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Iowa Secretary of State

## Candidate's Guide to the Regular City Election

(To be used in cities with **primary election** provisions)

**City Primary Election Date:** October 11, 2011 (if held)

**Regular City Election Date:** November 8, 2011

### Qualifications:

Candidates for election to city offices must be eligible electors of the city (and of the city ward for ward seats). An eligible elector is a person who meets all of the qualifications to register to vote, including residency, when nomination papers are filed and at the time of the election. An eligible elector is not required to be a registered voter.

### Nominations:

Most cities do not have a city primary election. Primary elections are held only in cities where the council has not chosen another nominating process. This guide is only for candidates in cities **with primary elections**. Check with the city clerk or county auditor to determine whether a city has a primary election provision. The primary election will only be held if more than two candidates file for the same office.

To get your name on the ballot, you need to file nomination papers with the city clerk during the city primary election candidate filing period. Affidavits of candidacy and nomination petitions together comprise "nomination papers". You must file the nomination petition and affidavit of candidacy together.

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### Where to get Nomination Papers:

Nomination papers are available from city clerks, county auditors, and the Elections Division of the Secretary of State's Office. <http://www.sos.state.ia.us/elections/electioninfo/CityElections.html>

### Where to File:

Nomination papers must be filed with the city clerk.

### When to File:

**First day:** Monday, August 15, 2011

**Last day:** Thursday, September 1, 2011 – no later than 5 p.m.

**Note:** The information furnished in this guide has been compiled by the Elections Division of the Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. Although every attempt has been made to make this an accurate and reliable guide, if any errors in compilation or computation have occurred, or if there have been amendments to the Iowa Code or Iowa Administrative Code, the provisions of the Iowa Code and the Session Laws shall prevail.

# The Affidavit of Candidacy

All candidates must complete and file an affidavit of candidacy. Nomination papers (affidavits of candidacy and nomination petitions) must be filed together or they will be rejected.

The following information must be provided on affidavits of candidacy. Affidavits lacking required information will be rejected and will need to be replaced by the candidate. The numbers next to each required field correspond to the numbered fields on the affidavit of candidacy form.

**1. Candidate's Name:** The candidate's name should be printed or typed exactly as the candidate wishes the name to appear on the ballot. Only the candidate's name may be used; no parentheses, quotation marks, or titles (e.g. Mrs., Dr., etc.) may be included. Nicknames are acceptable.

Name Pronunciation: The phonetic (sounds like) spelling of the candidate's name is necessary to produce audio ballots for voters who are visually impaired. **Please note:** The persons producing the audio ballots may have never heard the candidate's name before so please be as clear as possible with the description. Example: Eisenhower = "Eyes-in-how-er"

**2. Office Sought:** The name of the office for which the candidate is seeking election must be provided.

**3. District or Ward (if any):** The specific district or ward number must be provided, if applicable.

**4. Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?** For an office where the term does not end this year, if an incumbent office-holder resigned, died, or was removed from office before the end of the term and another officer was not *elected* to fill the remainder of the unexpired term, the office must appear on the ballot at the 2011 Regular City Election as "To Fill a Vacancy". You must check the "yes" box if you are running to fill the remainder of an unexpired term.

\*\*If a vacancy occurred in an office in which the term is up in 2011, the office will be on the ballot, but not to fill a vacancy.

\*\*\*Contact the auditor if you are unsure about the vacancy status of the office.

**5. Type and Date of election:** The 2011 City Primary Election will be held on Tuesday, October 11.

**6. Candidate's Affiliation:** Leave this space blank.

**7. Candidate's Home Address:** The candidate must provide his or her residential (street) address on the affidavit including the name of the county in which the candidate resides.

**8. Candidate's Mailing Address:** A post office box may only be provided if it is in addition to a residential address.

**9. Phone and Email:** This information is optional but it assists the filing officer and members of the public with contacting the candidate.

**10. Candidate's Affirmation and Signature:** The affidavit of candidacy must be notarized. A notary public must be present when the candidate signs the affidavit. The notary must complete the verification on the bottom of the affidavit which includes providing the name of the state the notary is commissioned by, the name of the county in which the notarization is taking place (not necessarily the county the candidate is from), the date of the notarization, the name of the candidate, and the seal, signature, and commission expiration date of the notary.

# Nomination Petitions

The following instructions apply to all city primary election candidates who wish to circulate nomination petitions for the primary city election. Candidates who circulate petitions will file the petitions and an affidavit of candidacy (the combination of the two making up “nomination papers”).

## Checklist for Circulating Nomination Petitions

### Before Anyone Signs the Petition

Fill in all the information requested in the header of **every** petition page. Signatures will not be counted on pages of nomination petitions that are missing required information. You may wish to fill in one petition page and make copies of that page to assure that all page headings identical. You may also wish to print the header and signature section of the petition on the front and back of each petition page you circulate. Signatures written on the back of petition pages without a header will not be counted. The instructions below are for completing sections of the petition header and appear in the same order as the sections appear on the petition header.

