

Vernal City 2011 Election Guide



Dear Candidate,

Congratulations on your decision to run for elected office in Vernal City.

This guide contains forms and information you will need during your campaign. Feel free to make as many copies as you may need. It also contains a list of polling places within the City. We hope this guide will be helpful to you.

This guide was designed to assist you in your campaign, however, it does not relieve you of your obligation to become familiar with State and City election laws found in Titles 10, 20A and 72 of the Utah Code and Chapter 2.20 of the Vernal City Municipal Code.

Good luck on your campaign and if you have any questions, or need additional information, please contact the City Recorder's Office, 447 East Main, Vernal, Utah - (435) 789-2255.

Sincerely,

Roxanne Behunin, CMC
Deputy City Recorder / HR

OFFICES TO BE VOTED ON IN 2011:

Four Year Term, Commencing January 2012

- Vernal City Council - 3 positions

Qualifications to Run for Municipal Office:

- Must be a registered voter of Vernal City. (US Citizen and 18 years old).
- Must have resided in Vernal City for 12 consecutive months immediately preceding the date of the election. In case of an annexation, any person who has resided within the territory annexed for the prescribed 12-month period is deemed to meet the residency requirements for candidates.
- 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 vote or hold elective office has been restored.

Candidates for Vernal City municipal office must file their Declaration of Candidacy Form in Person at the City Recorder's Office, 447 East Main, Vernal, Utah 84078. Utah State Code, 20A-9-203 (3) requires the filing officer to read to the candidate or person filing the petition the constitutional and statutory qualification requirements for office and to have the CANDIDATE STATE or PERSON FILING THE PETITION STATE whether or not the candidate meets those requirements.

A person may be a candidate for only one office at any one election.

REQUIREMENTS FOR FILING FOR OFFICE:

- A candidate may submit a declaration of candidacy form, in person, to the City Recorder's Office between July 1, 2011 and July 15, 2011 during the hours of 8 am and 5 pm, or
- A nominating petition may be submitted to the City Recorder's office signed by 25 residents of Vernal City who are 18 years old or older; or 20% of the residents who are 18 years old or older and must be filed with the City Recorder's office between July 1, 2011 and July 15, 2011 during the hours of 8 am and 5 pm.

DATES TO REMEMBER

2011 ELECTION YEAR:

July 1 - July 15, 2011	File Declaration of Candidacy UCA 20A-9-203
August 22, 2011	Last day to submit information to the Statewide electronic voter information website
August 29, 2011 (in person)	Last day for Voter Registration for Primary Election
August 24, 2011	Absentee voting deadline for overseas voter
SEPTEMBER 13, 2011	PRIMARY ELECTION (20A-9-404)
September 26, 2011	Write-in Candidate Filing Deadline
October 13, 2011	File Campaign Financial Statement for those candidates not successful in the Primary Election UCA10-3-208(5)
November 1, 2011	File Campaign Financial Statement for General Election Candidates UCA 10-3-208(1)
NOVEMBER 8, 2011	MUNICIPAL ELECTION
December 8, 2011	File Campaign Financial Statement UCA 10-3-208(2)
First Monday in January, 2012	Successful Candidate is Sworn into Office at Noon UCA 10-3-201

All forms, EXCEPT the Declaration of Candidacy may be faxed to the Vernal City Recorder's Office at (435) 789-2256. Before you fax the forms, the forms "MUST" be signed and notarized. You may also file these forms in person at the Vernal City Recorder's Office, 447 East Main, Vernal, Utah.

VOTING PRECINCTS
FOR THE VERNAL CITY MUNICIPAL ELECTION
2011

Polls Open: 7:00 am to 8:00 pm

Voting Precinct # Location

Vernal #8,#9, #10, #11 Vernal Junior High
161 North 1000 West

Vernal



#12, #13,
#14
Western
Park
302 E 200

South

VERNAL CITY SIGN REGULATIONS

Section 9.28.110 Throwing or distributing commercial handbills in public places.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the City; nor shall any person hand out or distribute or sell any commercial handbill in any public place; provided, however, that it is not unlawful on any sidewalk, street or other public place within the City for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it. (Added during 1993 recodification)

Section 9.28.130 Depositing commercial and noncommercial handbills on uninhabited or vacant premises.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant. (Added during 1993 recodification)

Section 9.28.140 Distribution of handbills where property posted prohibited.

