



Agenda

Election Code Committee
October 23, 2026 – 4:00 PM

CIC Conference Room, City Hall, 300 Laporte Ave and via Teams at
<https://teams.microsoft.com/meet/218344506274814?p=7pS9BJM8TvPfIFTrWF>
Remote Participation Available

- A) Call Meeting to Order
- B) Roll Call
- C) Public Participation
- D) Public Participation Follow-up
- E) Approval of Minutes

1. Approval of Minutes.

The purpose of this item is to approve the minutes of the September 18, 2026, Election Code Committee meeting.

F) Discussion / Informational Items

2. Proposed Election Code Changes.

The purpose of this item is to propose election-related Code changes for the Committee's consideration.

G) Review of Upcoming Calendar

H) Other Business

I) Adjournment

Next Scheduled Committee Meeting: 4:00 PM, November 20, 2026

Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide advance notice. Requests for interpretation at a meeting should be made by noon the day before.

A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione aviso previo cuando sea posible. Las solicitudes de interpretación en una reunión deben realizarse antes del mediodía del día anterior.

October 23, 2026



AGENDA ITEM SUMMARY

Election Code Committee

STAFF

Delynn Coldiron, City Clerk

SUBJECT

Approval of Minutes.

EXECUTIVE SUMMARY

The purpose of this item is to approve the minutes of the September 18, 2026, Election Code Committee meeting.

ATTACHMENTS

1. Draft Minutes, September 18, 2026

September 18, 2026

ELECTION CODE COMMITTEE MEETING

4:00 PM

COMMITTEEMEMBERS PRESENT

Chair/Councilmember Chris Conway

Councilmember Josh Fudge

Councilmember Melanie Poytondy

STAFF PRESENT

Delynn Coldiron

Carrie Daggett

Ted Hewitt

A. CALL MEETING TO ORDER

B. ROLL CALL

C. PUBLIC PARTICIPATION

None.

D. PUBLIC PARTICIPATION FOLLOW-UP

None.

E. APPROVAL OF MINUTES – May 15, 2026

1. Approval of Minutes

The purpose of this item is to approve the minutes from the May 15, 2026, Election Code Committee meeting.

Councilmember Potyondy moved, seconded by Councilmember Fudge, to approve the minutes of the May 15, 2026 meeting.

THE MOTION CARRIED 3-0.

City Clerk Coldiron introduced Ted Hewitt as the Assistant City Attorney who will be attending ECC meetings.

F. DISCUSSION/INFORMATIONAL ITEMS

2. Proposed Election Code Changes.

The purpose of this item is to propose election-related Code changes for the Committee's consideration.

Ted Hewitt, Assistant City Attorney, outlined the proposed Code changes, including modernization, cross-references, non-applicable section removal, allowing the City Clerk to not be required to bring forth City precinct map changes if they are not needed, and

eliminating the population deviation review requirement every time precincts are changed, unless otherwise needed.

Committee members and staff discussed redistricting and precinct changes, and Committee members expressed support for keeping the mid-cycle population review.

Assistant City Attorney Hewitt went on to outline additional proposed Code changes, including adjusting some definitions such as contributions.

Councilmember Potyondy asked if call lists can be shared among campaigns. City Attorney Daggett noted coordination among campaigns is on the list of things the Committee may want to consider in the future.

Assistant City Attorney Hewitt stated the last proposed Code change relates to independent expenditures and eliminating the threshold that would require registration as an issue or political committee after \$2,500 of expenditures, unless that entity starts soliciting for local contributions. City Clerk Coldiron further detailed the difficulties with the requirement.

City Attorney Daggett commented on issues in the past wherein national organizations such as the Sierra Club were participating financially in the Fort Collins election and questions were raised as to how their list of national members was to be retained.

Councilmember Potyondy commented on situations wherein the fundraising political entity related to a known entity, such as the Chamber of Commerce, is hard to discern. City Attorney Daggett stated the source of funds must be disclosed if independent expenditures are being made, even if the source of funds is an individual entity.

Councilmember Conway stated the independent expenditure issue is tricky.

City Clerk Coldiron and Assistant City Attorney Hewitt stated they would move forward with the proposed changes per the discussion.

3. Work Plan for 2026/2027.

The purpose of this item is to track other items on the 2026/2027 Work Plan and possible longer-term projects.

City Clerk Coldiron stated the goal will be to have the Code changes implemented by the first quarter of 2027, so they are in place and ready for the next election. She stated more information on the violation process and campaign coordination will be forthcoming. She also outlined some of the Charter changes being considered, including the number of nomination petition signatures, extending the Mayoral term, and changing regular elections to even years which would lower election costs as the State and County would be participating as well, would make for longer ballots, and would impact current Council terms.

City Clerk Coldiron outlined proposed changes to candidate guidelines and education, including updating the FAQ section, providing additional information about setting up candidate committees and registered agents, and instructions related to electronic donations and ensuring the maximum contribution can go to the candidate. She discussed the voter information guide changes, including ensuring accessibility to all voters and

exploring providing a QR code as a separate postcard mailing. Additionally, she noted long-term projects include public campaign funding.

Councilmember Potyondy stated she would like to see some education around why municipal elections matter, particularly for new voters.

G. REVIEW OF UPCOMING CALENDAR

H. OTHER BUSINESS

None.

I. ADJOURNMENT

The meeting adjourned by unanimous consent.

October 23, 2026



AGENDA ITEM SUMMARY

Election Code Committee

STAFF

Delynn Coldiron, City Clerk
Cecilia Good, Senior Deputy City Clerk
Carrie Daggett, City Attorney
Ted Hewitt, Assistant City Attorney

SUBJECT

Proposed Election Code Changes.

EXECUTIVE SUMMARY

The purpose of this item is to propose election-related Code changes for the Committee's consideration.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. Does the Committee have feedback related to the proposed Code changes?
2. Does the Committee have any concerns about bringing forward the proposed changes for consideration by the entire Council?

BACKGROUND / DISCUSSION

The following are proposed Code changes for the Committee's review:

1. Modernization:
 - a. Stylistic changes throughout, including changing passive voice to active voice and improving the precision of requirements by changing "shall" or "shall not" to "must," "will" or "may not" as appropriate
2. Cross-References:
 - a. Cross-references have been updated throughout to ensure accuracy.
3. Non-Applicable Section Removal – Sections 7-136(c)(1)(a) and (m) and Section 7-191(b):
 - a. Provisions are being removed that were only applicable to previous elections.
4. Precinct Map – Section 7-71:
 - a. Currently, Section 7-71 of the City code requires the City Clerk to review precinct boundaries whenever the County amends its precinct boundaries and recommend precinct boundary changes to City Council. This Section is amended to authorize rather than require the City Clerk to review the new boundaries and make recommendations to City Council.

5. Redistricting – Section 7-87:

- a. Currently, Section 7-87 requires the City Clerk to review population deviations in Council districts whenever the City Clerk reviews precinct boundaries. This requirement is removed.
- b. It also requires the City Clerk to recommend appropriate district boundaries within 18 months of the federal census and to review district boundaries for population deviations at least once within six years after redistricting. This requirement remains unchanged; however, the ability for Council to direct a review of population deviations is added to this Section.

6. Campaign Definitions – Section 7-132:

- a. The definition of “contribution” does not currently include contributions to small-scale issue committees. A contribution to a small-scale issue committee is added to the definition of “contribution”.

7. Campaign Contributions/Expenditures – Section 7-135:

- a. Electronic Contributions: In Section 7-135(e) a reference to “Paypal” is removed as existing law covers payment intermediary services. Additionally, the timing provision is changed so that contributions are deemed accepted on the date the payment is transferred.
- b. For Committee consideration: the restriction on campaign coordination of activities and sharing information is within 7-135(l). City staff will provide additional information to the Committee on this provision.

8. Independent Expenditures – Section 7-139:

- a. The requirement for a person making independent expenditures of \$2,500 or more to register as an issue committee or a political committee is removed. These persons will have to disclose independent expenditures under the requirements of the existing code. Additionally, a requirement to disclose the source of independent expenditures is added.

9. Campaign Violations – Section 7-143

- a. Currently, a third charge after two convictions in one election cycle for a campaign violation may be charged as a misdemeanor. This section is amended to allow any third or subsequent violation of campaign law to be charged as a misdemeanor.
- b. Amended to allow the City Clerk to directly issue fines for failure to timely file a report.

10. Allegation of Campaign Violation – Section 7-144

- a. Section is simplified to allow City Clerk discretion to investigate complaints of civil infractions. Notice to complainant and respondent is still required. The matter would be closed upon payment of the presumptive fine or finding of a sufficient cure.

Staff’s goal is to have changes implemented by Q1 2027. This would mean first and second readings before Council would occur in the December 2026/January 2027 timeframe.

The Committee will start reviewing proposed Charter changes once all proposed Code changes have been reviewed. Possible Charter changes include:

- Number of signatures required on nomination petitions.
- Term for Mayor.
- Timing of regular elections.

ATTACHMENTS

1. Draft Code Changes
2. Presentation

CHAPTER 7 - ELECTIONS
ARTICLE I. IN GENERALDRAFT FOR ELECTION CODE COMMITTEE CONSIDERATION: OCTOBER 23, 2026**ARTICLE I. IN GENERAL****Sec. 7-1. Applicable law.**

- (a) All City elections shall be governed by and conducted in accordance with the applicable election requirements and procedures in the Colorado Constitution, the Charter, this Chapter 7, and in any ordinance adopted by City Council. If any matter regarding a City election is not ~~covered~~ governed by such provisions, the applicable requirements and procedures of the Colorado Municipal Election Code of 1965, as amended, shall govern, except that ~~C.R.S. Section Colorado Revised Statutes ("C.R.S") § -31-10-102.8, Colorado Revised Statutes,~~ shall not apply.
- (b) Notwithstanding the foregoing, if a City election is being conducted as a coordinated election with the Larimer County Clerk and Recorder, that election shall be governed by and conducted in accordance with the requirements and procedures of the Uniform Election Code of 1992, as amended, but only to the extent necessary for that election to be conducted as a coordinated election.

(Ord. No. 021, 2016, § 2, 3-1-16)

Secs. 7-2—7-19. Reserved.**Sec. 7-20. Duties of city clerk.**

The City Clerk is responsible for administration of the provisions of, to administer this Chapter 7, willis responsible to including, but not limited to, the following:

- (1) Provide forms and instructions to assist candidates and the public in complying with the reporting requirements of Article V;
- (2) Keep a copy of any report or statement required to be filed by Article V for a period of ten (10) years from the date of filing. In the case of candidates who were elected, those candidate's' reports and filings shall be kept for six (6) years after the candidate leaves office;
- (3) Make reports and statements filed under Article V available on the City's website promptly;
- (4) Supervise the review and evaluation of complaints and initiate complaints regarding alleged violations of Article V;~~;~~
- (5) Prescribe the form of materials to be used in the conduct of mail ballot elections consistent with the provisions contained in Article VIII;
- (6) Establish procedures for conducting mail ballot elections consistent with the provisions contained in Article VIII, including efforts to inform uniformed and overseas voters of the upcoming election;
- (7) Supervise the conduct of mail ballot elections;
- (8) Employ ~~temporary~~ election workers as needed;
- (9) Take all necessary steps to protect the confidentiality of voted ballots and the integrity of the election; and

- (10) Serve as, or designate a qualified employee of the City Clerk to serve as, the City's Designated Election Official, as defined in ~~Section~~C.R.S. § 1-1-104(8), ~~C.R.S.~~, for any election coordinated with Larimer County pursuant to ~~C.R.S., Section~~C.R.S. § 1-7-116, ~~C.R.S.~~

(Ord. No. 021, 2016, § 3, 3-1-16; Ord. No. 005, 2017, § 2, 1-17-17; Ord. No. 045, 2018, § 2, 4-3-18; Ord. No. 127, 2023, § 2, 10-3-23; Ord. No. 033, 2025, § 1, 3-4-25)

ARTICLE II. ADMINISTRATION

Division 1 Generally

Sec. 7-21. Administration of City-administered elections.

The provisions of this ~~A~~Article II apply to the administration of City-administered elections. ~~Any election conducted as a coordinated election with the County is subject to the provisions of applicable state law.~~ Any ranked voting election conducted by the City Clerk will be in compliance with the rules adopted by the Secretary of State pursuant to the Colorado Code of Regulations 8 C.C.R. 1505-1:26, as adapted for a City-administered election.

(Ord. No. 044, 2023, § 2, 4-4-23; Ord. No. 033, 2025, § 2, 3-4-25)

Secs. 7-22—7-25. Reserved.

Division 2 Board of Elections¹

Sec. 7-26. Duties.

The Board of Elections, as established in Article VIII, Section 5 of the Charter, ~~shall be~~is responsible for certifying the results of all City elections in the manner described in Article VIII, Section 7 of the Charter, and ~~for shall have such~~ other duties related to the conduct of elections as ~~may be~~ established by the Council by ordinance.

(Ord. No. 063, 2007, § 1, 5-15-07)

Secs. 7-27—7-40. Reserved.

Division 3 Election Judges

¹Charter reference(s)—Board of Elections, Art. VIII, § 5.

Cross reference(s)—Boards and commissions, § 2-71.

Sec. 7-41. Appointment.

The City Clerk ~~shall~~may appoint workers to participate in the conduct of the election.

(Code 1972, § 9-2; Ord. No. 063, 2007, § 2, 5-15-07; Ord. No. 021, 2016, § 4, 3-1-16)

Sec. 7-42. Compensation.

Election workers ~~will~~shall receive compensation for participating in the conduct of the election in an amount established by the City Clerk based on a review of comparable types of work.

(Code 1972, § 9-3; Ord. No. 063, 2007, § 2, 5-15-07; Ord. No. 021, 2016, § 5, 3-1-16)

Charter reference(s)—Compensation to be set by City Council, Art. VIII, § 5.

Sec. 7-43. Oath of office.

Each election worker ~~shall~~must take and subscribe to an oath to support the Constitutions and laws of the United States and the State and the Charter and ordinances of the City.

