



SOUTH OGDEN CITY

2015 CANDIDATE ELECTION GUIDE

South Ogden City
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WELCOME

May 2015

Dear Candidate:

Congratulations on your decision to run for elected office in our city. This candidate guide has been designed to provide some basic information about your candidacy and about South Ogden City government. I hope it will be helpful to you. Along with this guide, you will receive several other forms and documents. Please read through them all, as they contain important information. One of the forms is the *Campaign Financial Report*. It will be used to report your campaign contributions and expenditures. I recommend you keep accurate records of your expenditures and donations for this report.

For your convenience, I have also included a map of the South Ogden City voting precincts, and a map of the city. A copy of the adopted fiscal year 2015-2016 budget will be available in a few weeks if you request one. Additional information will be provided to you as the election draws near.

Please note that the Primary Election (if needed) will be **August 11, 2015**. The General Election will be **November 3, 2015**. This year South Ogden City will be holding its first ever vote by mail election. For more information on the vote by mail election, please see page 15.

If you have any questions, please feel free to contact me at 801-622-2709, or e-mail me at lkapetanov@southogdencity.com.

Sincerely,
Leesa Kapetanov
City Recorder

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GOVERNMENT OVERVIEW

South Ogden City was incorporated July 6, 1936 and functioned under the Mayor-Council form of government after incorporation. This worked well for many years until the complexity of government and city growth indicated greater efficiency could be realized by making a major change. This change took place on December 27, 1983, when the city council approved a plan for a full time city manager. The city manager position was repealed in 1986. However, in 1995 the city council again saw the need for a city manager and the current city manager position was established in February 1996. On July 1, 2010, Matthew J. Dixon became our current city manager.

The mayor and city council are elected at-large by the voters of South Ogden City for a term of four years. The terms are staggered so only three council members are up for election at one time, and the other two run at the same time in the mayoral election. Effective in 2003, South Ogden City became a fourth-class city.

Mayor

The mayor is the chief executive officer of the city and its official ceremonial head. The mayor's powers and duties include but are not limited to the following:

- Supervises the administration and enforcement of all laws and ordinances of the city.
- Executes the policies adopted by the city council as reflected by council resolution or by city ordinances, which are consistent with state law.
- Authorizes the issuance of executive orders or administrative rules and regulations for the general operations of the city, which are not in conflict with the laws of City or State Ordinances.
- Recommends to the city council for adoption such measures as may be deemed necessary or proper for the efficient and proper operation of the city.
- Attends all meetings of the city council, provided, however, the mayor may designate a representative when the mayor is unable to attend.
- Makes appointments to city committees, boards, commissions or other advisory bodies in the city after having received the advice and consent of the city council on each separate prospective appointment and removing the name.
- Except as otherwise provided, makes all appointments regarding the city recorder, city treasurer, police chief and fire chief subject to the advice and consent of the city council where required by State law, and disciplines or terminates the same.
- Executes agreements within certified budget appropriations on behalf of the city, or delegates by written executive order the power to execute

such agreements to executive officials subject to the requirements of state law and city agreements.

- Declares local emergencies and exercises those powers and duties necessary to protect life and property.
- Performs other duties as may be prescribed or permitted by law, including: issuing proclamations and vetoing ordinances, but is subject to council veto override as provided by state law.

The annual salary of the mayor is \$14,804.64. The mayor and council are also reimbursed for actual expenditures related to official duties conducted outside of the city in addition to the above compensation.

City Council

The City Council is the legislative body of the city. Regular meetings of the Council are held on the first and third Tuesday of each month beginning at 6:00 p.m. unless noticed otherwise. The Council also performs the role of the Community Development and Renewal Agency Board at CDRA meetings and the South Ogden City Arts Council, which meetings are scheduled as needed. In addition, the Council holds work sessions on an as needed basis. All meetings of the Council are held in compliance with the provisions of the Open and Public Meetings Act. The books and records of the City Council are kept in the office of the city recorder.

The powers and duties of the City Council include, but are not limited to, the following:

- Prescribe by ordinance general rules to be followed by the mayor for the purchase, sale or management of city property.
- Provide advice and consent to certain mayoral committee appointments, as prescribed by ordinance.
- Prescribe the number and terms of the members, mode of appointment and other details relating to the organization of a committee.
- Provide advice and consent to the appointments of the city recorder, city treasurer, police chief and fire chief.
- Adopts zoning classifications and reclassifications of property
- Adopts General Plan for the city.
- Considers, amends and approves or disapproves the city budget by ordinance.
- Has access to all administrative records of the city and may adopt reasonable policies and procedures by which to obtain such information.
- Adopts rules and regulations deemed necessary for the government of the council, the preservation of order and the transaction of business of the council.
- Overrides mayoral veto of ordinances by reconsidering the ordinance at the next council meeting and passing it with three affirmative votes.