No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any private premises, if requested by anyone thereon not to do so, or if there is placed on the premises in a conspicuous position near the entrance thereof, a sign bearing the words, "No Trespassing," "No Peddlers or Agents," "No Advertisement," or similar notice, indicating in any manner that the occupants of the premises do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon such premises. (Added during 1993 recodification)

Section 9.28.150 Distributing commercial and noncommercial handbills at inhabited private premises.

A. No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or other person then present in or upon such private premises; provided, however, that in case of inhabited private premises which are not posted, as provided in this chapter, such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited premises, if such handbill so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets or other public places, and except that mailboxes may not be so used when so prohibited by federal postal laws or regulations.

B. The provisions of this section shall not apply to the distribution of mail by the United States, nor to newspapers except that the newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private property. (Added during 1993 recodification)

Section 9.28.170 Signs on public property.

A. Except as provided in Section 16.28.080 of this Code, it is unlawful to paint, mark, or write upon, or post or otherwise affix, any handbill or sign to or upon any sidewalk, curb, parking strip (the area, if any, between a sidewalk and curb), street lamppost, hydrant, tree, shrub, tree stake or guard, bridge, electricity or telephone pole or wires or poles appurtenant

thereto, drinking fountain, street sign or traffic sign, public park, or any other public property.

B. Any handbill or sign found posted or otherwise affixed upon any public property contrary to the provisions of this section may be removed by employees of the City. The person responsible for any such posting shall be liable for the cost incurred in the removal thereof.

C. Signs predominately made of paper, cardboard, wood, particle board, or similar materials which are removed from public property by employees of the City pursuant to subsection B of this section may be summarily destroyed. Other signs shall be held and disposed of as otherwise required for abandoned property.

D. Nothing in this section shall apply to house numbers painted on curbs, to traffic and other regulatory signs posted by governments or their subdivisions, to notices of elections, or to notices of historical, cultural, artistic or civic events which are posted with the approval of Vernal City; provided, however, that Vernal City shall not permit any historical, cultural, artistic or civic sign or notice to be placed on an electricity or telephone utility pole. (Added during 1993 recodification)(Ord. 2001-24, Amended, 11/07/2001)

Section 16.28.050 Off-premise signs.

Off-premises signs shall be considered a conditional use in the industrial and commercial zones and not permitted in residential zones. **Yard sale signs and political signs in residential zones will not be considered off-premise signs.** Off-premise signs for sexually oriented business shall not be allowed.

A. Requirements for industrial zone off-premises signs:

1. All off-premises advertising signs must have a minimum distance of five hundred (500) feet between such signs.

2. Signs on property abutting a State highway shall also be approved by UDOT, if required.

3. Maximum height of forty (40) feet.

4. Maximum sign area is two hundred (200) square feet.

5. Minimum separation between off-premises and on-premises pole signs is seventy-five (75) feet.

6. Minimum sign height is ten (10) feet.

B. Requirements for Commercial zone off-premises signs:

1. Maximum sign area is two hundred (200) square feet.

2. Maximum sign height is forty (40) feet.

3. Minimum distance between any off-premises sign is five hundred (500) feet.

4. Minimum separation between off-premises and on-premises pole signs is seventy-five (75) feet.

5. Sign must be within five hundred (500) feet of advertising business.

6. Property that the sign is on must be owned by the business.

7. Minimum sign height is ten (10) feet.

(PZSC § 03-13-005)(Ord. No. 98-18, Amended, 12/24/98)(Ord. 2004-25, Amended, 11/17/2004; Ord. 2003-35, Amended, 12/17/2003; Ord. 2003-15, Amended, 07/02/2003; Ord. 2000-01, Amended, 07/27/2000)

Section 16.28.080 Temporary signs in commercial zones.

A. The following temporary signs shall be permitted in any zone. Permits shall be obtained in accordance with section 16.28.100.

1. Political signs not within one hundred fifty (150) feet of polling places and not larger than thirty-two (32) square feet. Signs shall be removed no later than fifteen (15) days after the election.

2. Signs advertising a yard sale posted on private property with the consent of the property owner.

a. The area of the sign shall not exceed eight (8) square feet.