(Ord. No. 021, 2016, § 6, 3-1-16)

Sec. 7-44. Reserved.***Division 4 Recounts*****Sec. 7-45. Mandatory recount.**

The City Clerk ~~will~~shall conduct a recount of the votes cast for any office, and for any ballot issue or question if it appears, as evidenced by the survey of returns, that the difference between the highest number of votes cast for such office, ballot issue or question and the next highest number of votes cast in the same is less than or equal to one-half (½) of one (1) percent of the highest number of votes cast for said office, ballot issue or question. In the event of a mandatory recount, the ~~following procedures shall be used~~City Clerk must use the following procedures:

- (1) ~~The City Clerk will complete~~The City Clerk must complete the recount process ~~shall be completed~~shall be completed no later than the fifteenth (15th) day following the certification of election results, and ~~shall will~~shall be paid for by the City.
- (2) The City Clerk ~~will~~shall give notice of the recount to all candidates and, in the case of a ballot issue or question, to any petition representatives identified pursuant to Article ~~X~~X, Section ~~2(b)(5), Article X, Section 2(b)(2)c., or Article X, Section 7(b)(2)c.5(e)~~2(b)(5), Article X, Section 2(b)(2)c., or Article X, Section 7(b)(2)c.5(e) of the Charter, ~~as applicable~~as applicable, that are affected by the result of the election. ~~Such notice shall be given~~The City Clerk will give notice by certified mail or by other means reasonably expected to notify the affected candidates or petition representatives.
- (3) ~~The City Clerk will allow~~The City Clerk shall allow any affected candidate or his or her designee or petition representative ~~shall be allowed~~shall to be present at and observe the recount.

(Ord. No. 021, 2016, § 7, 3-1-16)

Sec. 7-46. Recount by request.

Whenever a recount of the votes cast for any office, ballot issue or question is not required pursuant to § 7-45, any candidate for office, any petition representative for a ballot issue or question, any committee's registered agent, or any eligible elector, may submit to the City Clerk a written request for a recount at the expense of the party making the request. The following applies to a recount request:

- (1) ~~This request, together with that amount determined by the City Clerk to be the preliminary estimated cost of the recount, shall be filed~~The requesting party must file the request with the City Clerk within five (5) days after the certification of election results. At the time of filing, the requesting party must also pay the amount the City Clerk determines is required to conduct the recount.
- (2) Before conducting the recount, the City Clerk ~~will~~shall give notice of the recount in accordance with the provisions of § 7-45(2).
- (3) ~~The funds paid to the~~The requesting party must pay the City Clerk for the recount ~~shall be~~ in one (1) certified check, accompanied by an affidavit disclosing the source or sources of the funds, and the City Clerk will use said funds ~~shall be used~~ for payment of all expenses incurred in the recount.
- (4) If, after the recount, the outcome of the vote on the recounted office, ballot issue or question is reversed or if the amended vote count is such that a recount otherwise would have been required pursuant to § 7-45, ~~the payment for expenses shall be refunded to the party who requested the recount~~the City Clerk will refund the requesting party the amount paid pursuant to Subsections (1) and (3) of this Section.
- (5) Within sixty (60) days after the final certification of recounted election results, the City Clerk ~~will~~shall prepare and deliver to the ~~party who requested~~requesting party said recount the final costs for the recount. Any additional amount due ~~shall~~must be paid by the ~~party who requested the recount~~requesting party in one (1) certified check within thirty (30) days of receipt of the final costs. The City Clerk will~~Any refund due shall be refunded~~any amount due within thirty (30) days after the determination of final costs.
- (6) The City Clerk will complete ~~Any~~ recount of votes conducted pursuant to this Section ~~shall be completed~~ no later than the fifteenth (15th) day after the certification of election results.

(Ord. No. 021, 2016, § 7, 3-1-16)

Sec. 7-47. Recount procedures.

In addition to the applicable procedures described above, the City Clerk ~~shall be responsible for conducting~~will administer the recount, ~~shall~~will determine the method and procedures for conducting the recount, and ~~shall~~will be assisted by the Board of Elections, as outlined in Article VIII, Section 5 of the Charter. If a member of the Board of Elections is not available to participate in the recount, ~~another person shall be appointed by the City Clerk~~the City Clerk will appoint another person to the Board of Elections. The following will apply to recounts:

- (1) The City Clerk may appoint election workers to assist with the recount, whether or not such workers served as workers in the election. Persons assisting in the conduct of the recount ~~shall~~will be compensated as provided in § 7-42 and ~~shall~~must take an oath of office as provided in § 7-43.
- (2) After a recount conducted pursuant to this Division has been completed, an amended certificate of election ~~shall~~will be completed by the Board of Elections, ~~and at which time~~ the results of such amended certificate ~~shall~~ become final.

(Ord. No. 021, 2016, § 7, 3-1-16)

Secs. 7-48—7-55. Reserved.

ARTICLE III. PROCEDURE

Division 1 Generally

Sec. 7-56. Conduct of regular municipal election.

All regular municipal elections, held in November of odd-numbered years, shall be coordinated with the County, unless otherwise provided by the Council by ordinance prior to March 1 of the year in which the election is to be held.

(Ord. No. 044, 2023, § 3, 4-4-23)

Secs. 7-57—7-65. Reserved.

Division 2 Election Precincts and Polling Places

Sec. 7-66. Established.

- (a) The City Council ~~shall will~~ by ordinance divide the City into as many election precincts for municipal elections as it may deem expedient for the convenience of registered electors in the City, and ~~shall will~~ designate by resolution the polling place within each precinct. Insofar as practicable, boundaries of election precincts in the City shall correspond with the election precincts established by the County. ~~City Council Each precinct shall will be give each a precinct a~~ separate number designation ~~as determined by the City Council~~. All precincts and polling places established pursuant hereto ~~shall will~~ remain so designated until changed by the City Council. The City Council ~~shall have the power to may~~ change or alter election precincts at any time.
- (b) If the boundaries of the City are enlarged by annexation, ~~the City Council will include~~ the territory annexed ~~shall be included~~ in the precinct which it adjoins with all precinct boundaries ~~extending in a straight line~~ ~~expanding~~ from the former municipal boundary limit to the enlarged boundary limit.

(Code 1972, §§ 9-1, 9-12)

Sec. 7-67. Changes due to new precinct or boundary changes.

- (a) ~~The City shall must complete~~ Changes in the boundaries of election precincts and the creation of new election precincts ~~shall be completed~~ not less than ninety (90) days prior to any municipal election, except in cases of precinct changes resulting from annexations.
- (b) ~~The City Clerk will must report~~ All changes in precinct boundaries and in municipal boundaries ~~shall be reported by the City Clerk~~ to the County Clerk and Recorder, ~~and The City Clerk must transmit~~ a corrected map ~~shall be transmitted~~ to the County Clerk and Recorder as soon as possible after such changes have been effected.

(Supp. No. 154, Update 2)

— Created: 2026-06-09 08:35:43 [EST]

Sec. 7-68. Designation of precincts and polling places.

- (a) ~~The City Council will designate~~ Polling places for the several election precincts in the City ~~shall be designated by resolution of the City Council.~~
- (b) In the event that circumstances require any change to any polling place after designation by the City Council, the City Clerk ~~is authorized to~~may provide for a substitute polling place and ~~is directed to~~will give proper notice of any changes in the polling places.

(Code 1972, § 9-7)

Sec. 7-69. Polling place changes by petition.

The City Council ~~shall~~will change any polling place upon petition of a majority of the registered electors residing within the precinct.

Sec. 7-70. Judges may change polling places.

- (a) When it becomes impossible or inconvenient to hold an election at the place designated therefor, the judges of election, after notifying the City Clerk and after having assembled at or as near as practicable to such place and before receiving any vote, may move to the nearest convenient place for holding the election and at such newly designated place forthwith proceed with the election.
- (b) Upon moving to a new polling place, the judges ~~shall~~must display a proclamation of the change and ~~must~~shall station a police officer or some other proper person at the original polling place to notify all registered electors of the new location for holding the election.

Sec. 7-71. Precinct map/amendment.

- (a) The boundaries of the election precincts as herein created in the City are hereby fixed and established as shown on the map entitled "District-Precinct Map," which map is on file in the office of the City Clerk.
- (b) Upon notice by Larimer County that its precinct boundaries have been amended, the City Clerk ~~shall~~may review precinct boundaries and recommend to City Council any precinct boundary changes to ~~ensure they~~

(Code 1972, § 9-8; Ord. No. 005, 2017, § 3, 1-17-17)

Sec. 7-72. Rental of polling places.

The City Clerk ~~is hereby authorized to~~may pay as rent for the polling place in each election precinct an amount established by the City Council.

(Code 1972, § 9-6)

Secs. 7-73—7-85. Reserved.

CHAPTER 7 - ELECTIONS
ARTICLE III. - PROCEDURE
Division 3 Election Districts

DRAFT FOR ELECTION CODE COMMITTEE CONSIDERATION: OCTOBER 23, 2026

Division 3 Election Districts²

Sec. 7-86. Establishment.

Pursuant to the Charter, the City is hereby divided into six (6) Districts. From each District one (1) City Councilmember will be elected. Such Districts are designated as District No. 1, District No. 2, District No. 3, District No. 4, District No. 5 and District No. 6, and are delineated on the District-Precinct Map which is adopted by ordinance and made a part hereof by reference and is on file in the City Clerk's office.

(Code 1972, § 9-9; Ord. No. 130, 1990, 12-4-90)

Sec. 7-87. Redistricting; notice.

- (a) The City Council ~~will~~shall, by ordinance, amend the boundaries of the foregoing districts as necessary to comply with the provisions of Article II, Section 1(c) of the Charter. The City Clerk ~~will~~shall cause to be published twice, in a local newspaper of general circulation in the City, notice of the date, time and place of the City Council's consideration of any such redistricting ordinance. ~~The City Clerk will have~~the first such notice ~~shall be~~ published no less than fourteen (14) days prior to the date of first hearing of the redistricting ordinance, and the ~~City Clerk will have the~~ second notice ~~shall be~~ published no less than ten (10) days prior to the date of the first reading of the same.
- (b) Not more than eighteen (18) months after the official decennial publication of the United States Census concerning the population of the City of Fort Collins, the City Clerk ~~will~~shall recommend to the City Council any district boundary changes necessary to ensure that, to the extent reasonably possible, ~~there is no more than a ten percent deviation between~~ the most populous and the least populous district do not deviate more than ten percent in population size.
- (c) Not less than once every six (6) years after making the determination required under Subsection (b) ~~above of this Section or whenever directed by the City Council~~, the City Clerk ~~will~~shall again review the district boundaries to determine whether the maximum deviation between the most populous and the least populous district meets the standard described in Subsection (b) ~~of this Section~~above. If the standard in Subsection (b) ~~above of this Section~~ is not met, the City Clerk ~~will~~shall recommend to the City Council any district boundary changes necessary to ensure that the districts conform to such standard.
- ~~(d) The need to amend precinct boundaries pursuant to § 7-71(b) shall automatically cause the City Clerk to review current population deviations, regardless of how long it has been since the last review. If the deviation is found to exceed ten (10) percent, the City Clerk shall recommend that the City Council make boundary adjustments, and present the Council with possible redistricting options that to the maximum extent possible equalize the population in each district, subject to the requirements for contiguity and compactness set forth in Article II, Section 1(c) of the Charter, with a maximum permissible deviation of ten (10) percent between the most populous and least populous district.~~

²Cross reference(s)—City Council, § 2-16 et seq.

(de) ~~The City Council will make~~ Any changes to district boundaries ~~shall be established~~ by ordinance no less than one hundred eighty (180) days before a regular municipal election.

(Ord. No. 26, 1998, 3-17-98; Ord. No. 063, 2011, 6-7-11; Ord. No. 023, 2012, § 1, 4-3-12; Ord. No. 105, 2012, § 1, 10-16-12; Ord. No. 005, 2017, § 4, 1-17-17)

Sec. 7-88. Protest procedure.

Any registered elector desiring to protest the manner of redistricting proposed in any such redistricting ordinance ~~must~~ file a written protest with the City Clerk no later than noon on the Monday immediately preceding the date upon which the proposed redistricting ordinance is to be heard by the City Council on first reading. Such notice of protest shall be on a form available from the City Clerk, shall be signed by the protestor(s), and shall set forth (1) the name, address, and phone number of the protestor(s); (2) the title of the redistricting ordinance being protested; (3) with particularity, the grounds of the protest; and (4) any other information required by the City Clerk. ~~The City Council will hear, consider and resolve~~ Such the protest ~~shall be heard, considered and resolved by the City Council~~ no later than the date of second reading of the proposed redistricting ordinance.

(Ord. No. 26, 1998, 3-17-98; Ord. No. 224, 1998, 12-15-98; Ord. No. 021, 2016, § 8, 3-1-16)

Secs. 7-89—7-100. Reserved.

Division 4 Voting

Sec. 7-101. Registration of municipal electors.

(a) ~~Registration of municipal electors shall be conducted in accordance with the provisions of the~~ Uniform Election Code of 1992, ~~C.R.S. Section~~ C.R.S. § 1-2-201 et seq., C.R.S. shall govern the registration of municipal electors.

(b) No person ~~shall be entitled to~~ may vote in a City election who is not registered as an elector residing in the City, regardless of the fact that such person may be duly registered as an elector of the County.

(Code 1972, § 9-11; Ord. No. 137, 1998, § 1, 8-18-98; Ord. No. 173, 2014, § 1, 12-16-14)

Sec. 7-102. Electronic voting system.

~~The City will use~~ An electronic voting system ~~shall be used~~ at each City election unless the City Council specifically determines otherwise. The City Clerk ~~is authorized to~~ may rent from the County or other appropriate sources such voting equipment as ~~may be~~ necessary to adequately provide for each election precinct.

(Code 1972, § 9-5)

Sec. 7-103. Write-in candidates.

No write-in vote for a candidate for City Council office will be counted.

(Code 1972, § 9-9.1; Ord. No. 71, 1991, 7-2-91; Ord. No. 116, 2003, § 2, 9-2-03; Ord. No. 077, 2018, § 2, 6-19-18; Ord. No. 045, 2023, § 2, 4-4-23; Ord. No. 031, 2025, 3-4-25)

Cross reference(s)—Candidates, § 7-116 et seq.

