



# 2019 CANDIDATE GUIDE



June 1, 2019

Dear Candidate:

Thank you for your decision to run for elected office in the City of Saratoga Springs, Utah, and your willingness to serve the City and its residents.

This Candidate Guide has been prepared to share election information to assist you in your campaign, however, it is your obligation to follow the election laws of the State of Utah found in Title 10 and 20A of the Utah Code.

If you have any questions or need more information, please feel free to contact me.

Best wishes for a successful campaign.

Yours truly,

*Cindy LoPiccolo*

**Cindy LoPiccolo, MMC**

City Recorder

City of Saratoga Springs

1307 N. Commerce Drive, Suite 200

Saratoga Springs, Utah 84045

(801) 766-9793 ext. 103

[clopiccolo@saratogaspringscity.com](mailto:clopiccolo@saratogaspringscity.com)



## OFFICES TO BE VOTED ON

Three (3) City Council positions – 4 year term, serving January 2020 to January 2024

Election date: November 5, 2019.

If the number of candidates exceeds twice the number of offices to be filled, a Primary Election will be held on August 13, 2019

## PERSONAL COMMITMENT

To conduct the official business of the City, your time will vary, however, ten (10) to twenty (20) hours per week is an estimate of time council members give to their council responsibilities. In addition to the regularly scheduled council meetings, there may be special or informal meetings and work sessions required to address special issues. Council members may also serve as representatives or liaisons to the City's advisory boards, commissions, and outside organizations or agencies.

## ELECTED OFFICIAL COMPENSATION

Council           \$12,630 per year +/-.

## CANDIDATE QUALIFICATIONS

### MUNICIPAL CANDIDATE

Utah Code §10-3-301

Utah Code §20A-9-203

- Registered voter in the municipality in which the individual is elected\*
- Must have resided within the municipality for which the candidate is seeking office for the 12 consecutive months immediately before the date of the election.
- If the individual resides in a territory which was annexed into the municipality: must have resided within the annexed territory or the municipality the 12 consecutive months immediately before the date of the election.
- Pay filing fee, if one is required by municipal ordinance (not required)
- Not convicted of a felony\*\*

*\* Utah Code §20A-2-101 states: A registered voter (1) is a citizen of the United States; (2) is a resident of Utah; (3) will, on the date of that election, be at least 18 years old, (4) has been a resident of Utah for 30 days immediately before that election; (5) and is registered to vote.*

*\*\* Utah Code §20A-2-101.5 states: A person convicted of a felony loses the right to hold office until (1) all felony convictions have been expunged, OR (2) ten years have passed since the most recent felony conviction AND the person has paid all court-ordered restitution and fines AND the person has completed probation, been granted parole, or completed the term of incarceration associated with the felony.*

[An individual may not hold a county and municipal office at the same time, effective January 1, 2020. UCA §20A-9-201.](#)

## CANDIDATE FILING

2019 Filing Period: **June 3, 2017 – June 7, 2019**, business hours 8 am to 5 pm

Declaration of Candidacy or Nomination Petition – form(s) provided by the City Recorder.

An individual may designate an agent to file a declaration of candidacy with the City Recorder if:

- (a) the individual is located outside of the state during the entire filing period;

- (b) the designated agent appears in person before the City Recorder;
- (c) the individual communicates with the City Recorder using an electronic device that allows the individual and City Recorder to see and hear each other; and
- (d) the individual provides the City Recorder with an email address to which the City Recorder may send copies of information described in section 20A-9-203(4).

Any resident of a municipality may nominate a candidate for a municipal office by: (i) filing a nomination petition with the City Recorder during the office hours described in Section 10-3-301 and not later than the close of those office hours, between June 3 and June 7 (weekend excluded) of any odd-numbered year. *UCA 20A-9-203*

If you would like to obtain election information and forms before the Filing Period, please call or email the City Recorder to schedule an appointment - 801-766-9793 ext. 103, [clopiccolo@saratogaspringscity.com](mailto:clopiccolo@saratogaspringscity.com)

### [YOUR CANDIDATE PROFILE – STATE WEBSITE \(voluntary\)](#)

As a candidate, you have the opportunity to submit a 200-word or less candidate statement of qualifications and/or biographical information for display on the State’s voter information website [www.vote.utah.gov](http://www.vote.utah.gov). There is no cost.

If submitted by the candidate to the election official's office at 5 p.m. at least 45 days before the primary election and/or 60 days before the general election. The Profile may contain information such as age, occupation, years of residency, and email address or personal website address where voters may access more information about the candidate and the candidate’s views, a pictures, and a short statement. *UCA 20A-7-801(4)(a)(ii)*

Profiles are available for both the Primary and General Elections and will be publicly posted on the State Elections website approximately 1 week after the submission deadline.

## **How to Submit Your CANDIDATE PROFILE**



The Lieutenant Governor’s Office provides candidates with the opportunity to submit a candidate profile for the website, [VOTE.UTAH.GOV](http://VOTE.UTAH.GOV). Your profile includes biographical information, a picture, and a short statement, and it will be available for voters to see.