3. Signs pertaining to the sale or lease of property and/or buildings.

a. For multi-tenant, commercial and industrial properties, the area may not exceed fifty (50) square feet. In all other cases the area may not exceed eight (8) square feet.

b. There shall be no maximum time for which these signs may be placed, except that signs must be removed from parcels that are not actively offered for sale.

B. The following temporary signs shall be permitted in the CC-1, C-2, CP-2, CCP-1 and I-1 zones advertising a business service as approved by the Building Official.

1. Temporary signs maximum size.

a. Banners shall not exceed forty-eight (48) square feet.

b. A-frame signs shall not exceed eight (8) square feet on each side.

c. Reader board signs shall not exceed thirty-two (32) square feet.

2. Banner signs, not to exceed forty-eight (48) square feet, advertising a governmental purpose or recreational event may be placed in the public right-of-way with approval of the City.

C. Unless otherwise specified, signs shall be permitted for a maximum of forty-five (45) days. Upon written request, The Building Official may extend this period up to an additional 90 days.

D. Signs shall not be placed in a public right-of-way except as permitted by the Building Official.

1. Signs shall not obstruct free passage through a right-of-way or create a safety hazard to the public. (PZSC § 03-13-008, Amended 3/17/2010 Ord. 2010-02)

Section 16.28.100 Permit requirements.

Regardless of cost, no sign shall be erected or placed within Vernal City without first making application for and obtaining a permit therefore, except temporary window and political posters, temporary signs pertaining to the sale of real property, nameplates or identification signs indicating the existence of an approved home occupation, property identification signs and yard sale signs. Any permit herein required by these regulations shall be in addition to any other building permit required. Construction or placement of a sign shall not be commenced until all approvals have been obtained. (PZSC § 03-13-010, Amended 3/17/2010 Ord. 2010-02)

Please refer to Utah Code, Title 20A-11-901 Political advertisements.



POSTAL RESTRICTIONS

DISTRIBUTION OF CAMPAIGN LITERATURE

Please be aware that placing campaign literature INSIDE residential mailboxes is a violation of federal postal standards. Local postal authorities have informed us that anything placed in the mailbox MUST have proper postage attached and have been through the postal system. Any material found in mailboxes will be removed by the postal carrier, and charges of violations of federal postal standards may, at the discretion of the Postmaster, be brought against the offender.

We encourage you to check with your local postmaster on any postal questions you may have. We also encourage you to inform your campaign workers against the use of mailboxes for campaign literature.

BULK MAILINGS

Please contact your local Postmaster to assist you in mailing bulk rate campaign literature. Make note that a permit is required.

“ELECTIONEERING”

Any electioneering (campaigning) may not take place within 150 feet of any polling place on election day. This would also include the placement of campaign signs. (UCA 20A-3-501)



NOTE: THE INFORMATION PROVIDED IN THIS PACKET IS A SUMMARY OF THE LAW AND IN NO WAY IS INTENDED TO RELIEVE YOU OF YOUR RESPONSIBILITY TO INVESTIGATE STATE AND LOCAL LAWS GOVERNING ELECTIONS.

STATEWIDE ELECTRONIC VOTER INFORMATION WEBSITE

A new website has been established for candidates running for elected office. If you wish to be listed on that web site, please submit a statement of qualifications and biographical information, not exceeding 200 words, which includes the following information if desired:

- Age
- Occupation
- City of residence
- Years of residence
- E-mail address
- Web site address where voters may access more information

PLEASE SUBMIT THIS INFORMATION TO THE CITY ON OR
BEFORE AUGUST 22, 2011 AT 5:00 P.M. (UCA 20A-7-801)



NOTIFICATION OF DISCLOSURE OF
CAMPAIGN FINANCIAL REPORT

I, _____, candidate for municipal office in
Vernal City, Utah, acknowledge that I received a copy of UTAH CODE
SECTION 10-3-208 which outlines the requirements for CAMPAIGN
FINANCE STATEMENTS FOR MUNICIPAL ELECTIONS.

Signature of Candidate

Date Received

10-3-208. Campaign finance statement 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:
 - (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 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.
 - (ii) 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;
 - (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.
 - (3) (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 (3)(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 (4).
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(4) 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.

(5) 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.

(6) (a) If a candidate fails to file a campaign finance statement before the municipal general election by the deadline specified in Subsection (2)(a)(i)(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 (6)(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.

(7) 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 it is due.

(8) (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 (8)(a), the court may award costs and attorney's fees to the prevailing party.