

CHAPTER 6

ELECTION OF TOWN OFFICIALS

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1-6-1: **CHARTER ORDINANCE:**

This charter ordinance adopted pursuant to authority vested in cities and towns of the state of Wyoming by the Wyoming constitution, article 13, section 1, and Wyoming Statutes of 1957, section 22.1-315.1. (Ord. 27, 12-9-1975)

1-6-2: **DETERMINATION TO CONDUCT ELECTIONS:**

The town council does hereby elect to conduct elections pursuant to the terms of this charter ordinance and not in the same manner as statewide elections. (Ord. 27, 12-9-1975)

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1-6-3: SPECIAL MUNICIPAL ELECTION IN 1976:

A special municipal election shall be held in the town on the second Tuesday of May of 1976 at which election a mayor shall be elected to serve for a term of one year and two (2) council members shall be elected to serve for a term of three (3) years. The mayor, so elected, shall replace the mayor who was elected in May of 1973 and reappointed in May of 1975. The council members, so elected, shall replace the two (2) council members who were elected in May of 1971 and reappointed as council members in May of 1975. (Ord. 27, 12-9-1975)

1-6-4: REGULAR MUNICIPAL ELECTIONS:

A regular municipal election shall be held in the town on the second Tuesday of May of each odd numbered year beginning in the year 1977. (Ord. 27, 12-9-1975)

1-6-5: OFFICERS ELECTED AND TERM OF OFFICE:

At each regular municipal election, two (2) councilmen shall be elected each for a term of four (4) years. Every four (4) years at a regular election, a mayor shall be elected for a term of four (4) years. (Ord. 27-A-2, 12-10-2013; amd. Ord. 73, 5-11-2023)

1-6-6: QUALIFICATIONS OF OFFICERS:

No person shall be nominated, elected or permitted to serve as mayor or council member of the town unless he or she be a qualified elector of the town. (Ord. 27, 12-9-1975)

1-6-7: PROCLAMATION OF ELECTION:

Wyoming Statutes of 1957, section 22.1-12, as it applies to the town, is hereby amended to read as follows:

TOWN CLERK TO PUBLISH PROCLAMATION: Between thirty (30) and fifteen (15) days before each town election, the town clerk shall publish once in a legal newspaper of general circulation in the town and post conspicuously in not less than three (3) public places in such town a proclamation setting forth the date of the forthcoming election, the polling place, the titles and terms of the offices to be filled at the election, the hour that the polls will open and close, the number of persons required by law to fill the offices, the requirements for filing statements of campaign receipts and expenditures, and,

in addition, before the election, the legislative description of each proposed ballot proposition submitted to the voters of the town.

(Ord. 27, 12-9-1975)

1-6-8: **CANVASSING BOARD:** The town council shall sit as a canvassing board to canvas and declare the results of the election following the election. (Ord. 27A, 11-9-2006)

1-6-9: **BALLOT PROPOSITIONS:** Wyoming Statutes of 1957, section 22.1-319, as it applies to the town, is amended to read as follows:

CERTIFICATION OF BALLOT PROPOSITIONS: A town ballot proposition to be voted on at an election shall be printed on the town ballot by the town clerk.

(Ord. 27, 12-9-1975)

1-6-10: **POLLING PLACE AND HOURS OF ELECTION:** All residents of the town shall vote at the town hall and the polls shall open at nine o'clock (9:00) A.M. and close at seven o'clock (7:00) P.M. on election day. (Ord. 27A, 11-9-2006)

1-6-11: **PRECINCT OFFICIALS:** Prior to the date of the election, the town council, by resolution, shall designate two (2) judges and one clerk of election to conduct the election in accordance with the election law of the state of Wyoming and each of whom shall take and subscribe to the oath required by law. The judges and clerk shall receive pay at the same rate as provided for officials for county elections, with a similar number of voters. (Ord. 27, 12-9-1975)

1-6-12: **NONAPPLICATION OF SECTIONS:** Wyoming Statutes of 1957, sections 22.1-320, 22.1-322, 22.1-323, 22.1-324, 22.1-325, and 22.1-326, shall not apply to the town. (Ord. 27, 12-9-1975)

1-6-13: NOMINATIONS:

- A. **Nomination By Caucus:** Candidates for the office of mayor and council members in the town shall be by a caucus or public meeting of qualified voters of the town.
- B. **Call Of Caucus; Notice; Officers:** The caucus or public meeting of the voters of the town may be called by any qualified voter who shall prepare the notice of the call of the meeting in writing, specifying the time, place and purpose of the meeting including the offices to be filled by nomination, and the notice shall be posted in one public place at least three (3) days before the meeting. The call shall designate the name of the person who will call the meeting to order and who will preside until a chairman has been chosen. In case the person so designated is absent, the meeting may choose a temporary chairman to act in place of such person. The organization of the meeting, as the first order of business, shall choose a chairman, clerk and such other officers as the meeting may require.
- C. **Written Ballot:** A written ballot shall be taken for the choice of any candidate to be selected by such meeting where there is more than one candidate seeking the nomination for any one office.
- D. **Certificate Of Nomination:** At the conclusion of the caucus or public meeting, a certificate of nomination shall be prepared which shall contain the name of the political party or principal that the candidate or candidates represent, the name of each person nominated, his or her residence, his or her business, and the office or offices for which he or she is nominated. The certificate shall be signed by the chairman and attested by the secretary of the meeting.
- E. **Voting; Penalty:** No person shall vote at any caucus or public meeting who is not a legally qualified elector of the town. No person shall vote or attempt to vote more than once at any one balloting. No person, who has cast a vote at a caucus or public meeting for the nomination of a candidate for an office, shall cast a vote at a different caucus or public meeting for the purpose of nominating a candidate or candidates for the same office. Any person violating any provision of this subsection, upon conviction, shall be fined not more than fifty dollars (\$50.00) or imprisoned in jail for more than three (3) months, or both such fine and imprisonment. (Ord. 27, 12-9-1975)

1-6-14: **VACANCIES IN NOMINATION:** Wyoming Statutes of 1957, section 22.1-327, as it applies to the town, is amended to read as follows:

VACANCIES IN NOMINATION: A vacancy in nomination for a town office to be filled at a town election occurs if at the time of the town election there are no nominees for the office of mayor or there is less than one nominee for each office of councilman. A vacancy in nomination shall be filled by the town council.

(Ord. 27, 12-9-1975)

1-6-15: **DUTIES OF TOWN CLERK:** Wyoming Statutes of 1957, sections 22.1-328, 22.1-331, 22.1-332, as they apply to the town, are amended to read as follows:

A. Examine Proceedings: The town clerk shall examine the proceedings of each caucus and public meeting at which candidates were nominated to determine that the voters at the caucus or public meeting were qualified electors and shall determine that the candidates nominated are also electors of the town and qualified to run for their respective offices.

B. Prepare Ballots: The town clerk shall prepare the ballots in substantially the same form as the general election non-partisan ballot at county general elections.

C. Secure Voter Registry List And Poll Books: The town clerk shall secure the voter registry list of qualified electors and poll books from the county clerk and otherwise provide all necessary equipment for the conduct of the election. The town clerk, at the close of the election, shall receive from the election officials the certified poll books and ballots and shall deliver the same to the town council for canvassing.

D. Notify Successful Candidates; Obtained Signed Oath: Upon the certification of the results of the election by the canvassing board (the town council) the town clerk shall notify all successful candidates of their election. The notice shall be given in writing and mailed to them by regular mail. The town clerk shall obtain from the successful candidates a signed oath of office accepting and affirming to faithfully perform the duties of the office for which elected. In the event that a

candidate fails, neglects or refuses to accept the nomination or to sign the oath within five (5) days after receiving the written notice, the office shall be declared vacant and the vacancy shall be filled by appointment by the council.

E. Expenses Of Election: The town shall bear all expenses of the election.

(Ord. 27, 12-9-1975)

1-6-16: **ABSENTEE VOTING:** Absentee voting shall be permitted at any special or regular municipal election held in the town in conformity with the provisions of Wyoming Statutes of 1957, sections 22.1-134 through 22.1-158. (Ord. 27, 12-9-1975)

1-6-17: **COMMENCEMENT OF TERM OF OFFICE:** Wyoming Statutes of 1957, section 22.1-333, as it applies to the town, is amended to read as follows:

COMMENCEMENT OF TERM OF OFFICE: The term of office of a person elected at a town election commences on June 1 following the election or the first business day thereafter if June 1 falls on a Sunday or legal holiday.

(Ord. 27, 12-9-1975)

1-6-18: **OATH OF OFFICE:** Wyoming Statutes of 1957, section 22.1-334, as it applies to the town, is amended to read as follows:

CONSTITUTION OATH REQUIRED: Before entering upon his duties, a person elected to a town office shall sign and file with the town clerk the same constitutional oath of office as county officers.

(Ord. 27, 12-9-1975)

1-6-19: **APPLICATION OF ELECTION LAWS GENERALLY:** Except as those sections of the Wyoming Statutes which have been amended or modified by this charter ordinance, all matters with respect to

elections for town office or for ballot propositions of the town shall be held in accordance with the provisions of the Wyoming election code of 1973 and any amendments, modifications or revisions thereof. (Ord. 27, 12-9-1975)