

CANDIDATE

GUIDELINES



December 2018

CONTENTS

General	Page No.
Introduction	3
Election Administration	3
Candidacy	
General	4
Officers to be Elected	4
District Boundaries	4
Commencement of Campaign Activities	4
Nomination Petitions	5
Petition Deadlines	5
Signature Requirements	5
Acceptance of Nomination	5
Notification	6
Withdrawal from Candidacy	6
Write-in Candidacy	6
Election Night Tabulation	6
Candidate Reporting Requirements	
Financial Disclosure Statements	7
Candidate Campaign Reports	7
Reports are Public Record	8
Notary Services	8
Campaign Activities	
Electioneering	9
Election Signs	9
Identification of Written Campaign Materials	10
Door-to-Door Solicitation	10
After the Election	
Organization Meeting	11
Council Meetings	11
Powers	11
Terms of Office	11
Compensation	12
Ethics and Conflicts of Interest	12
Miscellaneous Voter Information	
Voter Registration and Voter Registration Drives	13
Address Changes	13
Replacement Ballots	13
Absentee Voters	14
Sample Nomination Petition	15

General

Introduction

These *Candidate Guidelines* are furnished as general information about the basic requirements of, and deadlines for, candidacy for City Council in the City of Glenwood Springs. Regular municipal elections are held the first Tuesday after the first Monday in April odd-numbered years. In addition, general information is provided regarding administration of the election and basic information about the organization of the City Council.

These *Guidelines* are not intended to be comprehensive in scope or depth. If you have questions regarding the interpretation of applicable laws and regulations, you may wish to consult with a private attorney. If there is any inconsistency between these *Guidelines* and the applicable provisions of the City Code, City Charter, or State of Colorado laws, the provisions of the Code, Charter, or State of Colorado laws take precedence.

Throughout these *Guidelines* there will be references to additional material, which are provided online and available in the City Clerk's Office upon request.

Election Administration

All information regarding the requirements of a candidate for municipal office should be obtained from the City Clerk's Office. The City Clerk's Office will assist you through the election process as much as possible; however, the City Clerk's Office cannot provide legal advice. You should consult with your own attorney about the application of the law to your individual situation.

The City Clerk's Office is open from 8:00am to 5:00pm, Monday through Friday, with the exception of legal holidays.

Candidacy

General

To be an eligible candidate for municipal office, at the time of election, he or she must be (CRS 31-10-301):

- A citizen of the United States;
- At least 18 years of age;
- Have been a registered elector within the City of Glenwood Springs for at least one year immediately preceding the election, and
- In the case of a Ward Councilmember, have continuously resided in the Ward from which he or she is to be elected since the date of accepting any nomination for election. (The acceptance of nomination is a part of the nomination petition process.)

All municipal elections are non-partisan.

Officers to be Elected

At the regular municipal election in April 2019, City voters will elect Councilmembers from Wards 1, 3, and 4, and one Councilmember at-large.

District Boundaries

A map showing Council Districts can be found on the City's [website](#).

Commencement of Campaign Activities

There is no limitation when a candidate for office may commence campaign activities. **Be aware that you become a candidate if you have publicly announced an intention to seek election, and close attention should be paid to the requirements of the Fair Campaign Practices Act.** The Merriam-Webster definition of “publicly” is “*in a manner observable by or in a place accessible to the public: openly.*”

Within ten (10) days of the public announcement, a candidate must file a [Candidate Affidavit form](#) with the City Clerk's Office.

Nomination Petitions

Nomination petitions will be available several days prior to the circulation period. A sample is included on page 15 of these *Guidelines*.

Petition Deadlines

As provided by State of Colorado law, nomination petitions must be circulated and filed no earlier than 91 days before the election; no later than 71 days before the election (CRS 31-10-909(1)(a)).

For the April 2019 election, the 71st day falls on Monday, January 21, 2019, nomination petitions must be filed no later than 5:00pm.

Signature Requirements

Ward Nomination Petitions:

- Each candidate's petition must be signed by at least **25 registered electors residing in the candidate's ward** (CRS 31-10-302(2)(b)).

At-large Nomination Petitions:

- Each candidate's petition must be signed by at least **25 registered electors residing within the city** (CRS 31-10-302(2)(a)).

No registered elector shall sign more than one nomination petition for each separate office to be filled in his or her ward. An elector may sign one nomination petition for his or her ward and one nomination petition for an at-large seat (CRS 31-10-302 (5)).

Acceptance of Nomination

The candidate must sign the *Candidate Acceptance of Nomination* at the end of the nomination petition and the petition circulator must sign the *Affidavit of Circulator* on the nomination petition. Both statements must be notarized.

The candidate is also asked on the nomination petition form to state how he or she wants his or her name to be placed on the ballot. The candidate's name may be a nickname but may not include any punctuation marks setting out the nickname.

Candidates are encouraged to obtain more than the required 25 signatures. The City Clerk's Office will examine all signatures on the submitted petition(s).