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### **HOW DO I SUBMIT MY PROFILE?**

1. Visit the website [VOTE.UTAH.GOV](http://VOTE.UTAH.GOV). Select the button “Resources for Candidates, Political Groups & Parties” at the bottom of the page.
2. After being directed to a new page, select the option “Submit candidate profile.”
3. You will be directed to the UtahID portal. If you do not have a UtahID account, you must create one to proceed. If you already have a UtahID account, simply log into your account.

4. After creating your UtahID account, you will be prompted for a PIN number. To obtain a PIN number, select your name in the dropdown menu then check your email.
5. After selecting your name in the dropdown menu, you will receive an email with your PIN number. Your PIN number will be sent to the email address that you provided on your declaration of candidacy. It will not be sent to the email address of your UtahID account.
6. After receiving your PIN number, enter it into the website and click “Submit.”
7. After entering your PIN number, the website will prompt you to enter your candidate profile. After you are completed, click “Submit for Approval.” You have the ability to save and edit your profile *before* the deadline.

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## WHEN DO I SUBMIT MY PROFILE?

You must submit your profile before the following deadlines:

- **Primary Election Profiles: Monday, July 1, 2019 at 5:00 p.m. (Mountain Time)**
- **General Election Profiles: Friday, September 6, 2019 at 5:00 p.m. (Mountain Time)**

Please note that these deadlines are established by law. As a result, late submissions and edits cannot be accepted.

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Do you need assistance with your candidate profile? Contact the Utah Lieutenant Governor’s Office at (801) 538-1041 or [elections@utah.gov](mailto:elections@utah.gov).

## CANDIDATE WITHDRAWAL

A candidate who qualifies for the ballot under this section may withdraw as a candidate by filing a written affidavit with the municipal clerk. *UCA 20A-9-203(11)*

## 2019 VOTE BY MAIL ELECTION(S) - VBM

The City has contracted with Utah County Clerk/Auditor Elections Division for conduct of a Vote by Mail (VBM) election.

In the course of your campaigning you may run into a question concerning VBM or voter registration. It is very important for Voters to verify their voter registration information at [Vote.Utah.Gov](http://Vote.Utah.Gov) **early at any time** to make sure they properly receive a ballot when first mailed out by the County Clerk’s office. Voters must RE-REGISTER if they have moved, have inactive status, or have any changes to their information. Updated and accurate voter registration is very important with VBM and will help lessen the long lines at the election service center (Smith’s Marketplace) on Election Day who are primarily voters that did not receive a ballot in the mail or misplaced a ballot at home. An active voter is a voter that has voted at least once in the last four years.

Voters with address change or inactive voters may re-register on-line to update their voter registration to receive a ballot in the mail.

- Check voter registration information and On-line registration – [www.vote.utah.gov](http://www.vote.utah.gov)

In order to register online to vote, your address must match the address on file with the Driver License Division. If your driver license address is not current, please update your address with the Driver License Division. This must be done before submitting your online voter registration.

### Update Your Driver License

After updating your address with the DLD please allow 24 hours before returning to register to vote online.

If your address is not current with DLD you may still use the online voter registration system, but you will be required to print the voter form with the correct address, sign it and mail it in.

### BALLOTS

The Utah County Clerk's office will mail VBM ballots no later than 21 days before the election to active voters. Voters may return their voted ballot by:

- Mailing the ballot back after voting - **Ballots must be postmarked no later than the Monday before Election Day.** It is best if voters mail their ballot back as soon possible after voting to allow the County the best timing for counting and to help not misplace or lose the ballot; or
- Placing their voted ballot into a ballot drop box. The Saratoga Springs ballot drop box is located at Saratoga Springs City Hall, 1307 North Commerce Drive, Suite 200, Saratoga Springs UT 84045 – at this time we believe the County will install a curbside ballot drop box in the vicinity of the mailboxes within the parking area. Voters can also use any drop box located in other cities if that city contracts with the county for VBM; or
- Submit to the Utah County Elections Office ballot drop box, 100 E. Center Street, #3100, Provo UT 84606; or
- **On Election Day**, place it in the ballot drop box at the Election Day Service Center located in the Saratoga Springs Smith's Marketplace Community Center, 689 N. Redwood Road, Saratoga Springs UT 84045.

Voters who did not receive a ballot within a few days after mailing should check and update their voter registration information:

- Check voter registration information and/or Register – [www.vote.utah.gov](http://www.vote.utah.gov) ;  
<https://secure.utah.gov/voterreg/index.html>

If time allows, Utah County Elections (801) 851-8129 will spoil the first ballot sent and trigger a new ballot. Or the Voter may vote at the Election Service Center at the Smith's Marketplace Community Center on Election Day 7 a.m. to 8 p.m.

Once the County has received the ballot, signatures are checked and verified before the ballot is counted. If the ballot cannot be verified, it is passed to another team member before it is rejected. If a voter's signature cannot be verified, the voter will be contacted and has the opportunity to correct the error prior to the canvas. The ballot is not removed from the envelope for processing until the signature has been verified, maintaining the secrecy of the ballot.

The voter authentication process involves checking voter signatures with the signatures on file from the Driver's License Division and voter registration applications.

For additional information, please contact the Utah County Elections Office at (801) 851-8128.