Secs. 7-104—7-115. Reserved.

ARTICLE IV. CANDIDATES³

Division 1 Generally

Sec. 7-116. Nomination of candidates; withdrawal from candidacy.

- (a) A ~~person seeking nomination for to City Council~~ elective office may not circulate a nominating petition required pursuant to Article VIII of the Charter ~~may not be circulated~~ earlier than ninety-one (91) days before the election. ~~The person seeking nomination to City Council and~~ must ~~be file~~ the completed nominating petition with the City Clerk not later seventy (70) days before the election. A person who has submitted a nominating petition may amend it by submitting additional petition signatures up until seventy (70) days before the election.
- (b) A person who has been nominated may, not later than sixty-three (63) days before the election, withdraw by filing with the City Clerk a request therefor in writing, and upon a timely request for withdrawal the City Clerk will not place their name ~~no name so withdrawn shall be placed up~~ on the ballot.

(Ord. No. 24, 1998, 3-17-98; Ord. No. 116, 2003, § 1, 9-2-03; Ord. No. 077, 2018, § 3, 6-19-18; Ord. No. 045, 2023, § 3, 4-4-23; Ord. No. 033, 2025, § 3, 3-4-25)

Sec. 7-117. Recall elections; nomination of candidates.

Anyone desiring to become a candidate at a recall election ~~must~~ shall do so by nominating petition as required in Article VIII of the Charter. ~~A c~~ candidates must file ~~All a~~ a nominating petitions ~~for such candidates may be filed~~ with the ~~Office of the~~ City Clerk no later than seventy (70) days prior to the date of the recall election. A person who has submitted a nominating petition may amend it by submitting additional petition signatures up until seventy (70) days before the election. ~~A c~~ candidate may only circulate A-a nominating petition for a potential recall election s ~~may be circulated~~ after ~~a recall petition is submitted to~~ the City Clerk's Office has received a recall petition.

(Ord. No. 91, 1997, 7-1-97; Ord. No. 24, 1998, 3-17-98; Ord. No. 147, 2000, 11-7-00; Ord. No. 077, 2018, § 4, 6-19-18; Ord. No. 033, 2025, § 4, 3-4-25)

Secs. 7-118—7-130. Reserved.

ARTICLE V. CAMPAIGNS⁴

³Cross reference(s)—Financial disclosure required by each City Councilmember and any candidate for the office of City Councilmember within the certain time specified, § 2-636.;

⁴Charter reference(s)—City Council, Art. II; campaign contributions, Art. VIII, § 7.

Sec. 7-131. Legislative declaration.

The City Council hereby finds and declares that large campaign contributions to political candidates allow wealthy contributors and special interest groups to exercise a disproportionate level of influence over the political process; that large campaign contributions create the potential for corruption and the appearance of corruption; that the rising costs of campaigning for political office prevent qualified citizens from running for political office; and that the interests of the public are best served by limiting campaign contributions, full and timely disclosure of campaign contributions and strong enforcement of campaign laws.

(Ord. No. 162, 2000, § 1, 11-21-00)

Sec. 7-132. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:

Ballot issue or ballot question (also referred to as *issue*) ~~shall mean~~ any measure put to a vote of the registered electors of the City by the City Council at any election held under the provisions of the Charter. For purposes of this Article V, *ballot issue or ballot question* (or *issue*) ~~shall also mean~~ any measure for which recall, initiative or referendum proceedings have been commenced pursuant to Article IX, Section 1(b), Article X, Section 1(b), and Article X, Section 6(b), respectively, of the Charter.

Candidate ~~shall mean~~ any person who seeks nomination or election to the office of Mayor or Councilmember at any City election. A person is a candidate if the person has publicly announced an intention to seek such election or has filed nominating petitions for the office of Mayor or Councilmember. *Candidate* ~~shall also mean~~ any elected official who is the subject of recall proceedings pursuant to Article IX of the Charter.

Candidate committee ~~shall mean~~ means a person, including the candidate, or persons with the common purpose of receiving contributions or making expenditures under the authority of a candidate. A candidate ~~shall may~~ have only one (1) candidate committee. A candidate committee ~~shall be~~ is considered open and active until the committee has filed a termination report with the City Clerk.

Contribution ~~shall mean~~ means:

- (1) The payment, loan, pledge or advance of money, or guarantee of a loan, made to any candidate committee, issue committee, ~~small-scale issue committee~~ or political committee;
- (2) Any payment made to a third party for the benefit of any candidate committee, issue committee, ~~small-scale issue committee~~ or political committee;
- (3) Anything of value given, directly or indirectly, to a candidate committee for the purpose of promoting the candidate's nomination, retention, recall or election; or
- (4) With regard to a contribution for which the contributor receives compensation or consideration of less than equivalent value to such contribution, including, but not limited to, items of perishable or nonpermanent value, goods, supplies, services or participation in a campaign-related event, mailing lists and other similar items of value, the amount equal to the value in excess of the amount of such compensation or consideration as reasonably determined by the candidate committee, issue committee, ~~small-scale issue committee~~ or political committee based on market prices or other similar information.

Contribution ~~shall does~~ not include:

- (1) Services provided without compensation by a natural person volunteering their personal time on behalf of a candidate, candidate committee, political committee, issue committee or small-scale issue committee;
- (2) Mailing lists that were not developed primarily for sale, have never been sold or offered for sale, were not produced by an employee or contractor (other than an employee of the recipient), and do not incorporate mailing lists that themselves would constitute a *contribution*;
- (3) Funds collected subsequent to the election to pay the cost of a requested recount pursuant to §Section 7-46.

Contribution in kind ~~shall mean means~~ a reasonable estimate of the fair market value of a gift or loan of any item of real or personal property, other than money, made to or for any candidate committee, issue committee, small-scale issue committee or political committee for the purpose of influencing the passage or defeat of any issue or the nomination, retention, election or defeat of any candidate. Personal services ~~shall be~~ are considered a contribution in kind by the person paying compensation therefor, if any. ~~In determining the value to be placed on contributions in kind, a reasonable estimate of fair market value shall be used.~~

Contribution in kind ~~does~~ shall not include an endorsement of a candidate or an issue by any person.

Expenditure ~~shall mean means~~ the payment, distribution, loan or advance of any money by any candidate committee, political committee, issue committee or small-scale issue committee. *Expenditure* ~~shall~~ also include s the payment, distribution, loan or advance of any money by a person for the benefit of a candidate committee, political committee, issue committee or small-scale issue committee that is made with the prior knowledge and consent of an agent of the committee. An expenditure occurs when the actual payment is made or when there is a contractual agreement and the ~~amount~~ financial consideration in the contract is determined.

Independent expenditure ~~shall mean means~~ the payment of money by any person for the purpose of advocating the election, defeat or recall of a candidate, which expenditure is not controlled by, or coordinated with, any candidate or any agent of such candidate. *Independent expenditure* ~~shall include~~ includes:

- (1) ~~e~~ Expenditures for political messages ~~that which~~ unambiguously refer to any specific public office or candidate for such office.
- (2) ~~Independent expenditure shall also include t~~ The payment of money by any person for supporting or opposing a ballot issue or ballot question that is not controlled by, or coordinated with, an issue committee or a small-scale issue committee.
- (3) ~~Independent expenditure shall include, but not be limited to, a~~ Advertisements placed for a fee on another person's website or advertisement space provided for no fee or a reduced fee where a fee ordinarily would have been charged.

Independent expenditure ~~shall does~~ not include:

- (1) Expenditures made by persons in the regular course and scope of their business and political messages sent solely to their members;
- (2) Expenditures made by small-scale issue committees; or
- (3) Any news articles, editorial endorsements, opinion or commentary writings, or letters to the editor printed in a newspaper, magazine or other periodical not owned or controlled by the candidate, or communications other than advertisements posted or published on the internet for no fee.

Issue committee ~~shall mean means~~:

- (1) Two (2) or more persons who are elected, appointed or chosen, or have associated themselves, and that take steps in furtherance of an intent to accept contributions or contributions in kind, or make expenditures, to support or oppose any ballot issue or ballot question; ~~or~~ or
- (2) Any person that takes steps in furtherance of an intent to accept contributions or contributions in kind for the purpose of supporting or opposing any ballot issue or ballot question; ~~or~~ or
- ~~(3) Any person or associated persons upon making independent expenditures of two thousand five hundred dollars (\$2,500) or more for the purpose of supporting or opposing any ballot issue or ballot question.~~

Issue committee ~~shall~~ does not include small-scale issue committees, as ~~otherwise~~ defined in this Section.

Person ~~shall mean~~ means any individual, partnership, committee, association, corporation, labor organization or other organization or group of persons.

Political committee ~~shall~~ means:

- (1) Two (2) or more persons who are elected, appointed or chosen, or have associated themselves, and that take steps in furtherance of an intent to accept contributions, or contributions in kind, or make expenditures to support or oppose one (1) or more candidates; or
- (2) Any person that takes steps in furtherance of an intent to accept contributions or contributions in kind for the purpose of supporting or opposing one (1) or more candidates; ~~or~~
- ~~(3) Any person or associated persons upon making independent expenditures of two thousand five hundred dollars (\$2,500) or more for the purpose of supporting or opposing one (1) or more candidates.~~

Political committee ~~does~~ shall not include candidate committees, as ~~otherwise~~ defined in this Section.

Political message ~~shall mean~~ means a message delivered by telephone, any print or electronic media or other written material ~~that which~~ which advocates the election or defeat of any candidate or ~~which that~~ which unambiguously refers to such candidate.

Public announcement ~~shall~~ means:

- (1) Registration of a candidate committee; or
- (2) A statement made by ~~the a~~ a candidate signifying an interest in, or exploring the possibility of, seeking the office by means of a speech, advertisement or other communication reported or appearing in public media or in any place accessible to the public, including social media, that a reasonable person would expect to become public.

Registered agent ~~shall mean~~ means a natural person designated by or representing a committee and responsible to receive mailings, to respond to inquiries regarding the committee, to receive complaints related to the committee, and to timely file ing campaign finance reports and other filings required pursuant to this Chapter.

Small-scale issue committee means a committee otherwise meeting the definition of *issue committee* that has accepted contributions, contributions in kind or expenditures in an amount that ~~does~~ does not exceed two thousand five hundred dollars (\$2,500.) during an applicable election cycle for the major purpose of supporting or opposing any ballot issue or ballot question.

The following are each ~~treated as~~ a single small-scale issue committee:

- a. A small-scale issue committee that supports or opposes a common ballot measure if the committee is established, financed, or controlled by a single corporation or its subsidiaries;

- b. A small-scale issue committee that supports or opposes a common ballot measure if the committee is established, financed, maintained, or controlled by a single labor organization or the affiliated local units it directs; and
- c. A small-scale issue committee that supports or opposes a common ballot measure if the committee is established, financed, maintained, or controlled by substantially the same person, group of persons, or other organizations.

Social media ~~shall mean~~ means any electronic medium, including an interactive computer service, application, or data network, that allows users to create, share, and view user-generated content, including but not limited to videos, still photographs, blogs, video blogs, podcasts, instant messages, electronic mail, or internet website profiles.

Termination report ~~shall mean~~ means a final report prepared by a candidate committee, issue committee or political committee and filed with the City Clerk, which discloses the committee's contributions received, expenditures made and obligations entered into, when the following conditions have been met:

- (1) The committee no longer intends to receive contributions or make expenditures; and
- (2) A zero (0) balance exists in the account established and maintained under Subsection 7-135(f) and the committee has no outstanding debts or obligations.

Unexpended campaign contributions ~~shall mean~~ means the balance of funds on hand in any candidate committee, issue committee, political committee or small-scale issue committee following an election, less the amount of all unpaid monetary obligations incurred prior to the election.

(Ord. No. 162, 2000, § 1, 11-21-00; Ord. No. 148, 2001, § 1, 11-6-01; Ord. No. 021, 2016, § 9, 3-1-16; Ord. No. 005, 2017, § 5, 1-17-17; Ord. No. 045, 2018, §§ 3, 4, 4-3-18; Ord. No. 077, 2018, §§ 5, 6, 6-19-18; Ord. No. 113, 2018, § 2, 9-4-18; Ord. No. 079, 2022, § 2, 7-5-22; Ord. No. 033, 2025, § 5, 3-4-25)

Sec. 7-133. Candidate affidavit; disclosure statement; failure to file.

- (a) When any individual becomes a candidate, ~~such the~~ individual ~~must~~ shall certify, by affidavit filed with the City Clerk within ten (10) days, that the candidate is familiar with the provisions of this Article.
- (b) Each candidate ~~shall~~ must file a financial disclosure statement pursuant to § 2-636 with the City Clerk at the same time as filing an acceptance of nomination.
- (c) Failure of any person to file the affidavit or disclosure statement required under this Section shall result in the disqualification of such person as a candidate for the office being sought.
- (d) The requirements of this Section shall not apply to any elected official who is the subject of recall proceedings.

(Ord. No. 162, 2000, § 1, 11-21-00; Ord. No. 148, 2001, § 2, 11-6-01; Ord. No. 045, 2018, § 5, 4-3-18)

Sec. 7-134. Registration of committees; termination.