The annual salary of each council member is \$9,604.20. Council members are reimbursed for actual expenditures related to official duties conducted outside of the city in addition to the above compensation.

BECOMING A CANDIDATE

Positions Available for the 2015 Election:

City Council -- Three seats, each for a four-year term (2016-2019)

Filing Qualifications

A person filing a Declaration of Candidacy for a city office shall (UCA 20A-9-203):

- Be a United States citizen at the time of filing;
- Be at least 18 years of age at the time of the next Municipal Election;
- Be a resident of South Ogden City or a resident of an area recently annexed into South Ogden City for a period of 12 consecutive months immediately preceding the date of the election;
- Be a registered voter of South Ogden City
- **Pay the \$25.00 filing fee**
- *In accordance with the Utah Constitution Article IV, Section 6, any mentally incompetent person, any person convicted of a felony, or any person convicted of treason or a crime against the elective franchise may not hold office in this state until the right to hold elective office is restored under Section 20-A-2-101.5*

Each elected officer of this City shall maintain residency within the boundaries of the City during his/her term of office.

Any resident wishing to become a candidate for office will be able to file a Declaration of Candidacy form with the City Recorder from June 1, 2015 through June 8, 2015 during regular office hours (8:00 a.m. to 5:00 p.m.) (Utah Code 20-A-9-203).

The person wishing to become a candidate must personally sign the Declaration of Candidacy form in front of the City Recorder. They must also sign the formal acknowledgement of the Financial Disclosure due dates and may sign the Pledge of Fair Campaign Practices if they wish.

Withdrawal of Candidacy

People who file for candidacy can withdraw from the election by filing a written affidavit “Withdrawal of Candidacy” with the city recorder at least 23 days before the Municipal Election.

MUNICIPAL CAMPAIGN FINANCE REPORTING

Candidates are required to comply with all State campaign finance reporting requirements. See below:

10-3-208. Campaign finance disclosure in municipal election.

(1) As used in this section:

(a) “Reporting date” means:

- (i) 10 days before a municipal general election, for a campaign finance statement required to be filed no later than seven days before a municipal general election; and
- (ii) the day of filing, for a campaign finance statement required to be filed no later than 30 days after a municipal primary or general election.

(b) “Reporting limit” means for each calendar year:

- (i) \$50; or
- (ii) an amount lower than \$50 that is specified in an ordinance of the municipality.

(2)(a)(i) Each candidate for municipal office:

- (A) shall deposit a campaign contribution in a separate campaign account in a financial institution; and
- (B) may not deposit or mingle any campaign contributions received into a personal or business account.

(ii) Each candidate for municipal office who is not eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement:

- (A) no later than seven days before the date of the municipal general election; and
- (B) no later than 30 days after the date of the municipal general election.

(iii) Each candidate for municipal office who is eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement no later than 30 days after the date of the municipal primary election.

(b) Each campaign finance statement under Subsection (2)(a) shall:

(i) except as provided in Subsection (2)(b)(ii):

(A) report all of the candidate’s itemized and total:

- (I) campaign contributions, including in-kind and other nonmonetary contributions, received before the close of the reporting date; and

(II) campaign expenditures made through the close of the reporting date; and

(B) identify:

(I) for each contribution that exceeds the reporting limit, the amount of the contribution and the name of the donor, if known;

(II) the aggregate total of all contributions that individually do not exceed the reporting limit; and

(III) for each campaign expenditure, the amount of the expenditure and the name of the recipient of the expenditure; or

(ii) report the total amount of all campaign contributions and expenditures if the candidate receives \$500 or less in campaign contributions and spends \$500 or less on the candidate's campaign.