## VOTER REGISTRATION AND ABSENTEE VOTING



### VERIFY CURRENT REGISTRATION INFORMATION:

<https://vote.utah.gov/> or contact the Utah County Elections Office at (801) 851-8128.

### ONLINE VOTER REGISTRATION:

<https://secure.utah.gov/voterreg/index.html>

A voter may now register to vote online if he/she has a current Utah Driver's License or State ID Card. **Deadline:** The form must be submitted online at least 7 days before an election to be eligible to vote in that election.

In order to register online to vote, your address must match the address on file with the Driver License Division.

If your driver license address is not current, please update your address with the Driver License Division. This must be done before submitting your online voter registration.

#### Update Your Driver License

After updating your address please allow 24 hours before returning to register to vote online.

If your address is not current with DLD you may still use the online voter registration system, but you will be required to print the voter form with the correct address, sign it and mail it in.

### MAIL IN REGISTRATION FORM AND INFORMATION:

<http://www.utahcounty.gov/Dept/ClerkAud/Elections/VoterRegistration.html>

**Deadline:** If this form is sent by mail, it must be postmarked at least 30 days before an election to be eligible to vote in that election.

#### **MAIL-IN VOTER REGISTRATION DEADLINES:**

For Municipal Primary Election August 13, 2019 -

- July 15, 2019 – last day to mail a paper voter registration form. *UCA 20A-2-102.5(2)*

For Municipal General Election November 5, 2019 -

- October 7, 2019 – last day to mail a paper voter registration form. *UCA 20A-2-102.5(2)*

### **Absentee/Vote by Mail**

Any registered voter who wishes to vote an absentee ballot must request an application. As the City will be conducting a VBM election, this primarily applies to military or voters that are away for an extended period of time. The completed application must be received by the Utah County Elections Office no later than the Thursday before Election Day. A ballot will be mailed to the address the applicant specified on their application when they become available (approximately 21 days before Election Day).

If the applicant is in the military or overseas, then it must be in our office no later than the Thursday before Election Day. A military or overseas voter is one who has an APO, FPO, or a foreign address. This does NOT include Puerto Rico, Guam, American Samoa or other American territories for they have USPS addresses.

Please allow plenty of time for mailing, especially if you will be in another state or foreign country. Please be aware that the returned ballot must be postmarked *no later than the day before* Election Day.

If you would like to request an absentee ballot, follow the link below to the application form and mail or bring it to:

**Utah County Administration Building**

**Elections**

**100 East Center Street**

**Provo, Utah 84606**

<http://www.utahcounty.gov/Dept/clerkau/Elections/Absentee.asp>

Utah County Elections Office, 801-851-8128

**Paper Absentee Ballot Application -**

[http://www.utahcounty.gov/Dept/clerkau/Elections/documents/AbsenteeBallotApplication\\_000.pdf](http://www.utahcounty.gov/Dept/clerkau/Elections/documents/AbsenteeBallotApplication_000.pdf)

**Online Voter Registration & Absentee Ballot Application -**

<https://secure.utah.gov/voterreg/index.html>

**Military & Overseas Voters**

The Federal Voting Assistance Program (FVAP) provides voting assistance to military service members, their families and voters overseas. Their web site offers information and assistance to members of these groups.

**Military & Overseas Absentee Ballot Application (FPCA) -**

<http://www.utahcountv.gov/Dept/clerkau/Elections/documents/fpca2013.pdf>

FVAP Web Site for Utah <https://www.fvap.gov/utah>

## **CAMPAIGN FINANCIAL REPORTING**

Pursuant to Utah State Code UCA 10-3-208, Candidates for elected municipal office must file signed Campaign Finance Statements with the City Recorder containing itemized and total campaign contributions and expenditures. **The names of candidates who fail to comply with this deadline will be removed from the ballot for both Primary and General Election.**

Signed campaign financial statements received by the City Recorder are classified as a public record. UCA 10-3-208

*Municipal Candidates*



Report Due Date (by 5:00 p.m.)	Report includes transactions between	Who this applies to
08-06-2019	01/01/2019 – 08/01/2019	Candidates in a Primary
09-12-2019	08/02/2019 – 09/07/2019	Candidates eliminated at Primary
10-29-2019	01/01/2019 – 10/24/2019 (no primary) 08/02/2019 – 10/24/2019 (won primary)	Candidates not in a Primary, or Candidates who won Primary
12-05-2019	10/25/2019 – 11/30/2019	Candidates in the General Election
30 days after disqualification	Varies, contact your municipal clerk/recorder	Candidates who are disqualified for failing to file a financial report by the deadline

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. *UCA 10-3-208(9)*

Campaign Finance Statements are classified as public documents and will be made available for public inspection and copying no later than one business day after filing. A copy will be posted on the City website and provided to the Lt. Governor. *UCA 10-3-208(7)*

**Contributions and Expenditures Reported:** See [UCA 10-3-208](#)

The City Recorder will distribute printed and electronic copies of a Campaign Finance Reporting Statement form for candidate's use if wished. Candidates may prepare their own form if required criteria is included.