- (a) All candidate committees, political committees, and issue committees ~~shall~~ must register with the City Clerk before accepting any contributions or contributions in kind or making any expenditures. Registration must be on a form provided by the City Clerk and must include the following, together with any other information required to complete the registration form—:
 - (1) The committee's full name, spelling out any acronyms used therein;

- (2) The name of a natural person authorized to act as a registered agent for the committee;
 - (3) A current street address, mailing address (if different from the street address), telephone number and email address for the principal place of business of the committee;
 - (4) A current mailing address, telephone number and email address for the registered agent;
 - (5) The purpose or nature of interest of the committee;
 - (6) The date of the election regarding which the committee intends to be active;
 - (7) The name and address of the financial institution in which all contributions received by the committee are deposited in a separate account bearing, in the case of a candidate committee, the name of the candidate, or in the case of a political or issue committee, the name of the person authorized to act as the registered agent for the committee, and documentation of such account reasonably satisfactory to the City Clerk; and
 - (8) An acknowledgement and certification signed by the registered agent and, for any candidate committee, the candidate.
- (b) A registered committee must promptly provide the updated address, telephone and email information to the City Clerk upon the change of such information for the committee or the registered agent of the committee, or any change in financial institution or account.
- (c) Any candidate committee, political committee, issue committee or ~~registered~~ small-scale issue committee that has registered with the City Clerk, but has not engaged in any election activities or reported any contributions accepted or expenditures made, may terminate itself at any time by filing a campaign report verifying that no contributions have been received or expenditures made and that the report is a termination report. Alternatively, a committee may terminate itself by filing an amended committee registration ~~indicating~~verifying that:
- (1) ~~The nature of the amendment is to terminate~~ the nature of the amendment is to terminate of the committee; and
 - (2) ~~verifying that no~~ no contributions have been received or expenditures made since registration occurred pursuant to § 7-134. ~~Alternatively, the committee shall file a campaign report indicating no contributions have been received or expenditures made, and indicating it is a termination report.~~
- (d) Any political committee, issue committee or registered small-scale issue committee that has not taken the necessary steps to terminate pursuant to Subsection (c) ~~above of this Section~~ must have properly disposed of all funds and must file a termination report no later than seventy (70) days after the election.

(Ord. No. 162, 2000, § 1, 11-21-00; Ord. No. 148, 2001, § 3, 11-6-01; Ord. No. 045, 2018, § 6, 4-3-18; Ord. No. 077, 2018, § 7, 6-19-18; Ord. No. 113, 2018, § 3, 9-4-18; Ord. No. 121, 2020, 10-20-20; Ord. No. 079, 2022, § 3, 7-5-22)

Sec. 7-135. Campaign contributions/expenditures.

- (a) *Limits.*
- (1) No person may make contributions ~~and/or~~ contributions in kind totaling more than two hundred dollars (\$200-) to the candidate committee of any candidate for the office of Mayor. No person may make contributions ~~and/or~~ contributions in kind totaling more than one hundred and fifty dollars (\$150-) to the candidate committee of any candidate for the office of Councilmember. These limitations shall apply to all contributions or contributions in kind, whether made directly to a candidate committee or indirectly via earmarked gifts passed through an intermediary, except that these limitations shall not apply to:

- a. Contributions or contributions in kind made by a candidate to ~~his or her~~their own candidate committee;
 - b. Independent expenditures;
 - c. Monetary loans that are: ~~(a)~~ personally guaranteed in writing by the candidate, the candidate's immediate family or a business entity in which the candidate owns at least five (5) percent; or ~~(b)~~(i) secured by real or personal property owned by the candidate, the candidate's immediate family or a business entity in which the candidate owns at least five (5) percent; or
 - d. Contributions made to a candidate committee by another candidate committee established by the same individual as a candidate for the office of Mayor or Councilmember.
- (2) No person may make contributions ~~and/or~~ contributions in kind totaling more than one hundred fifty dollars (\$~~1500~~) to a political committee.
- (3) No person shall make a contribution or contribution in kind in the name of another person or knowingly permit one's name to be used by another person to effect such a contribution or contribution in kind.
- (4) *Inflation Adjustment.* The City Clerk will adjust the monetary limits set forth in ~~this~~ Subsections (a)(1) and (a)(2) of this ~~S~~section based upon the percentage change over a two-year period in the United States Bureau of Labor Statistics Consumer Price Index for Denver-Aurora-Lakewood, all urban consumers, or its successor index, rounded to the nearest ten dollars (\$10). Rounding to the nearest ten dollars (\$10) means that if the inflation is an increase of five dollars (\$5) or more, than the contribution limit would be increased by ten dollars (\$10). If the inflation is an increase of less than five dollars (\$5), the contribution limit is not increased. The adjustment will first be done in the fourth quarter of ~~2026 and then every two years thereafter~~each even-numbered year.
- (b) *Limited Liability Company Contributions.* A limited liability company ("LLC") may make contributions or contributions in kind to candidate committees or political committees subject to the following requirements and all other applicable limits of this Section:
- (1) Any contribution from an LLC shall count against contribution limits for both the LLC itself and the individual members of the LLC as apportioned according to this Subsection (b). The amount a person contributes as an individual member of the LLC shall count towards the aggregate contribution limit for that person in Subsection (a) ~~herein~~of this Section.
 - (2) The LLC shall provide the candidate committee or political committee with a written statement affirming the permissibility of the contribution on a form provided by the City Clerk. The affirmation shall include:
 - a. The name and address of the LLC and each LLC member;
 - b. Information on how the contribution is attributed among the LLC members, which attribution must reflect the capital each member has invested in the LLC relative to the total amount of capital invested in the company, or the percentage of ownership each member has in the LLC as of the date of the contribution.
 - (3) No candidate committee or political committee shall accept a contribution from an LLC unless the LLC provides the written affirmation in compliance with this Section before the contribution is deposited by the committee.
 - (4) The candidate committee or political committee receiving the contribution shall:
 - a. List both the individual LLC members' names and the name of the LLC as contributors on disclosure reports; and

- b. Retain the affirmation statements for one (1) year after the date of the election; ~~provider~~ provided however, in the event a complaint is filed against the committee, the committee must maintain the affirmations until the final disposition of the complaint.
- (5) As used in this Subsection (b), "limited liability company" shall have the same meaning as "domestic limited liability company" as defined in ~~Section~~C.R.S. § 7-90-102(15), ~~C.R.S. as amended~~, or "foreign limited liability company" as defined in ~~Section~~C.R.S. § 7-90-102(24), ~~C.R.S.~~, as amended.
- (c) *Joint contributions.* No person shall make a contribution jointly with another person through an electronic payment or the issuance of a check drawn on a jointly owned account unless: (i) the total amount of the joint contribution is less than the maximum amount that can be contributed by one (1) person under the contribution limits established in Subsection (a) of this Section or (ii) the check is signed by all owners of the account or the electronic donation or other documentation provided by the contributor states it is from both, in which event the amount of the total contribution shall be allocated equally among all such persons unless a different allocation is specified on the face of the check or on a document provided by the contributor. No candidate committee or political committee shall knowingly accept a contribution made in violation of this Subsection (c).
- (d) *Contributions in excess of limits.* Upon receipt of a contribution or contribution in kind in excess of the limits set forth in this Section, the committee that received the contribution shall remit the excess to the contributor or pay to the contributor the value of the contribution in kind in excess of the limit before the next filing deadline.
- (e) *Electronic contributions.* A contribution made by credit card, ~~PayPal~~, or other payment intermediary service is accepted ~~on the date the contributor authorizes the payment, or if unknown,~~ on the date the payment intermediary service electronically transfers the contribution.
- (f) *Third-Party transaction fees.* If a third-party transaction fee is charged by an intermediary service, only the amount the committee receives is attributable as a contribution to the committee.
- (g) No candidate committee, issue committee, small-scale issue committee or political committee shall knowingly accept contributions or contributions in kind from any person who is not a citizen of the United States, from a foreign government or from any foreign corporation that does not have authority to transact business in this State pursuant to C.R.S. § 7-90-801 et seq., ~~Article 115 of Title 7, C.R.S.~~, or who is prohibited from contributing pursuant to the Charter of the City of Fort Collins or this Article.
- (h) No issue committee, small-scale issue committee or political committee shall make a contribution or contribution in kind to any other committee or to any candidate.
- (i) *Contributions from one (1) candidate committee to another.*
- (1) No candidate committee ~~shall~~may make a contribution or contribution in kind to, or accept a contribution or contribution in kind from, a candidate committee of another candidate.
- (2) No candidate committee ~~shall~~may accept a contribution or contribution in kind from a candidate committee of the same candidate that was established or maintained for a federal, state or county election campaign or office.
- (j) *Recordkeeping.*
- (1) All contributions and contributions in kind received by a candidate committee, small-scale issue committee, issue committee or political committee shall be documented and deposited and maintained in a financial institution in a separate account that complies with ~~§~~Subsection 7-134(a)(7). Following any election in which the committee received contributions, the committee shall maintain all records pertaining to contributions and related accounts for one (1) year following the date ~~the final disclosure report is due under Section 7-136 or the date~~ the committee terminates, ~~whichever is later,~~

- unless a complaint has been filed under ~~§Subsection~~ 7-145(a) alleging a violation of the provisions of this Article, or the person or committee has received notice of an investigation or prosecution of a violation of this Article by the City or other law enforcement authority, in which case they shall be maintained until final disposition of the complaint and any consequent court proceedings. ~~Such records shall be subject to inspection in connection with a~~ Any person with authority to investigate compliance with the requirements of this Article or authority investigation or other action to enforce the terms requirements of this Article may inspect such records.
- (2) Following any election in which the committee made any expenditure, the committee shall document all expenditures and shall maintain all records pertaining to said expenditures, including but not limited to invoices, receipts, instruments of payment, and copies of any public communications produced as a result of the expenditure, for one (1) year following the date ~~the final disclosure report is due under Section 7-136 or the date~~ the committee terminates, ~~whichever is later~~, unless a complaint has been filed under ~~§Subsection~~ 7-145(a) alleging a violation of the provisions of this Article, or the person or committee has received notice of an investigation or prosecution of a violation of this Article by the City or other law enforcement authority, in which case they shall be maintained until final disposition of the complaint and any consequent court proceedings. Documentation ~~shall include~~s the name and address of the vendor(s) or payee(s) providing the property, materials, or services and the amount of the expenditure. A committee must make such documentation and records shall be made available to the City within three (3) business days upon request of the City. Any person with authority to investigate compliance with the requirements of this Article or authority to enforce the requirements of this Article may inspect and such documentation and records. subject to inspection in connection with any investigation or other action to enforce the terms of this Article.
- (k) *Reimbursements prohibited.* No person ~~shall may~~ make a contribution or contribution in kind to a candidate committee, issue committee, small-scale issue committee or political committee with the expectation that some or all of the amounts of such contribution will be reimbursed by another person. No person may accept ~~shall be~~ reimburse~~ment~~d for a contribution or contribution in kind made to any candidate committee, issue committee, small-scale issue committee or political committee, nor ~~shall may~~ any person make such reimbursement. An unexpended campaign contribution returned to a contributor or compensation for a contribution in kind by a committee pursuant to § 7-135(~~ed~~) ~~shall not be considered~~ is not a reimbursement for purposes of this Subsection (k).
- (l) A candidate committee, issue committee, small-scale issue committee or political committee shall not coordinate its expenditures or activities with, or share information with, any other committee and shall not conduct its campaign activities in a manner that has the effect of circumventing any restrictions or limitations on campaign contributions, expenditures or reporting set forth in this Article.
- (m) A candidate, candidate committee or political committee ~~shall must~~ obtain from each seller a certification of full fair market value for any purchased goods or services and from the contributor for any goods or services that constitute a contribution or contribution in kind. Any seller or contributor asked to provide a certification of value ~~shall must~~ provide to the candidate, candidate committee or political committee a correct and undiscounted statement of value. ~~Certification of value documentation shall be provided by a~~ A candidate, candidate committee or political committee must provide a certification of value documentation to the City Clerk, or other appropriate City official responsible for investigating or reviewing compliance, upon request.
- (n) No candidate committee, issue committee, small-scale issue committee or political committee may accept contributions or contributions in kind made in cryptocurrency. Any such contributions received must be returned immediately upon the committee becoming aware of it.

(Ord. No. 162, 2000, § 1, 11-21-00; Ord. No. 189, 2000, § 1, 1-2-01; Ord. No. 148, 2001, § 4, 11-6-01; Ord. No. 005, 2017, § 6, 1-17-17; Ord. No. 077, 2018, § 8, 6-19-18; Ord. No. 113, 2018, §§ 4, 5, 9-4-18; Ord. No. 109, 2020, § 3, 9-15-20; Ord. No. 112, 2020, §§ 2, 3, 9-15-20; Ord. No. 079, 2022, § 4, 7-5-22; Ord. No. 030, 2025, §§ 1—3, 3-4-25)

Sec. 7-136. Disclosure; filing of reports.

- (a) All candidate committees, political committees and issue committees ~~must~~shall report to the City Clerk their contributions and contributions in kind received, including the name and address of each person who has made a contribution or a contribution in kind; expenditures made; and obligations entered into by the committee.
- (b) For purposes of complying with the requirements of this Section, an issue committee, political committee or small-scale issue committee consisting of an organization whose primary purpose is not to support or oppose ballot issues or candidates ~~must~~shall report only those contributions and contributions in kind accepted, expenditures made and obligations entered into for the purpose of supporting or opposing a ballot issue or ballot question or candidate. Such committee ~~shall need~~ not be required to report donations, membership dues or any other payments received and for non-election purposes except to the extent such amounts are used or set aside to be used for the purpose of supporting or opposing a ballot issue or ballot question or candidate.
- (c) Reports ~~must~~shall be filed with the City Clerk as follows:
 - (1) A committee must file a report within two (2) weeks of receipt of the first contribution of any kind and then the first of each calendar quarter thereafter until the time for reporting under Subsection ~~(c)(2) of this Subsection~~ is reached.
 - a. ~~For the fall 2025 municipal general election only, a committee must file a report on May 1, 2025, for any contributions received prior to that date, or within two (2) weeks after receipt if the first contribution is received on May 1st or after that date, and then the first of the following calendar quarter thereafter until the time for reporting under subsection (2) is reached.~~
 - (2) A committee must file reports on the following dates:
 - a. the sixty-third (63rd) day before the election;
 - b. the thirty-fifth (35th) day before the election;
 - c. the twenty-first (21st) day before the election;
 - d. the fourteenth (14th) day before the election;
 - e. no later than noon on the Friday before the election;
 - f. the twenty-eighth (28th) day after the election; and
 - g. the seventieth (70th) day after the election.
 - (3) Candidate committees that continue in operation must file a report annually on the first day of the month in which the anniversary of the election occurs until such time as a termination report is filed.
 - (4) If the reporting day falls on a weekend or legal holiday, the report ~~shall~~must be filed by the close of the next business day.
- (d) The reports required by this Section ~~shall must include state~~ the balance of funds at the beginning of the reporting period, the total of contributions and contributions in kind received, and the total of expenditures made during the reporting period. The reports ~~must~~shall also ~~state include~~ cumulative totals of contributions

and contributions in kind received and a cumulative total of expenditures made by the committee during the election cycle.