(c) Within 30 days after receiving a contribution that is cash or a negotiable instrument, which exceeds the reporting limit, and is from a donor whose name is unknown, a candidate shall disburse the amount of the contribution to:

(i) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(ii) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

(3)(a) As used in this Subsection (3), "account" means an account in a financial institution:

(i) that is not described in Subsection (2)(a)(i)(A); and

(ii) into which or from which a person who, as a candidate for an office, other than a municipal office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a municipal office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A municipal office candidate shall include on any campaign finance statement filed in accordance with this section:

(i) a contribution deposited in an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account; or

(ii) an expenditure made from an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

(4)(a) A municipality may, by ordinance:

(i) provide a reporting limit lower than \$50;

(ii) require greater disclosure of campaign contributions and expenditures than is required in this section; and

- (iii) impose additional penalties on candidates who fail to comply with the applicable requirements beyond those imposed by this section.
- (b) A candidate for municipal office is subject to the provisions of this section and not the provisions of an ordinance adopted by the municipality under Subsection (4)(a) if:
 - (i) the municipal ordinance establishes requirements or penalties that differ from those established in this section; and
 - (ii) the municipal clerk or recorder fails to notify the candidate of the provisions of the ordinance as required in Subsection (5).
- (5) Each municipal clerk or recorder shall, at the time the candidate for municipal office files a declaration of candidacy, and again 14 days before each municipal general election, notify the candidate in writing of:
 - (a) the provisions of statute or municipal ordinance governing the disclosure of campaign contributions and expenditures;
 - (b) the dates when the candidate's campaign finance statement is required to be filed; and
 - (c) the penalties that apply for failure to file a timely campaign finance statement, including the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.
- (6) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access and Management Act, the municipal clerk or recorder shall:
 - (a) make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed; and
 - (b) make the campaign finance statement filed by a candidate available for public inspection by:
 - (i)(A) posting an electronic copy or the contents of the statement on the municipality's website no later than seven business days after the statement is filed; and
 - (B) verifying that the address of the municipality's website has been provided to the lieutenant governor in order to meet the requirements of Subsection 20A-11-103(5); or
 - (ii) submitting a copy of the statement to the lieutenant governor for posting on the website established by the lieutenant governor under Section 20A-11-103 no later than two business days after the statement is filed.
- (7)(a) If a candidate fails to file a campaign finance statement before the municipal general election by the deadline specified in Subsection (2)(a)(ii)(A), the municipal clerk or recorder shall inform the appropriate election official who:
 - (i) shall:

(A) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or

(B) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and

(ii) may not count any votes for that candidate.

(b) Notwithstanding Subsection (7)(a), a candidate who files a campaign finance statement seven days before a municipal general election is not disqualified if:

(i) the statement details accurately and completely the information required under Subsection (2)(b), except for inadvertent omissions or insignificant errors or inaccuracies; and

(ii) the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.

(8) A campaign finance statement required under this section is considered filed if it is received in the municipal clerk or recorder's office by 5 p.m. on the date that is it due.

(9)(a) A private party in interest may bring a civil action in district court to enforce the provisions of this section or an ordinance adopted under this section.

(b) In a civil action under Subsection (9)(a), the court may award costs and attorney fees to the prevailing party.

CAMPAIGN SIGNS

This information is taken from the South Ogden City Zoning Ordinance, Outdoor Sign Code, Chapter 10-21C-20. Please note the time that campaign signs are allowed to be put up has been extended to 45 days before the election due to the vote by mail election this year.

Political or campaign signs shall be erected no earlier than forty-five(45) days prior to the election where the candidates or measure will be voted upon and shall be removed within five (5) days after such election, campaign or event, unless the election is a primary election, in which case candidates who stand through the primary election may leave their signs in place until five (5) days after the general election. The candidate or, in the case of a measure or proposition, the sponsoring entity or group, is responsible for removal of all signage and related materials.

In any zone, there is permitted not more than one stationary, unlighted, temporary sign per candidate on any lot or contiguous parcels of land under one ownership on behalf of candidates for public office or measures on the ballot; provided, that any such sign shall not exceed ten feet (10') in height and shall not exceed sixteen (16) square feet in area.

No political or campaign sign shall be placed within one hundred fifty feet (150') from a polling place.

No political or campaign sign may be placed in any clear view area or in such a manner as to create a safety hazard or constitute a public nuisance.

Political signs shall not be placed on private property without the property owner's permission.

It is against the law to place your election campaign signs on following city property.

