

ORDINANCE NO. 3

Series 2024

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

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

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

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

**REFERRED QUESTION 1**

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

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

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

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

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

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
PUBLISHED IN FULL this 12th day of December, 2023.

This ordinance was published in full on the Town of Breckenridge website on December 14, December 15, December 16, December 17 and December 18, 2023.

A public hearing on this ordinance was held on January 9, 2024.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON  
THE TOWN'S WEBSITE this 9th day of January, 2024. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

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Helen Cospolich, CMC, Town Clerk

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Eric S. Mamula, Mayor

APPROVED IN FORM

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Town Attorney

Date

This Ordinance was published on the Town of Breckenridge website on January 11, January 12, January 13, January 14 and January 15, 2024. This ordinance shall become effective on February 14, 2024.