Candidates may report the total amount of contributions and expenditures if the candidate receives \$500 or less in contributions and spends \$500 or less on the candidates' campaign. *UCA 10-3-208(4)(b)*

**Definition of Terms:** See [UCA 10-3-208](#) for complete list of defined terms.

**Separate Campaign Account:**

Each candidate shall deposit a contribution into a separate campaign account in a financial institution; and may not deposit or mingle any campaign contributions received into a personal or business account. *UCA 10-3-208(3)(a)*

**Anonymous Donations:**

Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds the anonymous contribution limit of \$50, and is from a donor whose name is unknown, a candidate shall disburse the amount of the contribution to either the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund, OR an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code. *UCA 10-3-208(4)(c)*

**Failure to File:**

If a candidate fails to timely file a required campaign finance statement, the municipal clerk or recorder shall inform the appropriate election official who shall if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters. 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 may not count any votes for that candidate.

Notwithstanding a candidate who timely files each campaign finance statement required is not disqualified if the statement details accurately and completely the information required except for inadvertent omissions, insignificant errors, or inaccuracies; and the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report. *UCA 10-3-208(8)*

**Campaign Finance Statutes: Municipal Candidates****10-3-208. Campaign finance disclosure in municipal election.**

(1) Unless a municipality adopts by ordinance more stringent definitions, the following are defined terms for purposes of this section:

(a) "Agent of a candidate" means:

- (i) a person acting on behalf of a candidate at the direction of the reporting entity;
- (ii) a person employed by a candidate in the candidate's capacity as a candidate;
- (iii) the personal campaign committee of a candidate;
- (iv) a member of the personal campaign committee of a candidate in the member's capacity as a member of the personal campaign committee of the candidate; or
- (v) a political consultant of a candidate.

(b) "Anonymous contribution limit" means for each calendar year:

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

(c)

(i) "Candidate" means a person who:

- (A) files a declaration of candidacy for municipal office; or
- (B) receives contributions, makes expenditures, or gives consent for any other person to receive contributions or make expenditures to bring about the person's nomination or election to a municipal office.

(ii) "Candidate" does not mean a person who files for the office of judge.

(d)

(i) "Contribution" means any of the following when done for political purposes:

- (A) a gift, subscription, donation, loan, advance, or deposit of money or anything of value given to a candidate;
- (B) an express, legally enforceable contract, promise, or agreement to make a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or anything of value to the candidate;
- (C) any transfer of funds from another reporting entity to the candidate;
- (D) compensation paid by any person or reporting entity other than the candidate for personal services provided without charge to the candidate;
- (E) a loan made by a candidate deposited to the candidate's own campaign; and
- (F) an in-kind contribution.

(ii) "Contribution" does not include:

(i) an in-kind contribution.

(ii) "Contribution" does not include:

- (A) services provided by an individual volunteering a portion or all of the individual's time on behalf of the candidate if the services are provided without compensation by the candidate or any other person;
- (B) money lent to the candidate by a financial institution in the ordinary course of business;
- or
- (C) goods or services provided for the benefit of a candidate at less than fair market value that are not authorized by or coordinated with the candidate.
- (e) "Coordinated with" means that goods or services provided for the benefit of a candidate are provided:
  - (i) with the candidate's prior knowledge, if the candidate does not object;
  - (ii) by agreement with the candidate;
  - (iii) in coordination with the candidate; or
  - (iv) using official logos, slogans, and similar elements belonging to a candidate.
- (f)
  - (i) "Expenditure" means any of the following made by a candidate or an agent of the candidate on behalf of the candidate:
    - (A) any disbursement from contributions, receipts, or from an account described in Subsection (3)(a)(i);
    - (B) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value made for political purposes;
    - (C) an express, legally enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value for a political purpose;
    - (D) compensation paid by a candidate for personal services rendered by a person without charge to a reporting entity;
    - (E) a transfer of funds between the candidate and a candidate's personal campaign committee as defined in Section 20A-11-101; or
    - (F) goods or services provided by a reporting entity to or for the benefit of the candidate for political purposes at less than fair market value.
  - (ii) "Expenditure" does not include:
    - (A) services provided without compensation by an individual volunteering a portion or all of the individual's time on behalf of a candidate; or
    - (B) money lent to a candidate by a financial institution in the ordinary course of business.
  - (g) "In-kind contribution" means anything of value other than money, that is accepted by or coordinated with a candidate.
- (h)
  - (i) "Political consultant" means a person who is paid by a candidate, or paid by another person on behalf of and with the knowledge of the candidate, to provide political advice to the candidate.
  - (ii) "Political consultant" includes a circumstance described in Subsection (1)(h)(i), where the person:
    - (A) has already been paid, with money or other consideration;
    - (B) expects to be paid in the future, with money or other consideration; or
    - (C) understands that the person may, in the discretion of the candidate or another person on behalf of and with the knowledge of the candidate, be paid in the future, with money or other consideration.
  - (i) "Political purposes" means an act done with the intent or in a way to influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote for or against any candidate or a person seeking a municipal office at any caucus, political convention, or election.

(j) "Reporting entity" means:

- (i) a candidate;
- (ii) a committee appointed by a candidate to act for the candidate;
- (iii) a person who holds an elected municipal office;
- (iv) a party committee as defined in Section 20A-11-101;
- (v) a political action committee as defined in Section 20A-11-101;
- (vi) a political issues committee as defined in Section 20A-11-101;
- (vii) a corporation as defined in Section 20A-11-101; or
- (viii) a labor organization as defined in Section 20A-11-1501.