- 4400 Adams Avenue on the northwest, southwest, and southeast corners
- City Office building property
- Fire Station No. 2 at 5600 So. Wasatch Drive

- Intersection of Oak Drive and Sunset Lane
- 1050 East 5600 South northeast corner
- 40th and Washington Boulevard southeast and southwest corners by South Ogden sign
- Vacant lot at approximately 4675 Burch Creek Drive
- Grass along west side of Burch Creek/Adams Avenue from 4400 South to 4675 South
- Any City Park
- The clear-view areas at all intersections

If you are unsure of other locations, please contact the city building official at 801-622-2913.

DATES TO REMEMBER

June 1-8	Filing of Declaration of Candidacy. Must file in Recorder's Office between 8 am and 5 pm and pay the \$25 fee.
June 27	First day campaign signs can be erected for Primary Election (if needed).
June 29	Deadline to submit info for State Voter Information Website if Primary Election held.
July 14	Deadline for ballots to be mailed for Primary Election (they may be mailed out earlier based on Post Office schedules).
August 11	Primary Election Day (if needed)
August 16	Deadline for campaign signs to be removed for those candidates who did not stand through Primary Election.
September 4	Deadline to submit info for State Voter Information Website (in no primary election was held). Deadline for a write-in candidate to file
September 10	Deadline to file Campaign Financial Report for those candidates not successful in Primary Election.
September 19	First day campaign signs may be erected for General Election (if no Primary held).
October 6	Deadline for ballots to be mailed for General Election (they may be mailed out earlier based on Post Office schedules).
October 27	Deadline to file Campaign Financial Report.
November 3	General Election Day
November 8	Deadline for all campaign signs to be removed.
December 3	Deadline to file last Campaign Financial Report.

GENERAL INFORMATION

By Mail Election

South Ogden City is excited to hold its first by mail election, or rather what is known as a hybrid version of an all by mail election. It is a hybrid as the City will offer a polling location on Election Day for those who wish to cast their ballots at a polling place.

Ballots will be mailed out no later than 28 days before Election Day, although they may go out earlier based on Post Office mailing schedules. Every registered voter in South Ogden will receive a ballot in the mail. The voter then has two options to return his voted ballot (after following all instructions to place the voted ballot in the provided return envelope): 1) Attach a stamp (supplied by voter) to the provided return envelope and mail it. The ballot must be clearly postmarked as being sent before Election Day, and 2) Drop the voted ballot (in the provided return envelope but without a stamp) in a drop box located at City Hall. The drop box will be available from the time the ballots are mailed out through Election Day.

If a voter does not wish to vote by mail, he/she can bring their uncast ballot to City Hall on Election Day, relinquish it to a poll worker and cast their vote on a voting machine. If a voter does not bring their uncast ballot with them on Election Day, they will be required to vote on a provisional ballot until it can be determined that they have not already voted.

Voter Registration

In order to vote, a person must be a registered voter. The requirements to become a registered voter are:

- Be a United States Citizen
- Be a resident of Utah for at least 30 days immediately before the next election;
- Be at least 18 years old by the next election; and
- Have your principal place of residence in a specific voting precinct in Utah

Qualified persons may register to vote online at <http://vote.utah.gov/register-to-vote/online> or fill out a form at the Weber County Elections Office, 2380 Washington Boulevard, Suite 115, Ogden, Utah. Qualified persons may also register to vote when

applying for or renewing a drivers license. The Driver License Division will assist applicants in completing the form and will transmit the completed forms to the Weber County Elections Office.

Key dates for voter registration are as follows:

- **July 13** – Last day County will accept mail-in voter registration forms for Primary Election
- **August 4** – Last day a voter may register online or in-person at the Weber County Elections office and still vote in the Primary Election
- **October 5** – Last day County will accept mail-in voter registration forms for General Election
- **October 26** - Last day a voter may register online or in-person at the Weber County Elections office and still vote in the General Election

If you have any questions with regard to voter registration, please contact the Weber County Elections Office, 801-399-8034.

Valid Voter Id Required

During the 2009 legislative session HB126S2 made significant changes in voter identification laws. One of those changes is that valid voter identification is now required when voting at the polls on election day. Voters who do not have valid voter identification can cast a provisional ballot and then present valid voter identification to the election officer within five (5) business days after the election in order for their provisional ballot to be counted.

