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**Candidate’s Guide to the
Regular City Election**

(To be used in cities with nominations under
Ch. 44, Ch. 45, and runoff provisions)

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:

There are two methods by which a candidate is nominated for the regular city election in cities without primary election provisions: circulating nomination petitions and holding nominating conventions. Many cities allow both nomination methods but some cities allow only one method. Check with the city clerk or the county auditor to determine which nomination method is allowed in a city and whether or not the city has a runoff provision.

Both methods require candidates to file nomination papers with the city clerk during the regular city election candidate filing period. “Nomination papers” include an affidavit of candidacy and a set of nomination petitions or, in the case of a nomination made by a convention, an affidavit of candidacy and a certificate of nomination from the convention.

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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. Papers may be printed from the Secretary of State’s website and are found at the following link:
<http://www.sos.state.ia.us/elections/electioninfo/CityElections.html>

Where to File:

Nomination petitions must be filed with the city clerk.

When to File:

First day: Monday, August 29, 2011

Last day: Thursday, September 22, 2011 – no later than 5 pm.

Note: The information furnished in this guide has been compiled by the Elections Division of the Iowa 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, Iowa Administrative Code, and 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 or convention certificates) 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 office whose terms 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 running to fill the remainder of an unexpired term.

**If a vacancy occurred in an office whose 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 Regular City Election will be held on Tuesday, November 8.

6. Candidate's Affiliation: This is a required field for partisan offices. This space should be left blank unless a candidate was nominated by a NPPO convention in which case the NPPO should be named in this space.

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 candidates who wish to circulate nomination petitions for the 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 a 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 Regular City Election will be held on Tuesday, November 8.
 - 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 a 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 in **Cities Without Runoff Provisions:**

| City Population | Minimum # |
|-----------------|-------------|
| Less than 100 | At least 5 |
| 100 – 3,499 | At least 10 |
| 3,500 or more | At least 25 |

****Minimum Number of Signatures in Cities **With Runoff Provisions:** At least ten (10) or 2% of the number of people who voted for the office you are a candidate for at the last regular city election, whichever is greater. (Ask the city clerk or county auditor how many signatures you need.)

Non-party Political Organizations - Nomination by Convention

NPPOs may make nominations by convention as described in this section. Candidates who are not members of any political organization may not be nominated by convention.

Minimum Number of Convention Attendees

Minimum requirements are established by law for attendance at nominating conventions. If the minimum attendance requirements are not met for the specific office for which a nomination is being made, the nominations made at the convention cannot be included on the ballot. The minimum attendance requirements are as follows:

| Office | Minimum Attendance | Number of precincts that must be represented by at least one (1) eligible elector |
|-------------|--------------------|---|
| City Office | 10* | 1/2 of precincts in the city** |

*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.

**To nominate a candidate for the regular city election at least ten (10) electors must be in attendance at the convention. At least half of the precincts in the city must be represented by those electors. Therefore, a city with more than 20 precincts must have more than ten (10) attendees at the convention. A city that has fewer than 20 precincts must have a minimum of ten (10) electors in attendance at the convention.

Important Note: There is no limit on the number of conventions one elector may attend.

Checklist for Nominations by Convention

The Convention

- Candidate affidavit:** Ensure the nominated candidate completes an affidavit of candidacy.
- Check Attendance:** Be sure to meet the minimum attendance requirements of the law as described on page 5. Both **A** and **B** in the model below must be met to meet the requirements of the law.

A. At least one eligible elector from half the voting precincts in the city. Check with the county auditor or the city clerk for this number.

Number of precincts in the city = ____ x 0.5 = _____.

Number of precincts represented = _____.

B. At least ten people must attend. Number of attendees = _____.

- Certificate of nomination:** The chairperson and the secretary of the convention will certify the Certificate of Nomination from the convention.

Certificate of Nomination

The Certificate of Nomination must include all of the following information:

- Name of NPPO:** The name of the organization may not exceed five words.
- Date of convention:** The date of the convention must be provided on the Certificate.
- Nomination made:** Include the name of the nominee, the name of the office for which the nomination is being made including the ward (if any), and the nominee's residential address on the certification. When more than one candidate has been nominated at the same convention, those nominations may be added to the certificate by using a separate sheet of paper. In this case, multiple certificates from the same convention are not necessary.
- Type and date of election:** The 2011 Regular City Election will be held on Tuesday, November 8.
- Vacancy:** 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 a 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.