(2)

(a) A municipality may adopt an ordinance establishing campaign finance disclosure requirements for a candidate that are more stringent than the requirements provided in Subsections (3), (4), and (5).

(b) The municipality may adopt definitions that are more stringent than those provided in Subsection (1).

(c) If a municipality fails to adopt a campaign finance disclosure ordinance described in Subsection (2)(a), a candidate shall comply with financial reporting requirements contained in Subsections (3), (4), and (5).

(3)

(a) Each candidate:

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

(b) In a year in which a municipal primary is held, each candidate who will participate in the municipal primary shall file a campaign finance statement with the municipal clerk or recorder no later than seven days before the day described in Subsection 20A-1-201.5(2).

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

- (i) no later than seven days before the day on which the municipal general election is held; and
- (ii) no later than 30 days after the day on which the municipal general election is held.

(d) 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 within 30 days after the day on which the municipal primary election is held.

(4) Each campaign finance statement described in Subsection (3) shall:

(a) except as provided in Subsection (4)(b):

(i) report all of the candidate's itemized and total:

(A) contributions, including in-kind and other nonmonetary contributions, received up to and including five days before the campaign finance statement is due, excluding a contribution previously reported; and

(B) expenditures made up to and including five days before the campaign finance statement is due, excluding an expenditure previously reported; and

(ii) identify:

(A) for each contribution, the amount of the contribution and the name of the donor, if known; and

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

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

- (5) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds the anonymous contribution limit, and is from a donor whose name is unknown, a candidate shall disburse the amount of the contribution to:
- (a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or
  - (b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.
- (6)
- (a) A municipality may, by ordinance:
    - (i) provide an anonymous contribution limit less than \$50;
    - (ii) require greater disclosure of contributions or 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 is subject to the provisions of this section and not the provisions of an ordinance adopted by the municipality under Subsection (6)(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 (7).
- (7) 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 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.
- (8) 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.
- (9)
- (a) If a candidate fails to timely file a campaign finance statement required under Subsection (3), 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 (9)(a), a candidate who timely files each campaign finance statement required under Subsection (3) is not disqualified if:
- (i) the statement details accurately and completely the information required under Subsection (4), 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.
- (c) A candidate for municipal office who is disqualified under Subsection (9)(a) shall file with the municipal clerk or recorder a complete and accurate campaign finance statement within 30 days after the day on which the candidate is disqualified.
- (10) 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.
- (11)
- (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 (11)(a), the court may award costs and attorney fees to the prevailing party.

## ELECTIONEERING

“Electioneering” includes any oral, printed, or written attempt to persuade persons to refrain from voting or to vote for or vote against any candidate or issue. Any persons who violates any provision of this section is guilty of a Class A misdemeanor.

“Polling place” means the physical place where ballots and absentee ballots are cast and includes the county clerk’s office or city hall during the period in which ballots may be cast there.

A person may not, within 150 feet of the City Hall after ballots are mailed, or the Election Service Center at Smith’s Marketplace, or the County Building:

1. Do any Electioneering
2. Circulate cards or handbills of any kind
3. Solicit signatures to any kind of petition
4. Engage in any proactive activity that interferes or disrupts the administration of the polling place
5. Obstruct the doors at polls or prevent free access to and from the polling place
6. Remove a ballot from the polling place unless the poll worker is assisting a physical disabled voter outside the building
7. Solicit any voter to show his ballot

A county or municipality (City) may not prohibit electioneering that occurs more than 150 feet from the building where the polling place is located, but may regulate the place and manner of that electioneering to protect the public safety.

A person may not obstruct the doors or entries to a building in which a polling place is located or prevent free access to and from any polling place.

A sheriff, deputy sheriff, or municipal law enforcement officer shall prevent the obstruction of the entrance to a polling place and may arrest any person creating an obstruction.

A person may not remove any ballot from the polling place before the closing of the polls, except as provided in Section 20A-4-101, or solicit any voter to show his ballot.

A person may not receive a voted ballot from any voter or deliver an unused ballot to a voter unless that person is a poll worker.

Any person who violates any provision of this section is guilty of a class A misdemeanor.

A political subdivision may not prohibit political signs that are located more than 150 feet away from a polling place, but may regulate their placement to protect public safety.

*UCA 20A-3-501*

## CAMPAIGN LITERATURE

Placing campaign literature inside residential mailboxes is a violation of federal postal standards. Anything placed in the mailbox must have proper postage attached and have been through the postal system. Any material found in the mailboxes will be removed by the postal carrier and, at the discretion of the Postmaster, the offender may be charged with violation of federal postal standards. You are encouraged to warn your campaign workers against the use of mailboxes for campaign literature. Please feel free to check with the Postmaster concerning any postal questions you may have.

## POLITICAL CAMPAIGN SIGNS

### **Unlawful Removal or Vandalism of Campaign Signs:**

- The removal, altering, defacing, or vandalizing of political signs is prohibited and a Class B misdemeanor.
- Candidates and their agents, people who placed the sign, property owners, and a public officer who moves the sign in accordance with their duties are exempt.

