

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2010

COUNCIL BILL NO. 10-0854
COMMITTEE OF REFERENCE:
Government Affairs & Finance

5 **A B I L L**

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

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

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

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

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

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

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

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

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

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

- 29 1. All provisional ballots shall be verified and counted no later than ~~six (6)~~ eight
30 (8) days after the general election.
- 31 2. Any opportunity for a voter to confirm or correct the signature on an
32 absentee ballot or a mail ballot shall be exercised no later than ~~six (6)~~ eight
33 (8) days after the general election.

- 1 3. Any request for a recount shall be submitted no later than ~~seven (7)~~ ten (10)
2 days after the general election and the recount shall be completed no later
3 than ~~ten (10)~~ fourteen (14) days after the general election.

- 4 4. Any requirement regarding the canvassing, auditing, or certification of the
5 results of the election shall be completed ~~within seven (7)~~ no later than nine
6 (9) days ~~of after~~ the general election, ~~unless a recount is requested.~~

- 7 5. Any ballot for a runoff election shall be certified no later than twenty-one
8 (21) days before the runoff election, unless a recount is requested.

9 COMMITTEE APPROVAL DATE: October 13, 2010
10 MAYOR-COUNCIL DATE: October 19, 2010
11 PASSED BY THE COUNCIL _____ 2010
12 _____ - PRESIDENT

13 APPROVED: _____ - MAYOR _____ 2010

14 ATTEST: _____ - CLERK AND RECORDER,
15 EX-OFFICIO CLERK OF THE
16 CITY AND COUNTY OF DENVER

17
18 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2010; _____ 2010

19 PREPARED BY: Victoria Ortega - ASSISTANT CITY ATTORNEY – October 21, 2010

20 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
21 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
22 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
23 §3.2.6 of the Charter.

24
25 David R. Fine, City Attorney for the City and County of Denver
26 BY: _____, _____ City Attorney

27 DATE: _____