### The Petition Header

- Name of Candidate:** The candidate’s name should be printed or typed exactly as the candidate wishes the name to appear on the ballot. Nicknames are acceptable.
- Office Sought:** The name of the office for which the candidate is seeking election must be provided.
- Candidate’s County of Residence:** The candidate must provide the name of the county in which the candidate lives.
- Candidate’s City of Residence:** The candidate must provide the name of the city in which the candidate lives.
- Type and Date of election:** The 2011 City Primary Election will be held on Tuesday, October 11.
- Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?** In offices with terms that do not end this year, if an incumbent office-holder resigned, died, or was removed from office before the end of the term and another officer was not elected to fill the remainder of the unexpired term, the office must appear on the ballot at the 2011 Regular City Election as “To Fill Vacancy”. You must check the “yes” box if you are running to fill the remainder of an unexpired term.

\*\*\*Contact the auditor if you are unsure about the vacancy status of the office for which you are seeking election.

- Office Ward:** Be sure that the correct ward number (if any) is on each page of the nomination petition. Signatures on petition pages that do not provide the applicable ward number (if any) cannot be counted. Contact the city clerk or the county auditor if you are unsure of the district in which a seat lies.

## Who May Sign A Nomination Petition?

Eligible electors of the appropriate city and ward (if applicable) may sign nomination petitions. Candidates may sign their own petitions assuming they are an eligible elector.

**Eligible Elector Defined:** An eligible elector is a person who meets all of the qualifications to register to vote. However, an eligible elector is not required to be a registered voter.

An eligible elector must:

- Be a citizen of the United States
- Be a resident of Iowa
- Be at least 18 years old.

An eligible elector may not:

- Be a convicted felon (unless voting rights have been restored by the president or governor)
- Be currently judged incompetent to vote by a court
- Claim the right to vote in any other place.

## What Information Must The Signer Provide On The Petition?

- All signers of nomination petitions must include:
- A signature (the signature may be printed).
- The address of their residence (house number and street name or rural route). Providing a post office box only is not sufficient. If an elector is homeless, the elector should describe where they live (i.e. where the elector spends most of his or her time) or write “homeless” in the space provided.
- The name of the city in which they live.
- The date of signing.

### Important Notes:

- Signature lines lacking signatures and/or residential addresses cannot be counted.
- There is not a limit on the number of nomination petitions one elector may sign.
- **“Ditto” Marks:** Petition signers often use “ditto” marks when appropriate (e.g. when the name of a city or the date of signing the petition is the same as the previous signer). The use of ditto marks alone does not invalidate a signature.

## When Can I Start Collecting Signatures?

You may begin collecting signatures at any time. However, the signers must still be eligible electors when the papers are filed in order for the signatures to count.

## How Many Signatures Do I Need?

### Minimum Number of Signatures:

At least ten (10) signatures or 2% of the number of people who voted for the office you are running for at the last regular city election, whichever is greater. (Ask the city clerk or county auditor how many signatures you need.)

## Preparing to File Nomination Papers

**Make a copy** of your nomination papers for your records.

**Count the signatures.** If filing nomination petitions, it is recommended that you file more than the required number of signatures; it is possible for signatures to be challenged. If there are signatures on your petition that you know should not be there, simply draw a line through the name. Those signatures will not be counted.

**Be sure you are ready.** After nomination papers have been accepted for filing nothing can be added to them and they cannot be returned. Papers will only be returned when they have been rejected.

**Bind the nomination papers together.** Nomination papers may not be accepted if they are not bound together. Fasten all petition pages together to form one bundle. Petitions that are not bound can be rejected without examination. Staples are preferred. If the papers cannot be stapled, please use a 3 ring binder to securely bind the petitions.

**File as early as possible.** Nomination papers will be inspected for completeness before they are accepted for filing. If the papers do not meet minimum filing requirements, they will not be accepted for filing and will be returned to the filer. If you file early, you may have time to correct any error and resubmit your papers. Nomination papers may be filed in person or by mail.

**Please note:** When filing nomination papers by mail, **postmark dates do not count.** The correct filing officer must receive your papers before 5 p.m. on the filing deadline. You may wish to call before the filing deadline and ask whether your papers have been received. If you would like to be contacted when your nomination papers have been received, please indicate that when you mail your papers. If so, please include a daytime phone number so the filing officer may honor your request.

It is the **responsibility of the candidate** to ensure nomination papers are filed by the deadline. Papers presented after 5 p.m. on the final filing date will be rejected.