- (e) All reports ~~must~~shall be submitted on forms provided by the City Clerk and ~~shall~~must be complete and correct in all respects. Reports shall be current in all respects as of two (2) days prior to the date upon which each such report is to be filed.
- (f) A report required to be filed by this Section is timely if the report is filed electronically not later than ~~midnight 11:59 p.m.~~ Mountain ~~Standard~~-Time on the date due. Notwithstanding the foregoing, the report that is due by noon on the Friday before the election must be filed by noon regardless of the manner of filing.
- (g) Any report that is deemed by the City Clerk to be incomplete or inconsistent with the requirements of this Article shall be accepted on a conditional basis, and shall be subject to the penalties and process in § 7-143.
- (h) Any candidate committee, political committee or issue committee ~~that which~~ has not accepted any contributions or contributions in kind, made any expenditures, or entered into any obligations during a reporting period, ~~must~~shall file a report with the City Clerk on the days specified in Sub~~section~~paragraph (c) ~~above of this Section~~ certifying that the committee has not accepted any contributions or contributions in kind, made any expenditures or entered into any obligations during the relevant reporting period.
- (i) Except as specified in this Sub~~section~~paragraph (i), the disclosure requirements specified in this Section ~~do~~shall not apply to a small-scale issue committee. To the extent there is any conflict between the small-scale issue committee provisions of Sub~~section~~paragraphs (i), (j), (k), and (l) of this ~~§Section~~ 7-136, those Subparagraphs shall control. Any small-scale issue committee shall disclose or file reports about the contributions, contributions in kind or expenditures it has made or received or otherwise register as an issue committee in connection with accepting or making such contributions or expenditures in accordance with the following alternative requirements:
 - (1) Any small-scale issue committee that accepts contributions or contributions in kind or makes expenditures in an aggregate amount during any applicable election cycle that does not exceed two hundred fifty dollars (\$250-) is not required to disclose or file reports about the contributions, contributions in kind or expenditures it has made or received or otherwise register as an issue committee in connection with accepting such contributions or contributions in kind or making such expenditures.
 - (2) Any small-scale issue committee that accepts contributions or contributions in kind or makes expenditures in an aggregate amount during any applicable election cycle ~~of between of at least~~ two hundred fifty dollars (\$250-) ~~and but not more than~~ two thousand five hundred dollars (\$2,500-) ~~shall~~ must register with the City Clerk within ten (10) business days of the date on which the aggregate amount of contributions or expenditures ~~equals or~~ exceeds two hundred fifty dollars (\$250-). The registration required by this ~~subparagraph~~ Subsection (i)(2) must be on a form provided by the City Clerk and must include the following, together with any other information required to complete the registration form:
 - a. The committee's full name, spelling out any acronyms used in the name;
 - b. The name of a natural person authorized to act as a registered agent of the committee;
 - c. A current street address, mailing address (if different from the street address), telephone number and email address for the principal place of business of the committee;
 - d. A current mailing address, telephone number and email address for the registered agent;
 - e. The purpose or nature of interest of the committee;

- f. The date of the election regarding which the committee intends to be active;
 - g. The name and address of the financial institution in which all contributions received by the committee are deposited in a separate account bearing the name of the committee, and documentation of such account reasonably satisfactory to the City Clerk; and
 - h. An acknowledgement and certification signed by the registered agent and, from any candidate committee, the candidate.
- (3) A registered small-scale issue committee must promptly provide updated address, telephone and email information to the City Clerk upon the change of such information for the committee or the registered agent of the committee, or any change in financial institution or account.
- (j) Except as required by ~~§Subsection~~ 7-135(j)(2), no small-scale issue committee described in ~~subsection~~ Subsection (i)(2) of this Section is required under this Article to disclose or report any contributions, contributions in kind or expenditures it has made or received, so long as it continues to meet the definition of small-scale issue committee.
 - (k) Within seven (7) days of the date on which a small-scale issue committee accepts contributions or contributions in kind or makes expenditures in an aggregate amount during any applicable election cycle that exceeds two thousand five hundred dollars (\$2,500-), the committee ~~must~~shall:
 - (1) ~~through~~Through its registered agent, report this change in the committee's status to the City Clerk; and
 - (2) ~~report~~Report to the City Clerk on an approved form, for each particular contribution, contribution in kind or expenditure accepted or made, the name and address of each person who has made such contribution or contribution in kind and the amount of each specific contribution, contribution in kind and expenditure accepted or made by the committee.
 - (l) Once any issue committee that began as a small-scale issue committee accepts contributions or contributions in kind or makes expenditures in an aggregate amount during any applicable election cycle that exceeds two thousand five hundred dollars (\$2,500-), the committee shall from that point forward make disclosure of any contributions, contributions in kind or expenditures it accepts or makes not already reported under ~~Subparagraph~~ Subsection (k) of this Section and comply with all requirements under this Article applicable to issue committees.
 - ~~(m) —Any political committee or issue committee formed prior to July 1, 2017, will be deemed to have been formed for an election held prior to said date, and shall be deemed terminated and shall cease to operate as a committee as of April 13, 2018, except that any such terminated committee and persons responsible for the operation of such committee shall continue to be subject to the limitations on disbursement of funds set forth in § 7-138.~~

(Ord. No. 162, 2000, § 1, 11-21-00; Ord. No. 189, 2000, § 2, 1-2-01; Ord. No. 148, 2001, § 5, 11-6-01; Ord. No. 173, 2014, § 7, 12-16-14; Ord. No. 021, 2016, § 10, 3-1-16; Ord. No. 005, 2017, § 8, 1-17-17; Ord. No. 045, 2018, § 7—11, 4-3-18; Ord. No. 077, 2018, § 9, 6-19-18; Ord. No. 113, 2018, § 6, 9-4-18; Ord. No. 109, 2020, § 4, 9-15-20; Ord. No. 079, 2022, § 5, 7-5-22; Ord. No. 030, 2025, § 4, 3-4-25)

Sec. 7-137. Reports to be public record.

- (a) Upon receipt of any campaign report submitted pursuant to this Article, the City Clerk ~~shall~~will make available such report for public inspection ~~by and~~ posting the report on the City's website no later than the next business day.

- (b) ~~No~~Regarding information contained in any campaign report submitted pursuant to this Article, no person shall may be sold sell such information or ~~used such information by any person~~ for the purpose of soliciting contributions or for any commercial purpose.

(Ord. No. 162, 2000, § 1, 11-21-00; Ord. No. 148, 2001, § 6, 11-6-01; Ord. No. 021, 2016, § 11, 3-1-16)

Sec. 7-138. Unexpended campaign contributions.

- (a) Unexpended campaign contributions to a candidate committee may be:

- (1) Contributed to a political party;
- (2) Contributed to a candidate committee established by the same candidate for a subsequent campaign in a City election, or to a candidate committee established after January 1, 2021, for a non-City election, to the extent permitted by applicable law. For a City election, such contributions are subject to the limitations set forth in ~~Paragraph §~~ 7-135(g)(2);
- (3) Donated to a charitable organization recognized by the Internal Revenue Service;
- (4) Returned to the contributors;
- (5) Used to pay for the cost of a recount requested by the candidate pursuant to § 7-46.

In no event ~~shall may~~ contributions to a candidate committee be used for personal purposes not reasonably related to supporting the election or retention of the candidate.

- (b) In addition to any use described in Subsection (a) of this Section, a person elected to the office of Mayor or Councilmember, or retained in office following a recall attempt, may use unexpended campaign contributions held by the person's candidate committee for any of the following purposes:

- (1) Voter registration;
- (2) Political issue education, which includes obtaining information from or providing information to the electorate;
- (3) Postsecondary educational scholarships;
- (4) To defray reasonable and necessary expenses related to mailings and similar communications to constituents;
- (5) Any expenses that are directly related to such person's official duties as an elected official, including, but not limited to, expenses for the purchase or lease of office equipment and supplies, room rental for public meetings, necessary travel and lodging expenses for legislative education such as seminars, conferences and meetings on legislative issues, and telephone and ~~pager~~ other electronic communication expenses.

- (c) A candidate committee for a former officeholder or a person not elected to office ~~shall must~~ expend all of the unexpended campaign contributions retained by such candidate committee, for the purposes specified in Subsection (a) of this Section, no later than five (5) years from the date such officeholder's term expired or from the date of the election at which such person was a candidate for office, whichever is later.

- (d) An issue committee or political committee may:

(1) Donate ~~Un~~unexpended campaign contributions ~~to an issue committee or political committee may be donated~~ to any charitable organization recognized by the Internal Revenue Service;

(2) Return ~~unexpended campaign contributions~~ to the contributor; or

~~(3) Use the unexpended campaign contributions~~ to pay for the cost of a recount requested by the committee's registered agent pursuant to § 7-46.

- (e) Any unexpended campaign contributions held by a candidate committee subsequent to the date of the election shall, upon the registration of a candidate committee for a City office in a subsequent election, be available for that candidate committee as a beginning fund balance to use in that election. Such carryover funds will not count against any contribution limit attributable to any past contributor in a prior election campaign. Absent the candidate registering a candidate committee for a City office in a subsequent election, the unexpended campaign contributions may be used as otherwise set forth in this Section.

(Ord. No. 162, 2000, § 1, 11-21-00; Ord. No. 148, 2001, § 7, 11-6-01; Ord. No. 021, 2016, § 12, 3-1-16; Ord. No. 109, 2020, § 5, 9-15-20)

Sec. 7-139. Independent expenditures.

- (a) Any person, excluding a committee required to register under this Article, who makes independent expenditures in connection with any particular ballot totaling in the aggregate more than two hundred fifty dollars (\$250-) shall report any such independent expenditures made after that threshold is met to the City Clerk on a form provided by the City Clerk no later than three (3) business days after the day that funds are obligated to pay for said independent expenditure. Said notice shall include the following information, together with any other information required by the City Clerk:
- (1) The name, address and telephone number of the person making the independent expenditures;
 - (2) The name of the issue for which or the candidate for whom the independent expenditures are intended to support or oppose;
 - (3) The name and address of the vendor(s) providing the property, materials or services;
 - (4) A detailed description of the independent expenditures sufficient to allow for determination of compliance with this ~~s~~Section;
 - (5) The amount of the independent expenditures;
 - (6) The date the funds ~~became~~were obligated; ~~and~~
 - (7) Copies of receipts, invoices, or other documentation related to the independent expenditure-; ~~and~~
 - (8) A description of the sources of funds used for the independent expenditures.
- (b) For the purposes of this ~~provision~~Section, funds ~~shall be~~are considered ~~to have been~~obligated as soon as an agreement is reached for the provision of the property, materials or services in question, regardless of when payment is ~~to be~~made for such property, materials or services.
- (c) A person making All independent expenditures -must document~~shall be documented~~ all the expenditures and must maintain all records pertaining to independent expenditures, including but not limited to invoices, receipts, instruments of payment, and copies of any public communications produced as a result of the expenditure, ~~shall be maintained~~ for one (1) year following any election in which the funds were expended unless a complaint has been filed under ~~§ Subsection~~ 7-145(a) alleging a violation of the provisions of this Article, or the person or committee has received notice of an investigation or prosecution of a violation of this Article by the City or other law enforcement authority, in which case they shall be maintained until final disposition of the complaint and any consequent court proceedings. The person who made the expenditures~~Such records shall be made~~ must make the records available within three (3) business days upon request of the City. The records are~~and~~ subject to inspection in connection with any hearing held pursuant to this Article.

~~(d) Any person or persons, excluding a committee otherwise required to register under this Article, who makes or make independent expenditures in connection with any particular City election (including either candidate races or ballot questions or issues) totaling in the aggregate two thousand five hundred dollars (\$2,500) or more, shall register as an issue committee or political committee, as applicable, within three (3) business days of having made expenditures in excess of such threshold. The initial report of any such committee shall provide the dates of any reports of independent expenditures previously made and the source of funds for said previously reported expenditures.~~

(Ord. No. 162, 2000, § 1, 11-21-00; Ord. No. 148, 2001, § 8, 11-6-01; Ord. No. 005, 2017, § 7, 1-17-17; Ord. No. 077, 2018, § 10, 6-19-18; Ord. No. 113, 2018, § 7, 9-4-18; Ord. No. 079, 2022, § 6, 7-5-22)

Sec. 7-140. Responsibility for communications.

(a) Required Statements.

- (1) Whenever a candidate, candidate committee, issue committee, political committee or registered small-scale issue committee makes an expenditure for the purpose of financing communications expressly advocating a particular result in an election, or solicits any contribution or contribution in-kind through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing or any other type of general public political advertising, such communication if paid for or authorized by a candidate, candidate committee, issue committee, political committee, registered small-scale issue committee, or any agent for the same, shall clearly state that the communication is paid for by that candidate, candidate committee, issue committee, political committee or registered small-scale issue committee.
- (2) Whenever any person makes an independent expenditure in excess of the reporting threshold in § 7-139(a) for the purpose of financing communications expressly advocating for a particular result in an election, such communication shall clearly state that the communication is paid for by that person.

(b) In regard to the different forms of communication set forth in ~~Subsection (a) of this Section 7-140~~, "communication" shall include, but shall not be limited to:

- (1) Websites or social media of a candidate, candidate committee, issue committee, political committee or registered small-scale issue committee available to the general public;
- (2) Websites or social media of a person if and to the extent they are financed by independent expenditures in excess of the reporting threshold in § 7-139(a) and are available to the general public; ~~and or~~
- (3) Advertisements placed for a fee on another person's website or social media.