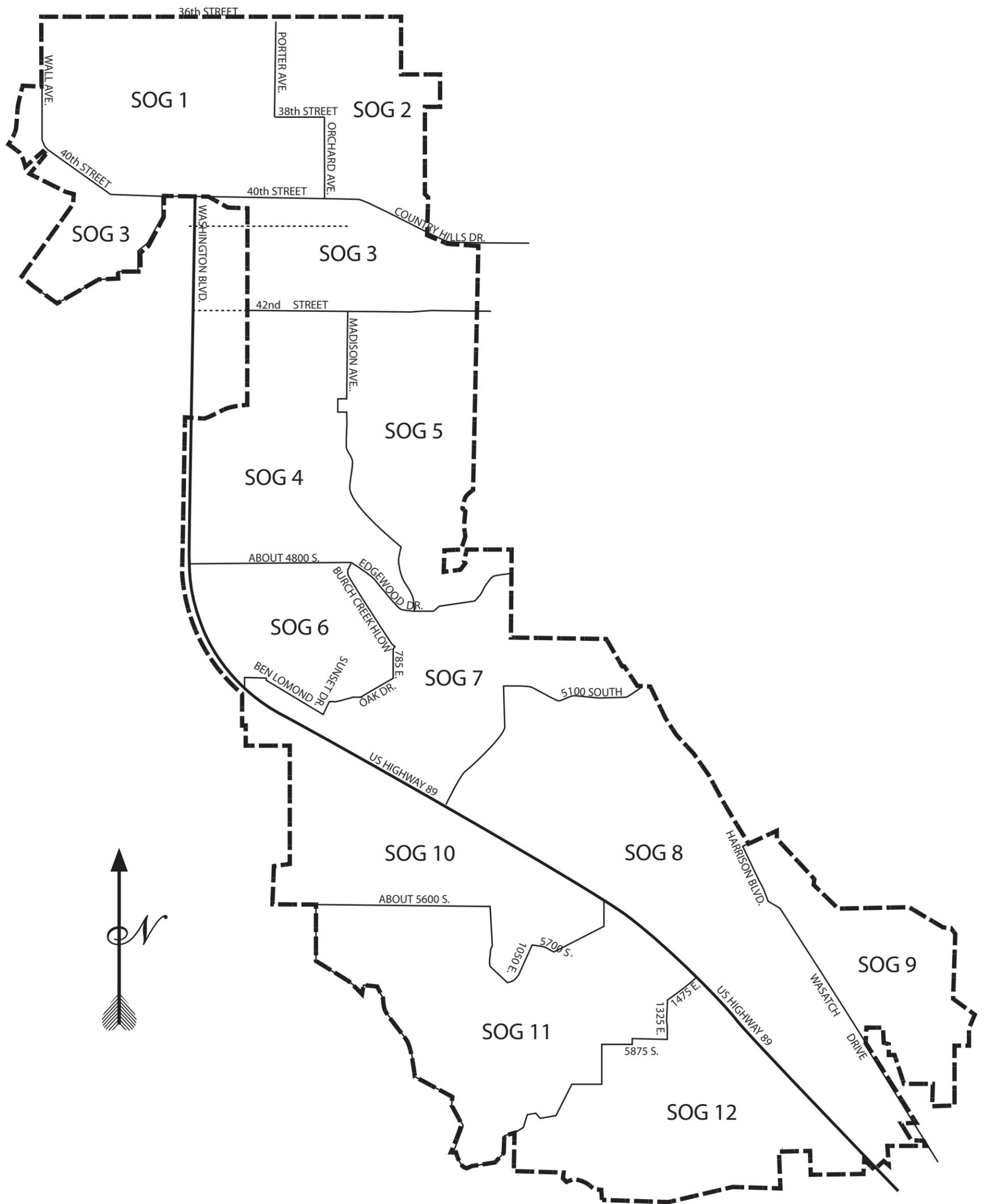
Valid Voter ID includes the following:

- Currently valid Utah driver license
- The name and address on the Utah driver license must match the name address in the registrar's voter registration book
- Currently valid identification card that is issued by the state or branch, department, or agency of the United States
- Currently valid Utah permit to carry a concealed weapon
- Currently valid United States passport
- A valid tribal identification card, whether or not the card includes a photograph of the voter.

