

**TOWN OF HOT SULPHUR SPRINGS**

**COUNTY OF GRAND  
STATE OF COLORADO**

**RESOLUTION NO. 2016-3-1**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF HOT  
SULPHUR SPRINGS, COLORADO, INSTRUCTING THE TOWN CLERK  
TO CANCEL, AND RATIFYING THE ACTIONS OF THE TOWN CLERK IN  
CANCELLING THE APRIL 5, 2016 REGULAR MUNICIPAL ELECTION IN  
ACCORDANCE WITH SECTION 1-10-2 OF THE TOWN CODE**

WHEREAS, C.R.S. § 31-10-507 provides that that if a municipality has adopted an ordinance addressing cancellation of elections, it may cancel an election where there are not more candidates than offices to be filled; and

WHEREAS, Sec. 1-10-2 of the Hot Sulphur Springs Town Municipal Code ("Code"), in accordance with C.R.S. § 31-10-507, provides that the Board of Trustees ("Board") may by resolution direct the Town Clerk to cancel a municipal election and declare the candidates elected if the only matter before the voters is the election of persons to office, and if, at the close of business on the nineteenth day before said municipal election, there is not more than one (1) candidate per seat to be filled at such election, including candidates filing affidavits of intent as set forth in Sec. 1-10-1 of the Code; and

WHEREAS, pursuant to Section 1-10-2 of the Code, upon such declaration, the candidates shall be deemed elected; and

WHEREAS, the nineteenth day before the regular municipal election to be held on April 1, 2014, is March 13, 2014; and

WHEREAS, as of March 18, 2016, there were not more candidates nominated than offices to be filled at the April 5, 2016, election; and

WHEREAS, the deadline for filing affidavits of intent for write-in candidates as set forth in Section 1-10-1 of the Code is February 5, 2016; and

WHEREAS, as there are no more than one (1) candidate for each seat to be filled based upon those filing nomination petitions and not more than one (1) candidate per seat after the deadline for candidates filing affidavits of intent to be write-in candidates as of close of business on February 5, 2016, the Board desires to direct the Town Clerk to cancel the election effective on March 18, 2016, the eighteenth day before the election, to ratify past actions of the Town Clerk to cancel the election consistent with this Resolution, and the Board shall declare the candidates elected as of such date, as provided by C.R.S. §31-10-507 and Town Code Section 1-10-2.

**NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Hot Sulphur Springs, Colorado, the following:**

Section 1. As of the close of business on March 18, 2016, there were not more candidates than offices to be filled at the regular Town election scheduled for April 5, 2016, including candidates filing affidavits of intent to be write-in candidates, and the Town Board hereby ratifies the actions of the Town

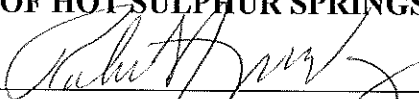
Clerk and directs the Town Clerk to take such further action as necessary to cancel the April 5, 2016, regular municipal election for the Town on the eighteenth day before the election, or effective as of March 18, 2016.

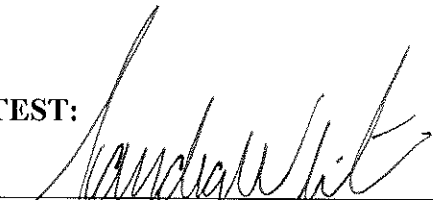
Section 2. Pursuant to Town Code Section 1-10-2, notice of cancellation of the election shall be published, if possible, and notice of such cancellation shall be posted at each polling place and in not less than one (1) other public place.

Section 3. Effective Date. This Resolution shall take effect upon its approval by the Board of Trustees.

**ADOPTED THIS 17 DAY OF MARCH, 2016.**

**TOWN OF HOT-SULPHUR SPRINGS, COLORADO**

  
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Robert McVay, Mayor

**ATTEST:**  
By:   
\_\_\_\_\_  
Sandy White, Town Clerk