(c) The statement required by this Section ~~7-140~~ must be clear and conspicuous in the communication. The statement required herein ~~does~~ shall not apply to communications where including the statement would be impractical, such as:

- (1) Bumper stickers, pins, buttons, pens ~~and or~~ similar small items upon which the disclaimer cannot be conveniently printed;
- (2) Skywriting, water towers, wearing apparel, or other means of displaying an advertisement of such a nature that the inclusion of a disclaimer would be impracticable; or
- (3) Checks, receipts, and similar items of minimal value that are used for purely administrative purposes and do not contain a political message.

- (d) Nothing herein shall be deemed to alleviate any person from complying with federal campaign finance law, as applicable.

(Ord. No. 113, 2018, § 8, 9-4-18)

Sec. 7-141. Expenditures for political advertising; rates and charges.

- (a) No ~~committee shall pay to any~~ radio or television station, newspaper, periodical, internet advertiser or website provider, social media provider or other supplier of materials or services may charge a committee a higher charge than that normally required for local commercial customers for comparable use of space, materials or services. Any such rate ~~shall may~~ not be rebated, directly or indirectly.
- (b) Any radio or television station, newspaper, internet advertiser or website provider, social media provider or periodical that charges a committee a lower rate for use of space, materials or services than the rate such station, newspaper, internet advertiser or website provider, social media provider or periodical or supplier charges another ~~issue committee or candidate~~ committee for the same ballot measure or public office for comparable use of space, materials or services shall report the difference in such rate as a contribution to the committee that is charged such lower rate. A person who receives a discounted rate as described herein shall be deemed to have received a contribution ~~and to meet the definition of political committee, issue committee or small-scale issue committee, as applicable,~~ and must comply with the related applicable requirements of this Article.
- (c) Persons subject to the requirements of this Section ~~Nothing in this Article shall be construed to prevent an~~ may adjust ~~ment in~~ rates related to frequency, volume, production costs and agency fees if such adjustments are offered consistently to other advertisers.

(Ord. No. 162, 2000, § 1, 11-21-00; Ord. No. 077, 2018, § 11, 6-19-18; Ord. No. 113, 2018, § 9, 9-4-18; Ord. No. 079, 2022, § 2, 7-5-22)

Sec. 7-142. Encouraging withdrawal from campaign prohibited.

No person ~~shall may~~ offer or give any candidate or candidate committee any money or any other thing of value for the purpose of encouraging the withdrawal of the candidate's candidacy, nor ~~may shall~~ any candidate offer to withdraw a candidacy in return for money or any other thing of value.

(Ord. No. 162, 2000, § 1, 11-21-00)

Sec. 7-143. Violations and penalties.

- (a) Except as provided in Subparagraph (b) herein, any person who violates or fails to comply with the provisions of this Article as set forth in the following schedule commits a civil infraction and is subject to a civil penalty as follows:

Code Section	Penalty Amount
7-133 - Candidate affidavit; disclosure statement; failure to file	No monetary penalty (disqualification per Section 7-133)
7-134 - Registration of committees; termination.	\$150 first offense; \$300 each subsequent offense
7-135 - Campaign contributions/expenditures.	\$100 first offense; \$200 each subsequent offense
7-136 - Disclosure; filing of reports.	\$100 first offense; \$200 each subsequent offense
7-137(b) - Reports to be public record.	\$50 first offense; \$100 each subsequent offense

7-138 - Unexpended campaign contributions.	\$100 first offense; \$200 each subsequent offense
7-139 - Independent expenditures	\$100 first offense; \$200 each subsequent offense
7-140 - Responsibility for communications.	\$50 first offense; \$100 each subsequent offense
7-141 - Expenditures for political advertising; rates and charges.	\$50 first offense; \$100 each subsequent offense

- (b) Any person who undertakes any of the following commits a misdemeanor and is subject to a fine or imprisonment in accordance with § 1-15:
- (1) Knowingly violates § 7-135(e), (i), (j), or (k), with the intent to circumvent the restrictions of § 7-135.
 - (2) Knowingly violates § 7-136 with the intent to fraudulently misrepresent campaign contributions or expenditures on a disclosure report.
 - (3) Knowingly violates § 7-142.
 - ~~(4) Is found liable for a violation after the person has been found liable for two (2) or more violations under this Article in a single election cycle.~~
- (c) ~~—The City may charge any person's third or subsequent violation of this Article as a misdemeanor.~~
- (d) Failure to comply with the provisions of this Article shall have no effect on the validity of any election, except as expressly required by the City Charter.
- (e) ~~—For any violation noted under this Article, the City Clerk may cause to be issued a summons and complaint for prosecution in municipal court in accordance with the procedures established in Chapter 19 of this Code.~~
- (f) ~~For violations of 7-136 for failure to timely file a report, the City Clerk, as an alternative to issuing a summons and complaint under Subsection (e) of this Section, may issue a notice of violation and fine in the applicable amount provided for in Subsection (a) of this Section directly to the person violating that Section, to be paid within [to be filled in] calendar days of the Clerk's notice of violation. Each untimely filed report constitutes a separate violation. A person issued a fine by the City Clerk under this Subsection (f) above may appeal the fine to the City Manager pursuant to the appeals procedure set forth in Article VI of Chapter 2 of this Code.~~
- ~~(dg)~~ Each complaint received under Division 2 of this Article shall be posted on the City's website along with other campaign information. Records of communications between the City Clerk and the complainant and between the City Clerk and the subject of any complaint shall be a public record.
- (Ord. No. 162, 2000, § 1, 11-21-00; Ord. No. 109, 2020, § 6, 9-15-20; Ord. No. 079, 2022, § 8, 7-5-22)

Sec. 7-144. Severability.

If any provision of this Article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Article which can be given effect without the invalid provision or application, and to this end the provisions of this Article are declared to be severable.

(Ord. No. 162, 2000, § 1, 11-21-00)

Division 2 Campaign Violations

Sec. 7-145. Allegation of campaign violation.

(a) **Filing a Complaint:** Any candidate or registered elector of the City ("complainant") who has reasonable, good faith belief, based on factual information, that any person, candidate, candidate committee, issue committee, small-scale committee, or political committee has violated ~~Chapter 7, Article V, any provision of Division 1 of Article V of Chapter 7~~ of this Code may file a written complaint with the City Clerk, no later than sixty (60) days after the date of the alleged violation.

(1) The complaint must contain:

- a. The name of the alleged violator;
- b. The Code provision allegedly violated;
- c. A brief statement or description of the offense allegedly committed and the basis for the allegation;
- d. All documentation or other factual evidence known to the complainant to support the allegation;
- e. Identification of any witnesses or persons with relevant knowledge; and
- f. The name, address and telephone number of the complainant.

~~(2) The City Clerk will promptly notify the respondent of receipt of a complaint. The City Clerk may investigate complaints that allege a civil infraction in an appropriate process determined in the City Clerk's discretion, after consultation with the City Attorney. Upon receiving payment of the presumptive fine or a finding of a sufficient cure, the City Clerk will close the complaint for a civil infraction and notify the respondent and complainant.~~

~~(b) **Complaint Process:** All complaints filed under this section will be reviewed in the following manner, however if a complaint is dismissed at any stage it will end at that stage and will not proceed to the next:~~

~~(1) Preliminary Review;~~

~~(2) Separation of Criminal Complaints from Civil Infractions, only Civil Infractions proceed to the next stage;~~

~~(3) Evidentiary Review;~~

~~(4) Investigation; and~~

~~(5) Referral to Municipal Court.~~

~~(c) **Preliminary Review:** The City Clerk, in consultation with the City Attorney, will conduct a preliminary review to determine whether the complaint is sufficient and notify both the complainant and respondent within three (3) working days of receipt of the complaint. A sufficient complaint must comply with the following:~~

~~(1) Was timely filed under § 7-145(a);~~

~~(2) Contains the information required by § 7-145(a)(1); and~~

~~(3) Properly alleges a violation of Chapter 7, Article V, of this Code.~~

~~(d) **Insufficient Complaints:** If the City Clerk, in consultation with the City Attorney, determines that the complaint is insufficient, the City Clerk will:~~

~~(1) Notify the complainant that the complaint has been dismissed and provide a brief explanation of the determination; and~~

~~(2) Forward the complaint to the person who is the subject to the complaint ("respondent") and notify them that the complaint has been dismissed.~~

(e) ~~— **Conflict:** If the complaint is determined by the City Clerk, in consultation with the City Attorney, and if the respondent to the complaint is a candidate for an elected position for municipal office or if the City Clerk, in consultation with the City Attorney, determines internal review of the complaint may raise conflict concerns, the City Attorney will retain special legal counsel to conduct the evaluation of the complaint using the process described below.~~

(f) ~~— **Criminal Complaints:** If the City Clerk, in consultation with the City Attorney, determines that the complaint is sufficient and alleges a criminal violation as set forth in § 7-143(b), the City Clerk will forward the complaint to the respondent and to the City Attorney, who will evaluate the complaint for probable cause as provided for in this Division 2.~~

(g) ~~— **Civil Infractions:** For sufficient complaints that do not allege a criminal violation, the complaints will be subject to a civil infraction process as follows:~~

(1) ~~— The City Clerk will forward the complaint to the respondent by electronic mail, notifying the respondent that the alleged violation may be subject to a civil infraction and of the presumptive fine in accordance with § 7-143(a).~~

(2) ~~— Upon receipt of the complaint and at any time prior to filing of the complaint with Municipal Court, the respondent may:~~

a. ~~— Pay the fine; or~~

b. ~~— Provide any responsive information to the City Clerk regarding the allegations in the complaint. (3)~~

~~For those complaints that concern a criminal violation pursuant to § 7-143(b) or (c), the City Clerk will proceed under § 7-146.~~

(3) ~~— **Evidentiary Review:** After providing notice to the respondent of the complaint, the City Clerk, in consultation with the City Attorney, will determine whether the complainant has provided credible evidence to support a finding that the respondent violated this Article so as to warrant further investigation. If the City Clerk determines that the complaint does not contain credible evidence or that the allegation does not warrant further investigation, the Clerk will dismiss the complaint and notify both the respondent and the complainant of the dismissal and the reason for the dismissal.~~

(4) ~~— **Cure:** Upon receipt of the complaint up until the initiation of an investigation, the respondent may provide evidence of a cure. A "cure" is defined to include evidence of substantial compliance with the applicable law. Upon receipt of evidence of a cure, the City Clerk, in consultation with the City Attorney, will determine whether the provided evidence sufficiently cures the violation. If a cure is found, the City Clerk will dismiss the complaint. The City Clerk will notify both the respondent and the complainant. When reviewing the evidence, the City Clerk, in consultation with the City Attorney, will consider the following:~~

a. ~~— The extent of the respondent's noncompliance;~~

b. ~~— The purpose of the provision violated and whether that purpose was substantially achieved despite the noncompliance; and~~

c. ~~— Whether the noncompliance may properly be viewed as a knowing attempt to mislead the electorate or election officials.~~

(5) ~~— **Investigation:** If the City Clerk, in consultation with the City Attorney, determines that the complaint contains credible evidence and warrants further investigation, the City Attorney will arrange for any necessary outside or internal investigators to assist in conducting an investigation. The City Clerk will notify the respondent and complainant that an investigation has begun, that they may be contacted for~~

~~an interview or other information gathering. Any additional information that either the respondent or complainant wants to provide must be received by the City Clerk within ten (10) business days. Documentation must be received within the ten (10) working days in order to be considered during the investigation.~~

- ~~(6) **Payment of Civil Fine:** Upon receiving payment of the presumptive fine, the City Clerk will close the complaint and notify the respondent and complainant.~~
- ~~(7) Based on the outcome of the investigation the City Clerk, in consultation with the City Attorney, will determine whether a violation under Chapter 7, Article 5, Division 1, of this Code occurred.~~
- ~~(8) If it is determined that a violation did occur, the complaint will be filed with the Municipal Court. If the City Clerk, in consultation with the City Attorney, determines that a violation under Chapter 7, Article 5 did not occur, the City Clerk will dismiss the complaint and notify the complainant and respondent of the dismissal and the reason for the dismissal.~~
- ~~(9) **Referral to Municipal Court:** Any complaint filed with the Municipal Court under this Section will be governed by Article V of Chapter 19 of this Code.~~
- ~~(10) A complainant or any other nonrespondent will not be a party to the City Attorney's initial review, cure proceedings, investigation, or any proceeding in the Municipal Court. A complainant may request permission from the Municipal Judge or their designee to file an amicus curiae brief.~~
- (11) Any person that commits a violation of this Article will be personally liable for the penalties imposed. Any candidate will be personally liable for penalties imposed upon the candidate or the candidate's committee and may use campaign contributions to pay penalties.

(Ord. No. 005, 2017, § 9, 1-17-17; Ord. No. 113, 2018, § 10, 9-4-18; Ord. No. 109, 2020, § 7, 9-15-20; Ord. No. 079, 2022, § 9, 7-5-22; Ord. No. 029, 2025, 3-4-25)

Sec. 7-146. Evaluation of campaign complaint.

- (a) For those complaints that concern a criminal violation pursuant to § 7-143(b) or (c), if the City Attorney determines that no probable cause exists, that the complaint fails to allege an enforceable violation, or that the requirements of § 7-145 were not met by the complainant, the City Attorney shall so notify the City Clerk, who will, in turn, notify the complainant and respondent in writing.
- (b) If the City Attorney determines probable cause exists, the City Attorney may notify Fort Collins Police Services, who, in consultation with the City Attorney, may file and serve a summons and complaint to the respondent.
- (c) The City Attorney retains prosecutorial discretion on whether to ultimately file criminal charges. If the City Attorney determines filing a summons and complaint is inappropriate, ~~they~~he or she shall so notify the City Clerk, who will, in turn, notify the complainant and respondent in writing.

(Ord. No. 005, 2017, § 9, 1-17-17; Ord. No. 109, 2020, § 8, 9-15-20)

Sec. 7-147. Conflicts of interest.

Notwithstanding the above, nothing in this Article shall be read to preclude the City Attorney from declaring a conflict of interest, and taking appropriate action in accordance with this Code and general practices of the City, including, but not limited to, hiring special counsel, if deemed necessary and advisable under the circumstances.

(Ord. No. 005, 2017, § 9, 1-17-17)

Sec. 7-148. Complaint not required for city action.

