

## ARTICLE IV Elections

### Section 4-1. Laws Governing Elections.

- (a) Except for a special election conducted pursuant to Section 4-3 all Town elections shall be conducted under the Uniform Election Code of 1992, as from time to time amended. The Douglas County Clerk shall have all statutory power and authority to conduct such elections as coordinated elections.
- (b) In the event Douglas County is unable to conduct a special election in compliance with applicable Charter and ordinance requirements, then such special elections shall be conducted by the Town, as provided by ordinance not inconsistent with this Charter.

(Ord. No. 2015-30, 8-18-2015, passed at election 11-3-2015)

### Section 4-2. Regular Elections.

A regular election shall be held each even-numbered year on the first Tuesday following the first Monday of November.

### Section 4-3. Special Elections.

Special elections shall be held on any Tuesday designated by the Town Council. No special election shall be called within sixty days before the date thereof. No special election shall be held within the one hundred twenty days before a regular election. The ordinance calling a special election shall set forth the purpose of the election.

### Section 4-4. Election Commission.

- (a) An Election Commission is hereby created consisting of five registered electors of the Town. During their terms of office, the members shall not be Town officers, Town employees, or candidates for elective Town office. The members shall be appointed for staggered terms of three years by the Council concurrently with the timing of the appointment of other Town boards and commissions, unless otherwise provided by ordinance. The Election Commission shall elect a Chairman from its members.
- (b) The Election Commission shall have charge of all activities and duties required of it by this Charter and by ordinances 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.
- (c) The Election Commission shall provide procedures for establishing proof of residency where there is a question of residency of a person who is registered to vote.
- (d) The Election Commission shall provide for ballots or voting machines, for determination of the winner by lot in the event of a tie vote, for canvass of returns, and for issuance of appropriate certificates.
- (e) The Election Commission shall have the power to adopt reasonable rules and regulations not inconsistent with the Constitution of the State of Colorado or the Charter and ordinances of the Town.

(Amended by Ord. 97-37, 10-7-97 election; Ord. 2004-41, 11-2-04 election; Ord. No. 2018-026, § 3, 8-21-2018, passed at election 11-6-2018)

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## Section 4-5. Districts.

- (a) The Town is hereby divided into six districts, the boundaries of which shall be established and changed by the Election Commission as provided in this Charter. Districts shall be reviewed by the Election Commission in 2015, 2021 and every six years thereafter to determine if an adjustment in district boundaries is required in order to meet the requirements of subsection (b).
- (b) In each year a review of district boundaries is required under subsection (a), the Election Commission shall ascertain, based on the available election records, the number of registered electors in each district on January 15 of that year, or the next business day following January 15th if January 15 falls on a Saturday, Sunday, or legal holiday. If the number of registered electors in the district with the lowest number of registered electors is less than eighty-five percent of the number of registered electors in the district with the highest number of registered electors, the district boundaries shall be adjusted in accordance with subsection (c). If the least populated district has a number of registered electors equal to or greater than eighty-five percent of the registered electors of the most heavily populated district, no adjustment in district boundaries shall be made.
- (c) Not later than April 1 of the year in which an adjustment in district boundaries is required under subsection (b), the Election Commission shall change the boundaries of districts so that the number of registered electors calculated in accordance with subsection (b) is not less than eighty-five percent of the number of registered electors in the district with the highest number of registered electors. Districts shall be contiguous and compact whenever possible.
- (d) No change in district boundaries shall create a vacancy during the term of any Councilmember in office at the time of the change.

(Amended by Ord. 97-37, 10-7-97 election; Ord. 2004-42, 11-2-04 election; Ord. 2009-46, 4-6-10 election; Ord. No. 2018-002, § 2, 2-20-2018, passed at election 5-15-2018)