Notification

The City Clerk will notify the candidate as to the sufficiency of the petition.

Withdrawal from Candidacy

A person who has been nominated may withdraw from candidacy by filing a [written affidavit](#) with the City Clerk no later than 63 days before the election (CRS 31-10-303).

Write-in Candidacy

Write-in votes are counted only if the write-in candidate files an *Affidavit of Intent* with the City Clerk not later than 20 days before the election (Glenwood Springs Municipal Code (GSMC) 010.030.020(a)).

Election Night Tabulation

Ballots are tabulated by City of Glenwood Springs Elections. **Unofficial results are not expected to be available until after 7:00pm on Election Day.** (Results are unofficial until the canvass is conducted after Election Day.)

Unofficial results will be posted on the City's website and on City Hall doors after being tabulated.

Candidate Reporting Requirements

Candidates for municipal office are required to follow the Fair Campaign Practices Act. The Secretary of State has an [online manual](#) and [rules concerning campaign and political finance](#) that are helpful in determining which forms must be filed and their respective deadlines. Because the City Clerk's Office cannot render legal or financial advice, it is recommended candidates seek the counsel of legal and financial professional(s).

Financial Disclosure Statements

Each candidate must file a financial disclosure statement with the City Clerk within ten (10) days after acceptance of nomination. The purpose of the statement is to disclose information concerning source of income, financial and property interests, offices and directorships, creditors, and business associations.

Elected candidates are required to provide an amended disclosure statement, or written notification that there has been no change in the disclosure statement filed prior to the election, within 30 days of their election and each year thereafter prior to May 15.

The [Financial Disclosure Statement](#) form is available online.

Candidate Committee Registration and Campaign Reports

All candidate committees are required to complete a [registration form](#) and file their report with the City Clerk. Additionally, candidate committees must report their contributions and in-kind contributions received, expenditures made, and obligations entered into by the committee.

Reports of Contributions and Expenditures must be filed at least three separate times (CRS 1-45-108(2)(a)(II)):

- 21 days before Election Day
March 12, 2019
- Friday before Election Day
March 29, 2019
- 30 days after Election Day
May 2, 2019

And annually until the Committee terminates.

Additionally, a [Notice of Major Contributor](#) report must be filed with the City Clerk within twenty-four (24) hours for any contribution of one thousand dollars (\$1,000) or more received within thirty (30) days preceding Election Day (CRS 1-45-108(V)(e)(2.5)(a)).

All reports must be submitted on [forms](#) provided on the City Clerk's website and complete in all respects. The City Clerk's Office may contact the committee treasurer if clarification is needed with regard to any report filed.

A campaign report is considered timely if the report is received by the City Clerk's Office by the end of the business day (5:00pm) on the date due.

Reports Are Public Record

Any report submitted pursuant to these guidelines will be made available for public inspection.

No information contained in any campaign report may be sold or used by any person for the purpose of soliciting contributions or for any commercial purpose.

Notary Services

Some election forms must be notarized, and some must be filed under oath. Notary public services are usually available at banks, car dealerships, real estate offices, and at places that provide mailing services. A notary public may charge for each document notarized.

Note: The City Clerk's Office is unable to notarize any election-related documents.

Campaign Activities

Electioneering

State law prohibits [electioneering](#) (to take part actively and energetically in the activities of an election campaign; persuasion of voters in a political campaign) on election day within any polling place, or in any public street or room, or in any public manner within 100 feet of any building in which a polling place is located.

For municipal elections, electioneering is prohibited within 100 feet of City Hall, 101 W 8th Street

Election Signs

Election Signs are considered Yard Signs per the Glenwood Springs [Development Code](#) (GWMC 070.040.110(d)(19)). Permits are not required for placement of yard signs on private property; however, permission must be obtained from the property owner before signs are placed on private property. Yard signs may only be placed upon private property behind the sidewalk and only with the consent of the property owner.

Yard signs are not allowed on park land, medians, sidewalks, street rights-of-way, in front of City buildings or any other public area owned or controlled by the City of Glenwood Springs. The public right-of-way includes the area between the sidewalk and the street, as well as approximately two feet behind the sidewalk.

In residential zoning districts four (4) yard signs are allowed but shall not exceed twenty-four (24) square feet total yard signage on any property and are located at least five (5) feet from any property line. Signs cannot exceed a height of forty-two (42) inches nor can they be displayed for more than ninety (90) days per calendar year.

In all other zoning districts four (4) yard signs are allowed but shall not exceed twenty-four (24) square feet total yard signage on any property and are located at least five (5) feet from any property line. Signs cannot exceed a height of six (6) feet or forty-two (42) inches if placed within a sight distance triangle nor can they be displayed for more than ninety (90) days per calendar year.

Note: *The placement of election yard signs constitutes an announcement of candidacy and triggers the requirement to file a **Candidate Affidavit** (see page 4). In addition, all candidate committees must register with the City Clerk prior to accepting contributions or making expenditures and must report those contributions and expenditures (see **Campaign Reporting Requirements**).*

Identification of Written Campaign Materials

There are no local requirements to identify the sponsor(s) responsible for the publication, printing, or distribution of the material.