Nothing in this Article shall preclude the City from pursuing an action, civil or criminal, against any person, candidate, candidate committee, issue committee, small-scale issue committee or political committee for any violation of this Chapter, regardless of whether a complaint had been filed pursuant to this Article.

(Ord. No. 005, 2017, § 9, 1-17-17)

Sec. 7-149. Administrative procedures.

The City Clerk is authorized to engage an outside party to assist in investigating and review of complaints under this Article. The City Clerk is charged with ultimate authority to pursue complaints under this Article and is hereby authorized to adopt administrative regulations consistent with the provisions of this Article.

(Ord. No. 005, 2017, § 9, 1-17-17; Ord. No. 033, 2025, § 6, 3-4-25)

Sec. 7-150. Reserved.

Ord. No. 109, 2020, § 9, adopted September 15, 2020, repealed § 7-150, which pertained to action by complainant, and derived from Ord. No. 005, 2017, § 9, adopted January 17, 2017.

Secs. 7-151—7-154. Reserved.**ARTICLE VI. INITIATIVE AND REFERENDUM****Sec. 7-155. Generally.**

The manner of exercising the powers of initiative and referendum with regard to ordinances and resolutions of the City shall be governed by the provisions of this Article and the provisions of Article X of the Charter. Any matter not covered by the State Constitution, this Article or other provisions of the Code shall be governed by the laws of the State relating thereto.

(Ord. No. 23, 2001, 2-20-01)

Sec. 7-156. Protests of proposed ballot title and/or submission clause.

(a) Any registered elector desiring to protest a proposed ballot title ~~and~~ or submission clause for any initiated or referred measure shall file a notice of protest with the City Clerk no later than noon on the Monday immediately preceding the date upon which the City Council will consider the ordinance on first reading, or resolution, setting the ballot title and submission clause. Such notice of protest shall be on a form available from the City Clerk, shall be signed by the protestor(s), and shall set forth:

- (1) the name, address, and phone number of the protestor(s);
- (2) the title of the ordinance or resolution being protested;
- (3) with particularity, the grounds of the protest; and
- (4) any other information required by the City Clerk.

(b) Such protest shall be heard, considered and resolved by the City Council prior to the adoption of said ordinance or resolution.

(c) Any legal challenge of the form or content of a City ballot title ~~and/or~~ submission clause for any initiated or referred measure shall be brought in the City's Municipal Court or Larimer County District Court using the procedure set forth in, and in accordance with, Section C.R.S. § 1-11-203.5, Colorado Revised Statutes, as amended, which shall be the exclusive manner for such legal challenges.

(Ord. No. 23, 2001, 2-20-01; Ord. No. 021, 2016, § 14, 3-1-16)

Secs. 7-157—7-164. Reserved.

ARTICLE VII. ELECTION OFFENSES

Sec. 7-165. Obligation of petition circulators.

Any person circulating a petition approved for circulation by the City Clerk must, upon the request of any person to whom the petition is presented, make the entire text of the initiated or referred measure that is the subject of the petition or, in the case of a recall petition, the statement of charges and statement of defenses, accessible by any reasonable method.

(Ord. No. 160, 2004, 10-5-04; Ord. No. 032, 2025, 3-4-25)

Secs. 7-166—7-179. Reserved.

ARTICLE VIII. MAIL BALLOT ELECTIONS

Sec. 7-180. Legislative declaration.

The City Council hereby finds, determines and declares that self-government by election is more legitimate and better accepted as voter participation increases. The City Council further finds, determines and declares that mail ballot elections are cost-efficient and have not resulted in increased fraud. By enacting this Article, the City Council hereby concludes that it is appropriate to provide for mail ballot elections under specified circumstances.

(Ord. No. 165, 2006, § 1, 11-7-06)

Sec. 7-181. Definitions.

The following words, terms and phrases, when used in this Article, ~~shall~~ have the meanings ascribed to them in this Section:

Absentee ballot ~~shall~~ means a ballot transmitted to an eligible elector at an address or location other than the residential or mail address of the elector as shown in the County's voter registration records.

Active registered elector ~~shall~~ means a person residing in the City who is registered to vote in City elections and who is listed in the County's voter registration records as an "active" voter.

(Supp. No. 154, Update 2)

— Created: 2026-06-09 08:35:44 [EST]

Ballot ~~shall~~ means the list of all candidates and ballot measures upon which an eligible elector is entitled to vote at an election.

Election ~~shall~~ means any regular or special municipal election held pursuant to the Charter, the Code, the "Uniform Election Code of 1992" or the "Colorado Municipal Election Code of 1965," and which is not coordinated with the County pursuant to ~~Section C.R.S. § 1-7-116, C.R.S.~~

Election day ~~shall~~ means the date either established by the Charter or determined by the City Council to be the final day on which all ballots are determined to be due, and the date from which all other dates in this Article are set.

Election worker ~~shall~~ means the City Clerk, an employee of the City Clerk or any other person designated by the City Clerk to participate in the conduct of an election.

Eligible elector ~~shall~~ means a person who meets the specific requirements for voting at a specific election or for a specific candidate or ballot measure.

General Election ~~shall~~ means the election held on the Tuesday succeeding the first Monday of November in each even-numbered year and conducted by the County Clerk and Recorder pursuant to the Uniform Election Code of 1992, Title 1, C.R.S.

Mail ballot election ~~shall~~ means an election in which eligible electors primarily cast ballots by mail in accordance with this Article.

Mail ballot packet ~~shall~~ means the packet of information, including an official ballot, provided by the City Clerk to eligible electors in a mail ballot election.

Poll book ~~shall~~ means a list of eligible electors, including sufficient identifying information about each elector, the style and number of the ballot issued to each elector and the receipt and status of the ballot returned by the elector.

Replacement ballot ~~shall mean~~ means a mail ballot packet provided to any eligible elector who did not receive a mail ballot packet for any reason, or who is unable to use the mail ballot packet originally received by the elector.

Return envelope ~~shall mean~~ means an envelope provided in a mail ballot packet for the purpose of returning a voted ballot to the City Clerk that contains the name and address of an eligible elector voting in a mail ballot election, and that is designed to allow election workers, upon examining the signature, name and address that appear on the outside of the envelope, to determine whether the enclosed ballot is being submitted by an eligible elector who has not previously voted in that particular election.

Secrecy envelope or *secrecy sleeve* ~~shall mean~~ means the envelope or sleeve provided in a mail ballot packet that is designed to conceal and maintain the confidentiality of the elector's vote until the counting of votes for that particular election. *Secrecy envelope* or *secrecy sleeve* shall also include a paper ballot which may be folded so that the elector's vote is concealed when the ballot is removed from the return envelope.

Undeliverable ballot ~~shall mean~~ means a mail ballot packet that the U.S. Postal Service is unable to deliver to the intended recipient and which is returned to the City Clerk.

(Ord. No. 165, 2006, § 1, 11-7-06; Ord. No. 130, 2011, § 1, 11-1-11; Ord. No. 173, 2014, § 2, 12-16-14)

Sec. 7-182. Mail ballot elections authorized.

The City Clerk ~~is hereby authorized to may~~ conduct any regular or special municipal election which is not coordinated with the County pursuant to C.R.S. § 1-7-116~~Section 1-7-116, C.R.S.,~~ by mail ballot in accordance with the provisions of this Article.

(Ord. No. 165, 2006, § 1, 11-7-06)

Sec. 7-183. Reserved.

Ord. No. 021, 2016, § 15, adopted March 1, 2016, repealed § 7-183 which pertained to the duties of the city clerk and derived from Ord. No. 165, 2006, § 1, adopted Nov. 7, 2006.

Sec. 7-184. Notice of election.

- (a) No later than twenty (20) days before an election conducted pursuant to this Article, the City Clerk shall provide notice by publication of a mail ballot election, which notice shall state, as applicable for the particular election for which the notice is provided, the following:
 - (1) The date of the election;
 - (2) The hours during which the polls will be open on election day;
 - (3) The address of the walk-in location for the delivery of mail ballots and the receipt of replacement ballots, and the hours during which the walk-in location will be open;
 - (4) The address of the location for the application for, and the return of, absentee ballots and the hours during which the office will be open; ~~and-~~
 - (5) Such other information that may be useful to voters regarding the conduct of the election or related to disclosures required in this Chapter.
- (b) The notice required to be given by this Section shall be in lieu of the notice requirements set forth in C.R.S. § Section 31-10-501(1), ~~C.R.S.~~

(Ord. No. 165, 2006, §1, 11-7-06; Ord. No. 021, 2016, § 16, 3-1-16)

Sec. 7-185. Form of ballots; order of items on the ballot.

- (a) The ~~City Clerk shall divide the~~ top portion of each ballot ~~shall be divided by~~ a perforated line. The portion above the perforated line ~~shall is to~~ be known as the ballot stub and ~~wish~~ have printed on it a sequential ballot number. The ballot stub may also have printed on it other information, including but not limited to the precinct number, Council district number, job sequencing information used by the printer or instructions.
- (b) The ballot ~~shall will~~ contain the following warning:

"WARNING:

Any person who, by use of force or other means, unduly influences an eligible elector to vote in any particular manner or to refrain from voting, or who falsely makes, alters, forges or counterfeits any mail ballot before or after it has been cast, or who destroys, defaces, mutilates or tampers with a ballot is subject, upon conviction, to imprisonment, or to a fine, or both."
- (c) The return envelope ~~shall will~~ have printed on it a self-affirmation substantially in the following form:

"I state under penalty of perjury that I am an eligible elector; that my name and address are as shown on this envelope; that I have not and will not cast any vote in this election except by the enclosed ballot; and that my ballot is enclosed in accordance with the provisions of the Code of the City of Fort Collins."
- (d) The signing of the self-affirmation on the return envelope ~~shall~~ constitutes an affirmation by the voter, under penalty of perjury, that the facts stated in the self-affirmation are true.

- (e) Items on the ballot ~~shall will~~ appear in the following order:
 - (1) City-initiated measures under Article X, Section 20 of the State Constitution.
 - (2) Citizen-initiated ~~or referred~~ measures under Article X, Section 20 of the State Constitution.
 - (3) City-initiated measures.
 - (4) Citizen-initiated or referred measures.
- (f) Citizen-initiated measures and citizen-referred measures as listed in ~~subparagraph Subsections~~ (e)(2) and (e)(4) ~~of this Section~~ above ~~shall will~~ appear by category in the order of receipt of final petition, whether it is the initial petition or an amended petition.

(Ord. No. 165, 2006, § 1, 11-7-06; Ord. No. 021, 2016, § 17, 3-1-16)

Sec. 7-186. Mailing of ballots; exception.

- (a) No sooner than twenty-two (22) days before an election, and no later than fifteen (15) days before an election, the City Clerk ~~shall will~~ mail to each active registered elector, at the last mailing address appearing in the registration records and in accordance with United States postal service regulations, a mail ballot packet marked "Do not forward. Address correction requested.", or other similar statement that is in accordance with United States postal service regulations.
- (b) In the event that unusual circumstances exist that may delay the mailing of ballots in accordance with Subsection (a) ~~above of this Section~~, the City Clerk, with the written approval of the City Manager, ~~is authorized to may~~ mail the ballots no later than (10) days before an election. For the purposes of this provision, unusual circumstances ~~shall includes~~, but ~~is not not be~~ limited to, extreme weather conditions such as blizzard or flood, equipment failure, labor work stoppage or slowdown, or other events outside the City's control.

(Ord. No. 165, 2006, § 1, 11-7-06; Ord. No. 130, 2011, § 2, 11-1-11; Ord. No. 173, 2014, § 3, 12-16-14)

Sec. 7-187. On-site polling place.

No sooner than twenty-two (22) days prior to election day and no later than 7:00 p.m. on election day, ~~the City Clerk will make~~ mail ballots ~~shall be made~~ available at the office of the City Clerk, or such other location as ~~the City Clerk may be established by the City Clerk~~, for each eligible elector who requests a ballot.

(Ord. No. 165, 2006, § 1, 11-7-06; Ord. No. 173, 2014, § 4, 12-16-14)

Sec. 7-188. Replacement ballots.

- (a) An eligible elector may obtain a replacement ballot if:
 - (1) The ballot was destroyed, spoiled, lost or for some other reason not received by the eligible elector;
 - (2) A mail ballot packet was not sent to the elector because the eligibility of the elector could not be determined at the time the mail ballot packets were mailed; or
 - (3) The eligible elector presents any other credible evidence that ~~he or she is~~ they are entitled to receive a replacement ballot.
- (b) An eligible elector may ~~A request for~~ a replacement ballot ~~may be made~~ in writing, by mail, by fax, by telephone or in person.

- (c) An eligible elector requesting a replacement ballot must sign a sworn statement specifying the reason for requesting the ballot. If an eligible elector requests a replacement ballot in person, the statement ~~shall~~must be completed before a replacement ballot is issued to the elector. If a request for a replacement ballot is not made in person, the City Clerk may transmit the statement with the ballot package. The statement must be returned to the City Clerk no later than 7:00 p.m. on election day in order for the ballot to be counted, and such statement may be returned with the ballot.

(Ord. No. 165, 2006, § 1, 11-7-06; Ord. No. 173, 2014, § 5, 12-16-14)

Sec. 7-189. Absentee voting.