### **Posting Signs on Public Property:**

No political sign shall be placed on public property or in any public right-of-way and may be subject to removal by the City of Saratoga Springs. Any signs placed along Redwood Road or SR 73 may be subject to removal by the Utah Department of Transportation. Please refer to the following map showing public property and right-of-way:

<https://www.saratogaspringscity.com/DocumentCenter/View/4008/Signage-Area-Map-2019>

### **Posting Signs on Private Property:**

No permit is required. Political campaign signs must be placed on private property provided that such signs do not violate any other provisions pertaining to the placement of signs in the clear-site triangle (Saratoga Springs Development Code, Section 19.18). The City recommends that no signs be placed on private property without the consent of the property owner.

### **Removal of Campaign Signs:**

It is respectfully requested campaign signs be removed no later than two weeks following the General Election, or two weeks following the Primary Election if a candidate is eliminated. Election signs are costly and can be used for a future election or donated to another candidate. This helps keep our City clean and visually beautiful.

### **Permitted Signs**

One of the following is permitted on a residential lot for a cumulative total of six months in a calendar year: (Saratoga Springs Development Code, Section 19.18.07, 09, 10, 11 and 12):

1. Up to two temporary signs, each limited to four feet in height and six square feet in size, or
2. Multiple temporary signs, each limited to three feet in height, with the face area of all signs limited to a cumulative total of twelve square feet.

Lots in agricultural use that are vacant or under active development (Saratoga Springs Development Code, Section 19.18.08) may choose to utilize the following temporary signage in lieu of the temporary signage permitted by zone.

- a. Such parcels less than one acre in size are permitted a cumulative maximum of 32 square feet of total temporary signage per parcel, either in one or multiple signs, and maximum height of eight feet per sign.
- b. Such parcels ranging in size from one acre to twenty acres are permitted a cumulative maximum of 64 square feet of total temporary signage per parcel, either in one or multiple signs, and maximum height of eight feet per sign.
- c. Parcels exceeding twenty acres in size are permitted up to a cumulative maximum of 96 square feet of total temporary signage per parcel, either in one or multiple signs, and maximum height of twelve feet per sign.

Banner Signs are allowed in the following zones: Institutional/Civic, Commercial, and Industrial, with the following guidelines. (Saratoga Springs Development Code, Section 19.18.09, 10, 11, and 12):

1. Banner signs shall only be permitted on a temporary basis.
2. Banner signs shall not exceed four feet in height and thirty-two square feet in size.
3. Banner signs shall be placed in a landscaped area or on a structure, and shall not be located within the clear sight triangle identified in Chapter 19.06.
4. Banner signs shall be limited to no more than one sign per business at any time, for a cumulative total of thirty days in a calendar year.

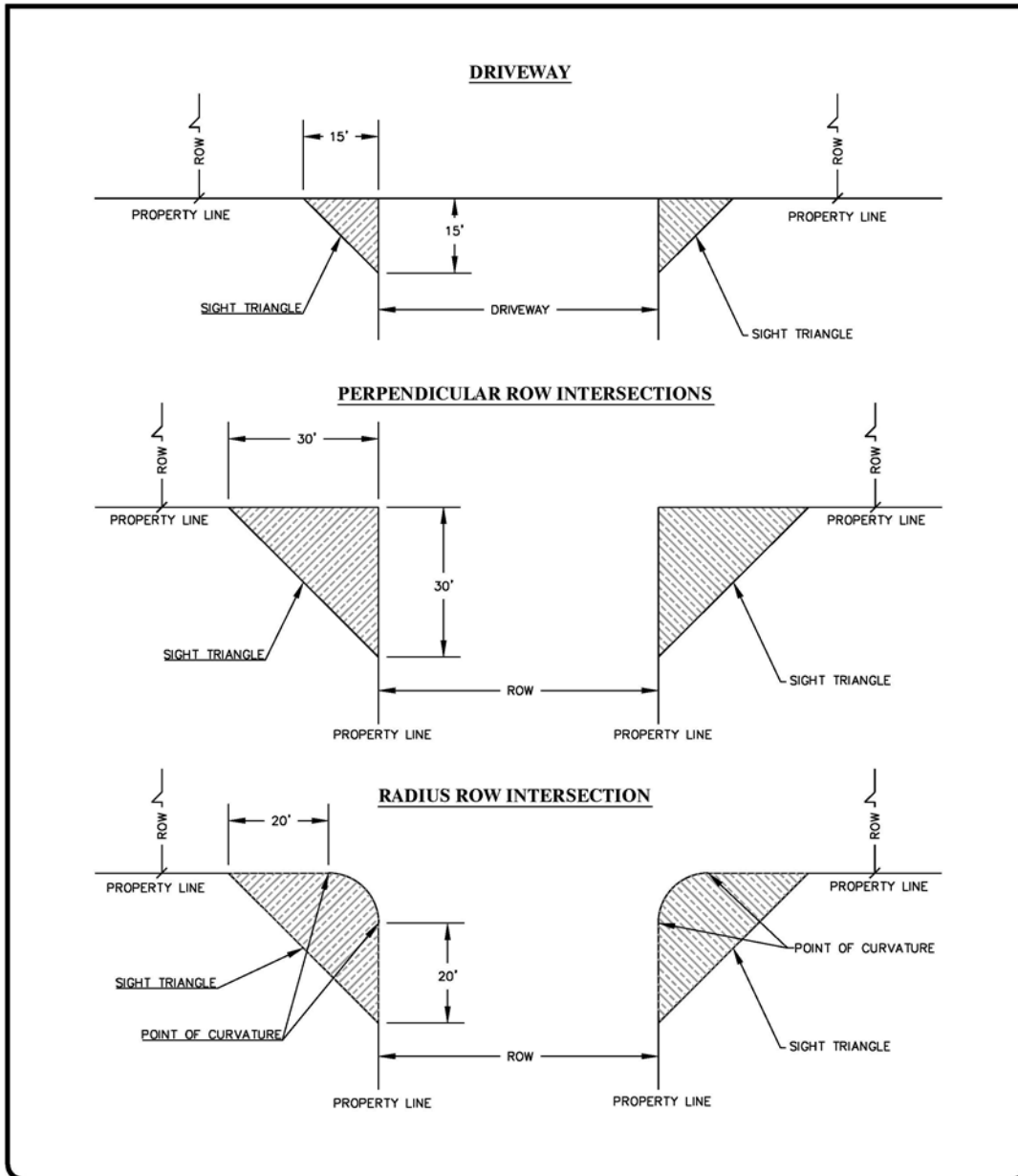
**General Guidelines for Sign Placement:** (See Saratoga Springs Development Code, Section 19.18.06,)