- Committee members:** The names and addresses of each member of the organization's executive or central committee must be provided.
- Affidavits of Candidacy:** Each candidate nominated must complete and file an affidavit of candidacy.
- Filling vacancies:** Specify the method that will be used to fill any vacancies if candidates withdraw, die, or are found ineligible to run before the deadline. (This is optional but recommended.)
- Attendance list:** The name and address of each delegate in attendance at the convention must be included in the Certificate of Nomination.
- Affidavit of the Chairperson and Secretary:** The chair and secretary of the convention must certify that the certificate is true. This affidavit must be completed or the certificate is not valid.

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. Please do not use paper clips, rubber bands, or metal clamps.

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 or convention certificates) must be filed together or they will be rejected.

A candidate may send the notarized affidavit of candidacy to the filing officer 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 and Certificates of Nomination **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, the candidate should contact the city clerk's office before 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 Regular City Election Calendar

| <u>DAY AND DATE</u> | <u>EVENT</u> |
|-------------------------------------|--|
| Monday August 29 | Regular City Election Candidate Filing Begins First day to file affidavit and nomination petitions with the city clerk. |
| Thursday September 22 | Regular City Election Candidate Filing Deadline Last day to file affidavit and nomination petitions with the city clerk. Deadline is 5 p.m. City clerk's offices are required by law to be open until 5 p.m. |
| Tuesday September 27 | Regular City Election Withdrawal Deadline Last day for candidates to withdraw by filing a written request with the city clerk. |
| Tuesday September 27 | Regular City Election Objection Deadline Last day to file written objections to nomination petitions or eligibility of candidate with the city clerk. The deadline is 5 p.m. |
| Monday October 24 | Regular City Election "Worry-Free" Postmark Date Correctly completed voter registration forms postmarked by today are considered timely even if received after Friday, October 28. |
| Friday October 28 | Regular City Election Voter Pre-Registration Deadline 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 at 7 a.m. or noon and close at 8 p.m. |
| Wednesday November 9 | Provisional Ballots Considered <i>for Cities With Runoff Provisions</i>. Special Precinct Board reconvenes at noon. |
| Thursday November 10 | Canvass of Votes, for the Regular City Election <u>for Cities With Runoff Provisions</u> Canvass by board of supervisors. |
| Friday November 11 | Veteran's Day – Holiday Observed - State Offices Closed Recount Request Deadline (Runoff Cities). If county auditor's office closed, the deadline is Monday, Nov. 14. |
| Mon. or Tues. November 14 or 15 | County Canvass of Votes - Regular City Election (Non Runoff Cities) Canvass by board of supervisors. |
| Thurs. or Fri. November 17 or 18 | Regular City Election Recount Request Deadline (Non Runoff Cities) 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 | Regular City Election Contest Notice Deadline Statement of intent to contest election must be filed with the city clerk no later than ten days after the election. |

The dates below apply only in cities with runoff ordinances.

| | |
|--|--|
| Monday November 21 | City Runoff Election “Worry-Free” Postmark Date. Correctly completed voter registration forms postmarked by today are on time even if received after Friday, November 25. |
| Friday November 25 | City Runoff Election Voter Pre-Registration Deadline. All registration forms must be received by the auditor no later than 5 p.m. unless postmarked on or before Monday, November 21. |
| Thurs. and Fri. Nov. 24 & 25 | Thanksgiving – Holiday Observed – State Offices Closed. |
| Tuesday December 6 | City Runoff Election, if necessary. Runoff is only held in cities with runoff ordinances for offices in which no one received a majority of votes at the Regular City Election or if a write-in winner refused the office. See November 3 for polling hours. |
| Thursday December 8 | City Runoff Election Provisional Ballots Considered. Special precinct board must convene not earlier than noon. |
| Mon. or Tues. December 12 or 13 | City Runoff Election County Canvass of Votes Canvass by board of supervisors. |
| Thurs. or Friday December 15 or 16 | City Runoff Election Recount Request Deadline. Not more than 3 days after the canvass, recount requests must be filed with the county auditor. |
| Friday December 16 | City Runoff Election Contest Notice Deadline. Statement of intent to contest runoff must be filed with the city clerk no later than 10 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 Building, 1st Floor
321 East 12th Street
Des Moines, Iowa 50319
(515)281-0145 (voice) or (TDD)
Toll Free 1-888-SOS-VOTE (888-767-8683)
Website: www.sos.state.ia.us
Email: sos@sos.state.ia.us