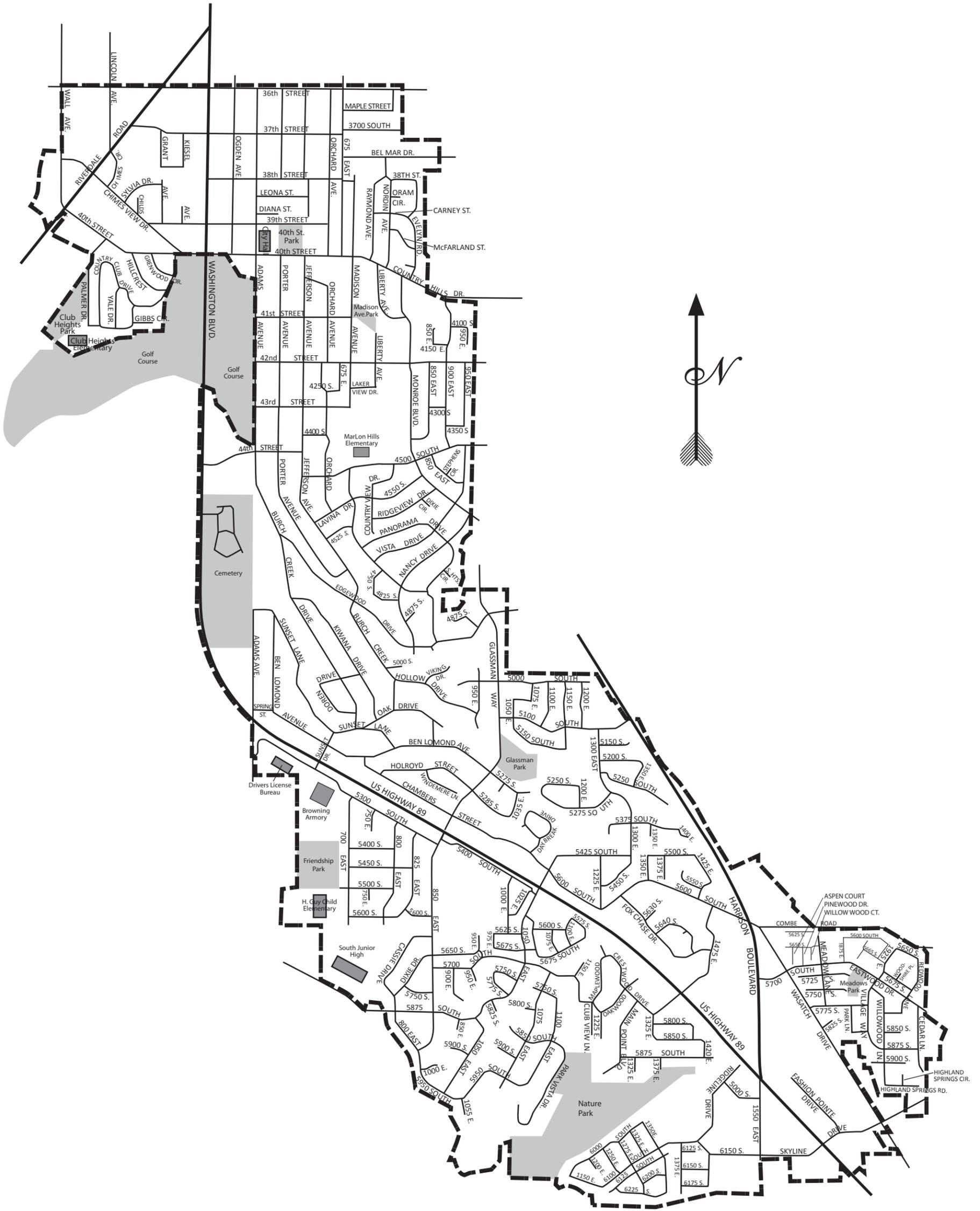
If the voter doesn't have any of the above forms of Valid Voter ID, two forms of identification can be shown to the election judges that bear the name of the

voter and provide evidence that the voter resides in the voting precinct, which may include:

- Current utility bill dated within 90 days before the election
- Bank or other financial account statement
- Check issued by the state or federal government
- Paycheck from the voter's employer
- Currently valid Utah hunting or fishing license
- Currently valid United States military identification card
- Certified naturalization documentation
- Currently valid license issued by an authorized agency of the United States
- A certified copy of court records showing the voter's adoption or name change
- A Bureau of Indian Affairs card
- A tribal treaty card
- A valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card
- A currently valid identification card issued by a local government within the State; an employer for an employee; or a college, university technical school or professional school located within the state
- A current Utah vehicle registration
- A form of identification that does not contain a photograph, but establishes the name of the voter and provides evidence that the voter resides in the voting precinct, if at least one other form of identification listed above is also presented.



South Ogden City
 VOTING DISTRICT BOUNDARIES



South Ogden City

STREET MAP