- No sign shall be located on public property or within any right-of-way.
- No sign shall be designed or placed in any manner that may be confused with any official traffic sign or signal. No sign or other advertising structure shall be designed, constructed, or installed that by reason of its size, location, shape, coloring, or manner of illumination may be confused as a traffic control device.
- No part of any sign shall interfere with the use of any fire escape, exit, doorway, sidewalk, roadway, stairway, door ventilator, or window. No ground sign shall be located within any public utility easement.
- All temporary signs in front and street-side setbacks at least three feet from the back of the sidewalk or right-of-way, whichever is greater, and from all driveways a measured from the back of the curb. Signs shall be located a distance equal to or greater to their height from any interior side or rear property line.



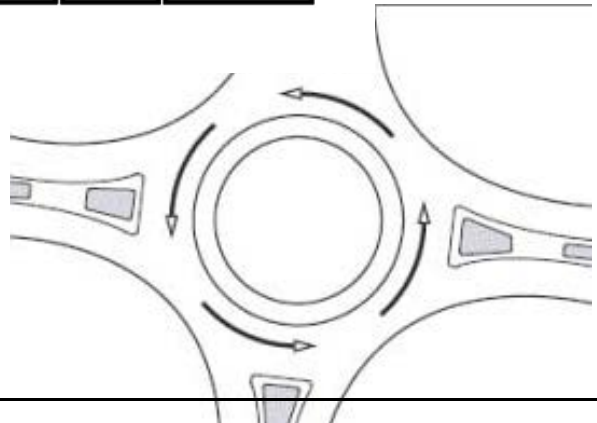
- No sign shall be placed within the Clear Site Triangle as defined in City Code, (Saratoga Springs Development Code, Section 19.06) to allow for clear sight as shown in the graphic below, at all intersections of streets, driveways, or sidewalks, for a distance of twenty feet back from the point of curvature of curved right-of-ways and property lines or thirty feet back from the intersection of straight right-of-ways and property lines, whichever is greater, and fifteen feet back from edge of driveways.

# Clear Site Triangles



<b>SIGHT TRIANGLE</b>	DATE JULY 2014	REVISIONS		STANDARD DETAILS
	DRAWING NAME:	REV. DATE BY COMMENTS		SIGHT TRIANGLE
	DRAWN BY: ETL			
	CHECKED: APPROVED:	<b>SARATOGA SPRINGS CITY</b> <small>1207 N. COMMENCE DR.          8500 SARATOGA SPRINGS,          UT 84403          PHONE: 801-798-4193          FAX: 801-798-9751</small>		

All areas inside an intersection including medians and roundabouts shall be considered a part of the clear vision triangles.



## ELECTION RESULTS/CANVASS

As the City is contracting with Utah County for a vote by mail election, election counting will be conducted by the Utah County Elections office and preliminary and final results found at:

<http://www.utahcounty.gov/Dept/ClerkAud/Elections/ElectRsIts/index.html>

The Mayor and City Council are the Board of Municipal Canvassers. A simple majority of the legislative body constitutes a quorum. Pursuant to State Code, the Board of Canvassers must meet no sooner than 7 days and no later than 14 days after the election to conduct the Canvass.

Primary: August 22 – August 29

General: November 14 – November 21

## OATH OF OFFICE

Pursuant to State Code, after being elected, Council Members are required to take the Oath of Office during the Swearing in Ceremony held at 12:00 noon on the first Monday in January or as soon thereafter as practically possible. Saratoga Springs has traditionally scheduled the Oath of Office on the first City Council meeting in January, which will be January 7, 2020, 6:00 p.m., in the Council Chambers.

