

1 **BY AUTHORITY**

2 ORDINANCE NO. _____

COUNCIL BILL NO. _____

3 SERIES OF 2010

COMMITTEE OF REFERENCE:

4
5 Discussed: _____, 2010

6 **A B I L L**

7
8 **For an ordinance amending Article I of Chapter 15 of the Revised**
9 **Municipal Code concerning the conduct and administration of city and**
10 **county elections.**
11

12 **WHEREAS**, pursuant to §§ 8.1.2 (E) and (F) the Clerk and Recorder is vested with
13 exclusive authority for the conduct of elections, and will perform such other duties as may
14 be required by the charter or by ordinance; and

15 **WHEREAS**, pursuant to § 8.2.1 of the Denver Charter, city and county elections will
16 be conducted in accordance with state law except as may otherwise be provided by the
17 charter or by ordinance; and

18 **WHEREAS**, section § 15-4(a) of the Revised Municipal Code provides that city and
19 county elections will be conducted pursuant to the Uniform Election Code of 1992 (articles
20 1 through 13 of title 1, C.R.S., as amended); and

21 **WHEREAS**, the Uniform Election Code was amended in 2009 to extend the time
22 period for verification of provisional ballots by an additional two (2) days; and

23 **WHEREAS**, the Clerk has determined that it is necessary to amend section 15-4(b)
24 of the Revised Municipal Code to adjust the time period for verification of provisional ballots
25 for city and county elections consistent with the Uniform Election Code and to make other
26 necessary adjustments concerning the time to complete the survey of returns.

27
28 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

29 **SECTION 1.** That subsection 15-4(b)(1), D.R.M.C. will be amended by deleting the
30 language stricken and adding the language underlined to read as follows:
31

1 **Sec. 15-4. Applicability of Uniform Election Code.**

2
3 (b) Notwithstanding any contrary provision in the Uniform Election Code, the
4 following requirements shall govern general city and county elections and runoff
5 elections:

- 6
- 7 1. All provisional ballots shall be verified and counted no later than ~~six~~
8 ~~(6)~~ eight (8) days after the general election.
- 9
- 10 2. Any opportunity for a voter to confirm or correct the signature on an
11 absentee ballot or a mail ballot shall be exercised no later than ~~six~~
12 ~~(6)~~ eight (8) days after the general election.
- 13
- 14 3. Any request for a recount shall be submitted no later than ~~seven (7)~~
15 ten (10) days after the general election and the recount shall be
16 completed no later than ~~ten (10)~~ fourteen (14) days after the
17 general election.
- 18
- 19 4. Any requirement regarding the canvassing, auditing, or certification
20 of the results of the election shall be completed ~~within seven (7)~~ no
21 later than nine (9) days of after the general election, ~~unless a~~
22 recount is requested.
- 23
- 24 5. Any ballot for a runoff election shall be certified no later than
25 twenty-one (21) days before the runoff election, unless a recount is
26 requested.
- 27

28
29 COMMITTEE APPROVAL DATE: _____ 2010.

30 MAYOR-COUNCIL DATE: _____ 2010.

31 PASSED BY THE COUNCIL _____ 2010

32 _____ - PRESIDENT

33 APPROVED: _____ - MAYOR _____ 2010

34 ATTEST: _____ - CLERK AND RECORDER,
35 EX-OFFICIO CLERK OF THE
36 CITY AND COUNTY OF DENVER

37
38 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2010; _____ 2010

39 PREPARED BY: Victoria Ortega - ASSISTANT CITY ATTORNEY – _____ 2010

1 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the
2 office of the City Attorney. We find no irregularity as to form, and have no legal objection to
3 the proposed ordinance. The proposed ordinance is not submitted to the City Council for
4 approval pursuant to §3.2.6 of the Charter.

5

6 David R. Fine, City Attorney for the City and County of Denver

7 BY: _____, _____ City Attorney

8 DATE: _____