition may be amended to cure any other defect at any time prior to sixty-three (63) days prior to the date of the election.~~

3. Section 2-1-30 of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike-through language deleted~~:

**Sec. 2-1-30. – Cancellation of elections.**

- (a) If the only matter before the voters is the election of persons to office and, if at the close of business on the sixty-fourth day before the election, there are not more candidates than offices to be filled at the election, including candidates filing affidavits of intent as set forth in Section 2-1-20 above, the City Clerk shall certify such fact to the City Council; and it shall hold a meeting, by resolution instruct the City Clerk to cancel the election as it pertains to the City Council candidates, and declare the candidates elected.
- (b) Notice of such cancellation, as it pertains to City Council candidates, shall be published, if possible, and posted at each polling place and in not less than one (1) other public place.

INTRODUCED on February 6, 2019, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on February 20, 2019, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this 20 day of February 2019.

CITY OF RIFLE, COLORADO

BY:

  
Mayor

ATTEST:

  
City Clerk