## IMPORTANT DATES

June 3, 2019 – June 7, 2019. Candidate Filing Period. *UCA 20-9-203*

June 10, 2019. CANDIDATE ORIENTATION, 5:00 p.m., City Council Chambers.

### **PRIMARY ELECTION**

June 28, 2019. Ballots are transmitted to overseas and military (UOCAVA) voters. *UCA 20A-16-403*

July 1, 2019, 5:00 pm. Deadline for candidates to submit 200-word candidate profile for the State website (*45 days prior to Primary Election*) (optional). *UCA 20A-7-801(4)(a)(ii)*

July 15, 2019. Last day to mail a paper voter registration form to the County for the Primary Election (*30 days before Primary Election*). *UCA 20A-2-102.5(2)*

July 23, 2019. VBM Ballots are sent to voters 21 days before Primary Election Day. *UCA 20A-3-305(1)(b)*

August 6, 2019. Last day to request a mail ballot from the county clerk and register to vote online or at the county clerk's office. *UCA 20A-2-201, 206*

August 8, 2019. Campaign Financial Reporting Statement filing deadline for each candidate participating in the Primary Election. *UCA 10-3-208 (3)(b)*

**August 13, 2019. Primary Election Day.** *UCA 20A-1-202*

August 14, 2019. The number of absentee and provisional ballots received shall be made available to the public. *UCA 20A-3-309, UCA 20A-4-202*

August 14 – 26, 2019. On each day, beginning the day after the election and ending on the day before the date of the canvass, the election results of all absentee and provisional ballots counted on that day shall be publicly released. *UCA 20A-3-309*

August 22 - 29, 2019. Election Canvass. *UCA 20A-4-301-304*

September 12, 2019. Campaign Financial Reporting Statement filing deadline for candidates who were eliminated at the Primary Election to submit a final financial disclosure statement. (*30 days after the Primary Election*). *UCA 10-3-208(3)(d)*

### **GENERAL ELECTION**

September 6, 2019. Last day to declare write-in candidacy. (*60 days before the General Election*). Candidates eliminated at primary election may declare write-in candidacy for the same office (but not for another office). *UCA 20A-9-601*

September 6, 2019, 5:00 pm. Deadline for municipal General Election candidates to submit 200-word candidate profile for State website (*60 days prior to general election*) (optional). *UCA 20A-7-801(4)(a)(ii)*

September 20, 2019. Ballots are transmitted to overseas and military (UOCAVA) voters. *UCA 20A-16-403*

October 7, 2019. Last day to mail a paper voter registration form to the County for the General Election. *UCA 20A-2-102.5(2)*

October 15, 2019. VBM Ballots to be mailed to active voters 21 days before General Election Day. *UCA 20A-3-305(1)(b)*

October 22, 2019. Last day to request a mail ballot from the county clerk and register to vote online or at the county clerk's office. *UCA 20A-2-201, 206*

October 29, 2019. Campaign Financial Reporting Statement filing deadline for candidates continuing to the General Election to submit a Campaign Finance Disclosure Statement (*no later than seven days before the General Election*). *UCA 10-3-208(3)*

October 29, 2019. Last day to request a mail ballot from the county clerk and register to vote online or at the county clerk's office. *UCA 20A-2-201*

**November 5, 2019. General Election Day.** *UCA 20A-1-202*

November 6, 2019. The number of absentee and provisional ballots received shall be made available to the public. *UCA 20A-3-309, UCA 20A-4-202*

November 6 – 18, 2019. On each day, beginning on the day after the election and ending on the day before the date of the canvass, the results of all absentee and provisional ballots shall be counted and publicly released. *UCA 20A-3-309*

November 12 - 19, 2019. Election Canvass. Traditionally tentatively scheduled for Council Meeting on November 19, 2019. *UCA 20A-4-301(b)*

December 5, 2019. Campaign Financial Reporting Final Statement Deadline for all General Election candidates (*30 days after the election*). *UCA 10-3-208*

January 7, 2020. Oath of Office. 6:00 p.m., Council Chambers unless otherwise scheduled and advised.

## EXECUTIVE STAFF

### **For Questions**

City Manager                      Mark Christensen                      801-766-9793 ext. 111  
[marke@saratogaspringscity.com](mailto:marke@saratogaspringscity.com)

Asst. City Manager              Owen Jackson                      801-766-9793 ext. 112  
[ojackson@saratogaspringscity.com](mailto:ojackson@saratogaspringscity.com)

## **2018 – 2019 MASTER BALLOT POSITION LIST**

In accordance with Utah Code Section 20A-6-305, Utah Lieutenant Governor Spencer J. Cox hereby establishes the Master Ballot Position List, establishes written procedures for election officials to use the Master Ballot Position List, establishes written procedures for the Lieutenant Governor in conducting the randomization in a fair manner, and provides a record of the random selection process used.

### **Master Ballot Position List**

1	F
2	X
3	C
4	Y
5	O
6	A
7	B
8	U
9	S
10	L
11	M
12	V
13	Q
14	E
15	W
16	Z
17	R
18	H
19	G
20	K
21	P
22	N
23	J
24	D
25	I
26	T