State law prohibiting anonymous statements concerning candidates or issues was repealed effective July 1, 1997.

Door-to-Door Solicitation

Political solicitations are permitted except where the occupant of a private residence has posted a **“NO SOLICITORS”** or **“NO TRESPASS”** sign near the entrance to the premises. Posting of such a sign prohibits *any* kind of solicitation at that residence.

The City Code relating to solicitation may be found in the Glenwood Springs Municipal Code (GSMC) Article 120.030.150.

After the Election

Organizational Meeting

Terms of the newly elected members of Council shall begin upon their taking oath the City Clerk will administer oaths of office for the newly-elected Councilmembers.

Council Meetings

Regular Council meetings and work sessions are held on the first and third Thursday of each month beginning at 9:00am. Special meetings at other times may be called.

Agendas for Council meetings are available on the Monday prior to each meeting on the City's [website](#). All Council meetings are televised on local access channel 10 and video-streamed live on YouTube via the [City's website](#).

Powers

The [Charter](#) defines the powers and responsibilities of the Mayor, Mayor Pro Tem, and City Council (Charter Article III).

All powers of the City and the determination of all matters of policy are vested in the Council, except as otherwise provided in the Charter. The City of Glenwood Springs is a Home Rule City with the Council-Manager form of government. Home Rule is derived from the Colorado Constitution.

The Mayor presides at Council meetings and is the recognized head of the City government for all ceremonial purposes (Charter Section 3.3). The Mayor executes documents and performs any other duties provided by ordinance. The Mayor Pro Tem serves in these capacities during the absence of the Mayor.

Terms of Office

Councilmembers serve four-year terms, and the Mayor is elected for a term of two (2) years. Article XVIII, Section 11 of the State Constitution limits elected officials to two consecutive terms.

Compensation

City Council members, except the Mayor, shall be paid one thousand dollars (\$1,000.00) per month. The Mayor shall be paid one thousand two hundred dollars (\$1,200.00) per month. (GSMC 020.010.020).

Ethics and Conflicts of Interest

Members of the City Council are subject to City Code and Charter provisions relating to ethical rules of conduct and conflicts of interest. Candidates are encouraged to become familiar with these provisions.

Miscellaneous Voter Information

Voter Registration and Voter Registration Drives

Voters in City elections are registered electors who live within the Glenwood Springs city limits. In order to participate in a municipal election, the elector must live within the city limits for 22 days prior to the election. Voter registration forms are available at the [Garfield County Elections Office](#) and the Driver's License Office. Registration can be done online via the [Secretary of State's website](#) and forms can also be downloaded at that same site. Registration can occur up to and on Election Day; however, anyone wishing to receive a ballot **by mail** must register no later than seven days before Election Day.

Often candidates inquire about conducting voter registration drives. Colorado law and rules promulgated by the Secretary of State define a voter registration drive (VRD) as the distribution and collection of voter registration applications by two or more persons for delivery to a county clerk and recorder.

VRDs must be registered with the Secretary of State on an annual basis; authorizations to conduct drives are valid until December 31st of the calendar year in which they were signed. The VRD organizer must complete a mandatory training provided by the Secretary of State before circulating any voter registration forms.

Please visit the [Secretary of State's website](#) for further information.

Address Changes

Registered voters who have moved since the last election must complete a change of address form 22 days before Election Day in order to receive a mail ballot at the voter's correct address. Mail ballots **will not** be forwarded and will be returned to the City of Glenwood Springs as undeliverable if the voter moved and failed to complete an address change by the deadline.

Registered voters who did not complete an address change by the deadline may vote in the mail ballot election by applying for a replacement ballot at the City of Glenwood Springs no later than 7:00pm on Election Day.

Replacement Ballots

Voters may apply in writing at the City of Glenwood Springs for a replacement ballot under the following circumstances:

- The voter did not receive the ballot mailed to him or her.

- The voter moved and did not complete a change of address form by the deadline.
- The ballot was destroyed or damaged.
- The ballot was lost.
- The voter spoiled the ballot and needs a new one.
- The voter did not register to vote in time to receive a ballot by mail.

The deadline to apply for a replacement ballot is 7:00pm on Election Day. In order to be counted, replacement ballots must be received by the City of Glenwood Springs no later than 7:00pm on Election Day.

Absentee Voters

Absentee ballots can be mailed to voters who will be out of town during the time mail-in balloting takes place. Application must be made in writing to request that an absentee ballot be mailed to an address other than the voter's place of residence.

The earliest date to apply for an absentee ballot is ninety (90) days before the election and not later than the close of business on the Friday immediately preceding Election Day (CRS 31-10-1002).

Absentee ballots must be returned to the City of Glenwood Springs before 7:00pm on Election Day in order to be counted.