

NOTICE OF INTENT TO ADOPT AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE II (ELECTIONS), SECTIONS 2-21 THROUGH 2-29, AND APPENDIX D OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO

The Council of the Town of Silver City, Grant County, New Mexico hereby gives notice of its intention to adopt an amendment to the Town of Silver City Code of Ordinances. This notice is given the title as follows:

ORDINANCE NO. 1278

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE II (ELECTIONS), SECTIONS 2-21 THROUGH 2-29, AND APPENDIX D OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO

WHEREAS, the Territorial Charter of the Town of Silver City, Article III, Sections 1 through 5, authorizes and provides for the Town Council to regulate the conduct of elections for officers of the Town; and

WHEREAS, in Chapter 2, Article II, Section 2-21 and pursuant to the Town's Territorial Charter, the Town adopted by ordinance the State of New Mexico Municipal Election Code as a convenient and comprehensive regulatory scheme for the regulation of municipal elections; and

WHEREAS, in the 2018 regular session, the State Legislature passed a bill referenced as "Local Election Act", which repealed the Municipal Election Code and substituted another body of provisions for the regulation of local elections, commonly known as the "Local Election Act" (1-22-1 et seq. NMSA); and

WHEREAS, the Town Council finds that adoption of the aforesaid Local Election Act, as amended, in its entirety is appropriate for the health, safety and welfare of the Town and its inhabitants.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, that:

1. Appendix D (Town of Silver City Municipal Election Code) is repealed in its entirety.
2. Chapter 2, Article II, Division 1, Section 2-21. (Municipal elections.) through Section 2-29 are deleted in their entirety and replaced with:

Sec. 2-21. Municipal Officer election.

The Town adopts the State Local Election Act as its election code.

Sec. 2-22. Municipal Officer Election Day.

Municipal officers shall be elected on the Municipal Officer Election Day, which is the first Tuesday in March of even numbered years, beginning in March of 2020.

Sec. 2-23. Terms of office.

The term of office for Mayor and Councilors shall be four (4) years, beginning with the election in March of 2020.

Sec. 2-24. Extension of terms to provide for staggered terms.

The terms of office of Councilors from Districts 1 and 3, which would have expired in March of 2019, are extended to expire in March of 2020. The terms of the Mayor and Councilors from District 2 and 4, whose terms would have expired in March of 2020 are extended to expire in March of 2022. The extensions of terms described herein are found to be necessary in order to maintain the original Territorial Charter intent that elections of Councilors should be staggered.

Sec. 2-25. Vacancies on Town Council.

Any vacancy on the Town Council shall be filled by appointment of a qualified elector by the Mayor, with the advice and consent of the Town Council. Any qualified elector so appointed to fill such vacancy shall serve until the next Municipal Officer Election, at which time a qualified elector shall be elected to fill the remaining unexpired term, if any. In the case

of a vacancy of the position of Mayor, the Mayor Pro-Tem shall serve until the next Municipal Officer Election, at which time a qualified elector shall be elected to serve the remaining term of the vacating Mayor, if any.

PASSED, ADOPTED AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this _____ day of _____, 2019.

(Seal)

TOWN OF SILVER CITY

Ken Ladner, Mayor

ATTEST:

Ann L. Mackie, Town Clerk

Consideration of the final adoption of such proposed ordinance will not take place until at least two (2) weeks subsequent to the date of this notice and only at a public meeting called and held in accordance with Section 3-17-3, N.M.S.A. 1978. Consideration of adoption of said ordinance is currently scheduled for and will not take place prior to _____, 2019.

Ann L. Mackie, Town Clerk

Date