**File all papers at the same time!** Nomination papers (affidavits of candidacy and nomination petitions) must be filed together or they will be rejected.

A candidate may send the notarized affidavit of candidacy to the city clerk by fax if necessary **BUT:**

- The faxed copy of the affidavit must arrive before the filing deadline.
- The candidate must also mail the original notarized affidavit of candidacy to the county auditor. The affidavit must be postmarked before the filing deadline to be considered on time.
- The auditor must receive the affidavit no later than 7 days after the filing deadline, regardless of the postmark.
- Nomination petitions **cannot** be faxed and must be filed before the filing deadline even if the affidavit of candidacy was faxed.

If a candidate needs to fax an affidavit, it is recommend the candidate contact the city clerk prior to faxing the document to discuss filing the rest of the nomination papers. If the original affidavit arrives late or is postmarked after the deadline, the nomination papers are void.

# 2011 City Primary Election Calendar

<u>DAY AND DATE</u>	<u>EVENT</u>
Monday August 15	<b>City Primary Election Candidate Filing Begins</b> First day to file affidavit and nomination petitions with the city clerk.
Thursday September 1	<b>City Primary Election Candidate Filing Deadline</b> Last day to file affidavit and nomination petitions in the office of the city clerk. Deadline is 5 p.m. City clerk's offices are required by law to be open until 5 p.m.
Monday September 5	<b>Labor Day – Holiday Observed:</b> State Offices Closed.
Tuesday September 6	<b>City Primary Election Withdrawal Deadline</b> Last day for candidates to withdraw by filing a written request with the city clerk.
Tuesday September 6	<b>City Primary Election Objection Deadline</b> Last day to file written objections to nomination petitions or eligibility of candidate with the city clerk.
Monday September 26	<b>City Primary Election “Worry-Free” Postmark Date</b> Correctly completed voter registration forms postmarked by today are considered timely even if received after Friday, September 30.
Friday September 30	<b>City Primary Election Voter Pre-Registration Deadline</b> Registration closes at 5 p.m. for the primary election. Forms postmarked by Monday, September 26, are considered on time even if received after today.
Tuesday October 11	<b>City Primary Election Day</b> A primary must be held for offices in which the number of candidates who filed valid nomination petitions is more than twice the number of positions to be filled. Polls open from 7 a.m. or noon to 8 p.m.
Wednesday October 12	<b>Provisional Ballots Considered.</b> Special Precinct Board convenes at noon.
Thursday October 13	<b>Canvass Of Votes - City Primary Election</b> Canvass by board of supervisors at 1 p.m.
Friday October 14	<b>City Primary Election Write-In Nominees' Filing Deadline</b> Persons nominated by write-in votes in primary elections must file a affidavit of candidacy with the city clerk or county auditor by 5 p.m. or write-in votes shall be disregarded.
Friday October 14	<b>City Primary Election Recount Request Deadline</b> Written request for a recount must be filed in the office of the county auditor by 5 p.m.
Friday October 21	<b>City Primary Election Contest Notice Deadline</b> Statement of intent to contest the city primary must be filed with the city clerk no later than ten days after the election.
Monday October 24	<b>Regular City Election Worry Free Postmark Date</b> Correctly completed voter registration forms postmarked by today are considered timely even if received after Friday, October 28.
Friday October 28	<b>Regular City Election Voter Pre- Registration Deadline</b> Registration closes at 5 p.m. for regular city election. Forms postmarked by Monday, October 24, are considered on time even if received after today.

Tuesday  
November 8

**Regular City Election Day**  
Polls open from 7 a.m. or noon to 8 p.m.

Friday  
November 11

**Veteran's Day - Holiday Observed - State Offices Closed**

Mon. or Tues.  
Nov. 14 or 15

**Canvass of Votes - Regular City Election**  
Canvass by board of supervisors.

Thurs. or Fri.  
Nov. 17 or 18

**Recount Request Deadline - Regular City Election**  
Written request for a recount must be filed in the office of the county auditor by 5 p.m. three days after the canvass.

Friday  
November 18

**Contest Notice Deadline – Regular City Election**  
Statement of intent to contest Regular City Election must be filed with the city clerk no later than ten days after the election.

**For more information please contact:**

The City Clerk's Office  
(In the city where you live)

Or,

The County Auditor  
(In the county where you live)

The Elections Division  
Office of the Secretary of State  
Lucas State Office Bldg. 1<sup>st</sup> Floor  
321 East 12<sup>th</sup> Street  
Des Moines, Iowa 50319  
(515)281-0145 (voice) or (TDY)  
Toll Free 1-888-SOS-VOTE (888-767-8683)  
Website: [www.sos.state.ia.us](http://www.sos.state.ia.us)  
Email: [sos@sos.state.ia.us](mailto:sos@sos.state.ia.us)