

COUNCIL BILL NO. 44

Series 2023

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE TOWN OF BRECKENRIDGE AT A REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 2, 2024, A PROPOSED AMENDMENT TO THE CHARTER OF THE TOWN OF BRECKENRIDGE TO LENGTHEN THE TERM OF ELECTION COMMISSIONERS FROM TWO YEARS TO FOUR YEARS.

WHEREAS, election commissioners fill an essential role in the Town of Breckenridge municipal election process;

WHEREAS, there is a need to have commissioners who have experience and understanding of the election process; and,

WHEREAS, lengthening the term of election commissioners would allow for appointees to serve two election cycles.

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE:

Section 1. There is hereby submitted to the registered electors of the Town of Breckenridge for their approval or rejection at a regular municipal election to be held on April 2, 2024, a proposed amendment to the Charter of the Town of Breckenridge, as follows:

Effective upon publication and filing with the Secretary of State in accordance with the Constitution and laws of the State of Colorado, the following section of the Charter of the Town of Breckenridge is amended to read as follows:

Section 3.5

ELECTION COMMISSION:

An election commission is hereby created, consisting of the town clerk and two electors of the town. Neither of the two electors during their term of office shall be town officers or employees or candidates or nominees for elective town office. These two electors shall be appointed by the council in May following a regular town election, for a term of ~~two~~ four ~~(2)~~ (4) years and shall serve without compensation.

The town clerk shall be chairman of the election commission. The election commission shall have charge of all activities and duties required of it by statute and this charter relating to the

1 conduct of elections in the town. In any case where election procedure is in doubt, the election
2 commission shall prescribe the procedure to be followed.

3
4 The commission shall provide procedures to establish proof of residency qualification where
5 residency is in question. Upon a showing for good cause, the election commission may require
6 proof of residency by any person registered to vote or attempting to register to vote in the town
7 of Breckenridge. Said person shall not be qualified to vote in any municipal election until the
8 election commission is satisfied that he has presented sufficient proof of residency as required
9 by statute or ordinance adopted pursuant to this charter.

10
11 The election commission shall provide for ballots and sample ballots, voting machines or
12 electronic voting equipment for determination of the winner by lot in the event of a tie vote, for
13 canvass of returns and for the issuance of appropriate certificates.

14 **Section 2.** The ballot shall contain the following title and submission clause:

15
16 **REFERRED QUESTION _____**

17
18 **Shall section 3.5 of the Charter of the Town of Breckenridge be amended to**
19 **lengthen the term of election commissioners from two years to four years?**

20
21 **Section 3.** The proper officials of the Town of Breckenridge as charged with duties
22 relating to the election shall, before the election, issue such calls, make such certifications and
23 publications, give such notices, make such appointments, and do all such other acts and things
24 in connection with the submission of this Charter amendment to the registered electors of the
25 Town of Breckenridge at the election as are required by the Constitution and laws of the State
26 of Colorado and the Charter and ordinances of the Town of Breckenridge.

27 **Section 4.** The ballots cast at such election shall be canvassed and the results
28 ascertained, determined, and certified in accordance with the requirements of the Constitution
29 and laws of the State of Colorado and the Charter and ordinances of the Town of Breckenridge.

30 **Section 5.** If any section, paragraph, clause, or other portion of this ordinance is
31 held to be invalid or unenforceable for any reason, the validity of the remaining portions of this
32 ordinance shall not be affected.

1 **Section 6.** This ordinance shall be published and become effective as provided by
2 Section 5.9 of the Breckenridge Town Charter.

3 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
4 PUBLISHED IN FULL this 12th day of December 2023. A Public Hearing shall be held at the
5 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 9th day of
6 January 2024, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
7 Town.

8
9 TOWN OF BRECKENRIDGE, a Colorado
10 municipal corporation

11
12
13
14 By: _____
15 Eric S. Mamula, Mayor

16
17 ATTEST:
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19
20
21 _____
22 Helen Cospolich, CMC,
23 Town Clerk