- (a) Any eligible elector, or a family member related by blood, marriage, civil union, or adoption, may request that an absentee ballot be transmitted to a place other than the elector's address listed in the voter registration records. Requests for absentee ballots must be made in writing and ~~shall~~must include the elector's name, residence address, date of birth and address where the absentee ballot should be mailed.
- (b) A request for an absentee ballot may be filed any time after January 1 of the year of the election, but not later than the close of business on the Friday prior to the election, except that, if the applicant wishes to receive the absentee ballot by mail, the application ~~shall~~must be filed no later than the close of business seven (7) days prior to election day.
- (c) Upon receipt of a request for an absentee ballot, and as soon as ballots are printed and available, the City Clerk ~~wi~~shall transmit an absentee ballot to the elector at the address given in the request for an absentee ballot. If the timing of a request for an absentee ballot is such that ballots will not be printed in sufficient time to accommodate the unique circumstances of the elector's request, the City Clerk ~~is authorized to~~may prepare a substitute paper ballot containing all races and questions applicable to the elector, provided that the elector acknowledges in writing that the City Clerk may transfer the elector's vote to an official ballot for counting purposes.
- (d) If an eligible elector requests delivery of an absentee ballot to an address outside of the United States or otherwise requests to vote by absentee ballot and it appears unlikely in the judgment of the City Clerk that the absentee ballot will be delivered to the elector in sufficient time to allow the elector to vote the ballot and return it to the City Clerk by mail before 7:00 p.m. on election day, the City Clerk ~~is authorized to~~may use any reasonable method to provide the elector an opportunity to vote, provided that the method is acceptable to the elector and the elector acknowledges in writing that ~~he or she has~~they have agreed to vote in the method offered and has further agreed that the City Clerk may transfer the elector's vote to an official ballot for counting purposes.

(Ord. No. 165, 2006, § 1, 11-7-06; Ord. No. 173, 2014, § 6, 12-16-14; Ord. No. 021, 2016, § 18, 3-1-16)

Sec. 7-190. Voting and return of ballots.

- (a) Upon receipt of a ballot, the eligible elector ~~shall~~may mark the ballot, sign and complete the return envelope and comply with the instructions provided with the ballot.
- (b) The eligible elector may return the marked ballot to the City Clerk by United States mail or by depositing the ballot at the office of the City Clerk or any place designated by the City Clerk. The ballot must be returned in the return envelope. If an eligible elector returns the ballot by mail, the elector may provide the necessary postage or, if not so paid by the elector, the cost of return postage ~~shall~~will be paid by the City. In order to be counted, the ballot must be received at the office of the City Clerk or a designated depository prior to 7:00 p.m. on election day.

- (c) Ballots received by the City Clerk after 7:00 p.m. on election day ~~shall will~~ not be counted, except as provided in § 7-191 and § 7-192, but ~~shall will~~ be preserved in accordance with § 7-195.

(Ord. No. 165, 2006, § 1, 11-7-06; Ord. No. 130, 2011, § 3, 11-1-2011; Ord. No. 045, 2018, § 12, 4-3-18)

Sec. 7-191. Receipt and qualification of ballots; signature verification.

- (a) ~~The City Clerk will mark Aa~~ All ballots, including undeliverable ballots, ~~shall be marked~~ to indicate the date the ballot was received by the City Clerk.
- ~~(b) Upon receipt of a voted ballot in an election conducted prior to April 2019, an election worker shall first qualify the submitted ballot based on a visual inspection of the self-affirmation signature on the return envelope compared to the name of the elector printed on the envelope to determine whether the ballot was submitted by said elector. Comparison of the signature on the return envelope to any signature image, including those signature images in the statewide voter registration system, is not required. If the ballot so qualifies and is otherwise valid, the election judge shall indicate in the poll book that the eligible elector cast a ballot, and shall prepare the ballot for counting in accordance with § 7-193 below.~~
- ~~(be)~~ Beginning with the April 2019 regular municipal election, ~~e~~ Election workers ~~must~~ shall compare the elector's self-affirmation signature on the return envelope with the elector's digitized signature(s) in the statewide voter registration system in accordance with the provisions of ~~C.R.S. §Section~~ 31-10-910.3, ~~C.R.S.~~
- ~~(dc)~~ If an election worker is unable to qualify the ballot as set forth in Subsection (b) ~~or (c) above of this Section~~, the ballot ~~shall will~~ be rejected and the reason for rejection shall be indicated in the poll book. Rejected ballots ~~shall will~~ remain unopened and shall be securely stored separate from qualified ballots unless such ballots are corrected as provided in § 7-192 below.
- ~~(ed)~~ If an election worker determines that an eligible elector to whom a replacement ballot has been issued has voted more than once, the City Clerk ~~wi~~ shall count the first ballot received from the elector and ~~wi~~ shall reject all subsequent ballots received from that elector.

(Ord. No. 165, 2006, § 1, 11-7-06; Ord. No. 021, 2016, § 19, 3-1-16; Ord. No. 045, 2018, § 13, 4-3-18)

Sec. 7-192. Rejected ballots.

- (a) ~~Beginning with the April 2019 municipal election, t~~ The City Clerk ~~wi~~ shall follow the procedures set forth in ~~C.R.S. §Section~~ 31-10-910.3, ~~C.R.S.~~, for deficient and discrepant signatures on return envelopes.
- (b) No elector ~~shall be allowed to may~~ correct a deficiency or discrepancy without first producing valid proof of identification. No elector ~~shall be allowed to may~~ open, change, or alter his or her ballot while in the process of correcting the deficiency or discrepancy.

(Ord. No. 165, 2006, § 1, 11-7-06; Ord. No. 021, 2016, § 20, 3-1-16; Ord. No. 045, 2018, § 14, 4-3-18)

Sec. 7-193. Counting mail ballots; release of preliminary election results.

Counting of mail ballots may begin fourteen (14) days prior to the election and continue until counting is completed. The City Clerk ~~wi~~ shall take all precautions necessary to ensure the secrecy of voted ballots, and no information concerning the same ~~shall may~~ be released by election workers except as authorized by the City Clerk. The City Clerk ~~is authorized to may~~ release preliminary election results after 7:00 p.m. on Election Day provided they are clearly marked as unofficial. Official results ~~shall will~~ be released upon final certification of the election.

(Ord. No. 165, 2006, § 1, 11-7-06; Ord. No. 021, 2016, § 21, 3-1-16)

Sec. 7-194. Revealing how elector voted.

Any election worker, watcher or person who assists another person in voting who reveals how a voter has voted commits a misdemeanor and is subject to a fine or imprisonment in accordance with § 1-15 of this Code.

(Ord. No. 165, 2006, § 1, 11-7-06)

Sec. 7-195. Preservation of election records; destruction.

- (a) ~~The City Clerk will securely store A~~all election records, including but not limited to voted ballots, rejected ballots, absentee ballots, undeliverable ballots, return envelopes, ballot stubs, unused ballots, application forms and poll books, ~~shall be securely stored~~ following an election and ~~shall those records will~~ be preserved for at least six (6) months following a regular or special election. The provisions of this Subsection (a) ~~shall do~~ not apply to secrecy envelopes separated from voted ballots during preparation of ballots for counting.
- (b) ~~Immediately following election day, the City Clerk may destroy t~~individual pieces of printed information that were intended to be used in the assembly of mail ballot packets, such as envelopes, secrecy envelopes and instructions, ~~but~~ that were never assembled into a mail ballot packet ~~may be destroyed on the day~~ immediately following ~~- the certification of election result~~~~election day~~. The provisions of this Subsection (b) ~~shall do~~ not apply to ballots.
- (c) ~~The City Clerk will destroy by fire or shredding A~~all records preserved pursuant to Subsection (a) of this Section ~~shall be destroyed by fire or shredding~~ after the period of preservation has expired.

(Ord. No. 165, 2006, § 1, 11-7-06)

Sec. 7-196. Validity of election.

No mail ballot election held pursuant to this Article ~~shall may~~ be invalidated on the grounds that an eligible elector did not receive a ballot so long as the City Clerk acted in good faith in complying with the provisions of this Article.

(Ord. No. 165, 2006, § 1, 11-7-06)

Sec. 7-197. Severability.

If any provision of this Article or the application thereof to any person or circumstances is held invalid, such invalidity ~~shall does~~ not affect other provisions or applications of the Article which can be given effect without the invalid provision or application, and to this end the provisions of this Article are declared to be severable.

(Ord. No. 165, 2006, § 1, 11-7-06)

Secs. 7-198—7-210. Reserved.**ARTICLE IX. UNIFORM MILITARY AND OVERSEAS VOTERS**

Sec. 7-211. Legislative intent.

The City Council hereby finds and declares that it is appropriate and necessary to provide an avenue for City electors who are active members of the various uniformed services or who are overseas to submit absentee votes in City elections.

(Ord. No. 077, 2018, § 12, 6-19-18)

Sec. 7-212. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:

Absentee ballot ~~shall mean~~ means a ballot transmitted to a covered voter at an address or location other than the residential or mail address of the elector in the County's voter registration records, or by any other reasonable method acceptable to the covered voter.

Covered voter ~~shall mean~~ means:

- (1) A uniformed-service voter, as defined in this Section, who is a resident of the City but who is absent from the City by reason of active duty and who otherwise satisfies the City's voter eligibility requirements;
- (2) An overseas voter who, before leaving the United States, was last eligible to vote in the City and, except for a residency requirement, otherwise satisfies the City's voter eligibility requirements;
- (3) An overseas voter who, before leaving the United States, would have been last eligible to vote in the City had the voter then been of voting age and, except for a residency requirement, otherwise satisfies the City's voter eligibility requirements; or
- (4) An overseas voter who was born outside the United States, is not described in paragraph (2) or (3) of this definition, and, except for a residency requirement, otherwise satisfies the City's voter eligibility requirements if the last place where a parent, legal guardian, spouse or civil union partner of the voter was, or under this Article would have been, eligible to vote before leaving the United States is within the City.

Dependent ~~shall mean~~ means a spouse, civil union partner, or dependent of a covered voter defined in this Section who is a resident of the City but who is absent from the City by reason of the active duty or service of the covered voter.

Overseas voter ~~shall mean~~ means a United States citizen who is outside the United States.

Uniformed-service voter ~~shall mean~~ means an individual who is qualified to vote in the City and is:

- (1) A member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty;
- (2) A member of the merchant marine, the commissioned corps of the public health service, or the commissioned corps of the national oceanic and atmospheric administration of the United States; or
- (3) A member on activated status of the National Guard.

(Ord. No. 077, 2018, § 12, 6-19-18)

Sec. 7-213. Notice of upcoming election.

Prior to any election conducted by the City and not coordinated with the County pursuant to ~~Section C.R.S. § 1-7-116, C.R.S.,~~ the City Clerk ~~wi~~shall mail a letter to all covered voters eligible to participate in the upcoming election notifying said voters of the date ballots will be mailed, the unlikelihood that the time periods for conducting the election will afford said voters the opportunity to receive the ballot mailed and return ~~his or her~~their voted ballot in a timely manner, and alternative methods for casting a ballot for the election. Said letter shall be mailed as follows:

- (1) For a regular municipal election, no less than sixty-three (63) days prior to the date of election.
- (2) For a special municipal election, no less than sixty-three (63) days prior to the date of election.
- (3) For a recall election, as soon as practicable after the election is called.

(Ord. No. 077, 2018, § 12, 6-19-18)

Sec. 7-214. Alternative methods for casting a ballot; transmission and receipt.

- (a) A covered voter may vote the original ballot mailed to him or her or may request an absentee ballot.
- (b) Voted ballots may be returned by mail, or by electronic mail or any other reasonable method to provide the covered voter an opportunity to vote, provided that the method is acceptable to the City Clerk and the covered voter and provided the covered voter acknowledges in writing that ~~he or she has~~they have chosen to vote using the alternative method and has further agreed that the City Clerk may manually transfer the covered voter's vote to an official ballot for counting purposes.
- (c) To be valid, ~~the City Clerk must receive the~~a ballot ~~must be either received by the City Clerk by~~ 7:00 p.m. on the date of election, or ~~the ballot must~~ be postmarked or deposited by the covered voter with a military post office by 7:00 p.m. mountain time on the date of the election.
- (d) ~~The City Clerk will count Aa~~ valid ballot cast by mail ~~shall be counted~~ if it is received by the City Clerk by 5:00 p.m. mountain time on the eighth (8th) day after the election.

(Ord. No. 077, 2018, § 12, 6-19-18)

Election Code Committee Meeting

Delynn Coldiron, City Clerk
Cecilia Good, Sr. Deputy City Clerk
Carrie Daggett, City Attorney
Tad Witt, Assistant City Attorney II



Proposed Code Changes

2026/2027 Work Plan



Proposed Code Changes

Does the Committee have feedback related to the proposed Code changes?

Does the Committee have any concerns about bringing forward the proposed changes for consideration by the entire Council?

- 1. Style Modernization**
- 2. Cross-References**
- 3. Non-Applicable Section Removal – Sections 7-136(c)(1)(a) and (m) and Section 7-191(b)**
- 4. Precinct Map – Section 7-71**
- 5. Redistricting – Section 7-87**
- 6. Campaign Definitions – Section 7-132**
- 7. Campaign Contributions/Expenditures – Section 7-135**
- 8. Independent Expenditures – Section 7-139**
- 9. Campaign Violations – Section 7-143**
- 10. Complaints – Section 7-144**

Goal is to have changes implemented by Q1 2027;
first and second readings are planned to occur in
December 2026/January 2027 timeline

Does the Committee have feedback related to the proposed Code changes?

Does the Committee have any concerns about bringing forward the proposed changes for consideration by the entire Council?



2026/2027 Work Plan and Long-Term Projects

Does the Committee have feedback related to the 2026/2027 Work Plan items?

Does the Committee have feedback on the Long-Term Projects or have other items it wants staff to focus on?

Code Changes - Underway

Charter Changes

Candidate Guidelines/Education

Voter Information Guide

Long-Term Projects

Other?

2026/2027 Work Plan:

- Code Changes (Underway) – Changes related to Campaign Complaints/Enforcement will be reviewed in October
- Charter Changes
 - ✓ Signatures on Nomination Petitions
 - ✓ Term for Mayor
 - ✓ Timing of Regular Elections
- Candidate Guidelines and Education
 - ✓ Setting up a Committee and related information (bank account, EIN #, etc.)
 - ✓ Determining who should be the registered agent and who can sign things

2026/2027 Work Plan:

- Voter Information Guide
 - ✓ Ensuring this is accessible to all voters
 - ✓ Explore providing QR code with ballot information; if not allowed then postcard mailing?

Long-Term Projects:

- Public funding for campaigns
- Other?

Does the Committee have feedback related to the 2026/2027 Work Plan items?

Does the Committee have feedback on the Long-Term Projects or have other items it wants staff to focus on?



OTHER BUSINESS?