



**LEGAL NOTICE OF THE TOWN OF FRISCO, COLORADO
NOTICE OF SECOND READING OF ORDINANCE 24-11**

*IN ACCORDANCE WITH COLORADO OPEN MEETINGS LAW, THE TOWN OF FRISCO HOME
RULE CHARTER, AND TOWN CODE*

NOTICE IS HEREBY GIVEN that the Town Council of the Town of Frisco, Colorado, adopted on second reading the following Ordinance at its regular meeting on:

Tuesday, January 14, 2025 at 7:00 p.m.
Frisco Town Hall – Council Chambers
1 East Main Street, Frisco, Colorado

ORDINANCE 24-11

AN ORDINANCE AMENDING CHAPTERS 10 AND 20 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING THE TOWN'S COUNCILMEMBERS AND MAYOR, AND THE TOWN'S ELECTIONS, RESPECTIVELY, TO CHANGE THE DEADLINE FOR FILING OF AN AFFIDAVIT OF INTENT TO BE A WRITE-IN CANDIDATE FOR MUNICIPAL OFFICE, AND THE PROCESS FOR CANCELLING AN ELECTION, TO BE CONSISTENT WITH THE COLORADO STATUTES.

Public meetings and legal notices are conducted in compliance with the Colorado Open Meetings Law (C.R.S. § 24-6-401, et seq.), the Frisco Home Rule Charter Section 3-9(d), and all applicable provisions of the Town Code. A full copy of this and any adopted Ordinance is available for public inspection 24/7 at FriscoGov.com. Access support and hard copies for public inspection of records can be requested from the Town Clerk.

Any interested member of the public may attend any Town Council meeting and provide public comment on this or any matters. A full copy of the Ordinance is attached to this notice.

DATED this 15th day of January, 2025.

Respectfully submitted,

A handwritten signature in black ink that reads "Stacey Campbell".

Stacey Campbell

Town Clerk

(970) 668-9122

townclerk@townoffrisco.com

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 24-11**

AN ORDINANCE AMENDING CHAPTERS 10 AND 20 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO CONCERNING, RESPECTIVELY, THE TOWN'S COUNCILMEMBERS AND MAYOR, AND THE TOWN'S ELECTIONS, TO CHANGE THE DEADLINE FOR THE FILING OF AN AFFIDAVIT OF INTENT TO BE A WRITE-IN CANDIDATE FOR MUNICIPAL OFFICE, AND TO REVISE THE PROCESS FOR CANCELLING AN ELECTION, EACH IN ORDER TO BE CONSISTENT WITH COLORADO STATUTES.

WHEREAS, the Town of Frisco, Colorado ("Town") is a home rule municipality, duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, in order to provide adequate time for the preparation and advance mailing of mail-in ballots, Colorado statutes provide, at Section 31-10-306, C.R.S., that the governing body of a municipality may provide by ordinance that no write-in vote for any municipal office shall be counted unless an affidavit of intent to be such a candidate has been filed with the municipal clerk prior to 64 days before the election; and

WHEREAS, Section 31-10-507, C.R.S., states that any ordinance adopted by the governing body of the municipality requiring an affidavit of intent for write-in candidates as provided in section 31-10-306, the governing body may also provide that, 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 such election, including candidates filing affidavits of intent, the clerk, if instructed by resolution of the governing body either before or after such date, shall cancel the election and by resolution declare the candidates elected. If so provided by ordinance, upon such declaration the candidates shall be deemed elected.

WHEREAS, The Town Clerk has identified that Frisco Municipal Code, at Sections 10-5, 20-1, 20-2 and 20-3, concerning write-in candidacy and the cancellation of elections, are inconsistent with state statute and out of date with current and necessary practices to conduct mail ballot elections.

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

Section 1. Section 10-5 of the Code of Ordinances of the Town of Frisco (the "Code"), concerning write-in candidates for municipal office, is hereby amended to read as follows:

§ 10-5. Write-in candidates.

- A. The Town of Frisco hereby declares that no write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the Town Clerk by the person whose name is written in prior to ~~20~~ 64 days before the election indicating that such person desires the office and is qualified to assume the duties of that office if elected.
- B. If the only matter before the voters is the election of persons to office and if, at the close of business on the ~~nineteenth~~ 64th day before the election there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the Town Clerk is authorized, upon instruction by resolution of the Town Council either before or after such date, to cancel the election.
- C. In the event an election is cancelled for the reason set forth in subsection B, the Town Clerk ~~may~~ shall by resolution declare the candidates deemed elected.

Section 2. Section 20-1 of the Code of Ordinances of the Town of Frisco (the “Code”), concerning affidavits of intent for write-in candidates for municipal office, is hereby amended to read as follows:

§ 20-1. Affidavit of intent.

The Town of Frisco hereby declares that no write-in vote for any municipal office shall be counted unless and affidavit of intent has been filed with the Town Clerk by the person whose name is written in prior to ~~twenty~~ 64 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 3. Section 20-2 of the Code of Ordinances of the Town of Frisco (the “Code”), concerning the cancellation of an election, is hereby amended to read as follows:

§ 20-2. Cancellation of election.

If the only matter before the voters is the election of persons to office and if, at the close of business on the ~~19th~~ 64th day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the Town Clerk is authorized, upon resolution of the Town Council either before or after such date, to cancel the election.

Section 4. Section 20-3 of the Code of Ordinances of the Town of Frisco (the “Code”), concerning the Town Clerk’s declaration of election, is hereby amended to read as follows:

§ 20-3. Declaration of election.


In the event an election is cancelled for the reason set forth in Section 20-2, the Town Clerk ~~may~~ shall by resolution declare the candidates deemed elected.

Section 5. Effective Date. This ordinance shall become effective in accordance with the home-rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THE 10TH DAY OF DECEMBER, 2024.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS 14TH DAY OF JANUARY, 2025

TOWN OF FRISCO, COLORADO:

DocuSigned by:

DE20277B4CAE42E
Fredrick J. Ihnken, Mayor

ATTEST:

Signed by:

EDCD1C5EB9AB46E...
Stacey Nell, Town Clerk