

CITY OF HOLLADAY

**CANDIDATE
GUIDE TO
ELECTIONS**

2009

July 1, 2009

Dear Candidate:

Congratulations on your decision to run for elected office in the City of Holladay.

This Candidate Guide to Elections has been prepared to provide basic information you will need to know about the election process. I hope you will find it helpful.

The City Recorder's Office supervises the candidate filing process for the City of Holladay municipal elections, as well as overseeing the elections themselves. Should you have any questions or need more information, please contact me at 801.272.9450 or visit me at the City Office located at 4580 South 2300 East.

Best wishes for a successful campaign.

Sincerely,

Stephanie N. Carlson,
Holladay City Recorder

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FORM OF GOVERNMENT

Effective January 5, 2004, the City of Holladay has operated under the optional form of government known as the Council-Manager form.

The City Council is comprised of six members. Five council members are elected from individual districts. The sixth member is the Mayor.

The Mayor is elected at-large with the City Council being elected by district (total of 5) and all elected officials serve a four year term. Council seats are staggered so only three seats are up for election at one time. The other two Council members are elected at the same time as the Mayor. Council Districts One and Three will stand for election in 2009 along with the Office of the Mayor.

MUNICIPAL OFFICIALS

MANAGER — POWERS AND DUTIES

The Manager shall have the power, and it shall be his duty to:

- (1) Faithfully execute and enforce all applicable laws, ordinances, rules and regulations, and see that all franchises, leases, permits, contracts, licenses, and privileges granted by the municipality are observed;
- (2) Carry out the policies and programs established by the Council;
- (3) Organize and direct the management of the executive affairs of the municipality in a manner consistent with state statutes and municipal ordinances;
- (4) Appoint a budget officer for the purpose of complying with the requirements of the uniform municipal fiscal procedures act;
- (5) Appoint, with the advice and consent of the Council, a qualified person to each of the offices of recorder, treasurer, engineer, and attorney, and, in towns, town treasurer and clerk; create an other offices as may be deemed necessary for the good government of the municipality; and regulate and prescribe the powers and duties of all other officers of the municipality, except as provided by law or by ordinance;
- (6) Examine and inspect the books, records, and official papers of any office, department, agency, board, or commission of the municipality, and make investigations and require reports from personnel;
- (7) Appoint, subject to the provisions of state statutes and the municipal administrative code, and with the advice and consent of the Council, suspend, and remove heads of

municipal offices, departments, and agencies, and all appointive officers of boards and commissions;

- (8) Establish standards, qualifications, criteria, and procedures to govern the appointments, by heads of offices, departments, and agencies, or by other authorized officers, of divisional officers, assistants, deputies, and employees within their respective organizational units, subject to any applicable provisions of the merit system and municipal administrative code;
- (9) Submit to the Council plans and programs relating to the development and needs of the municipality, and annual and special reports concerning the financial, administrative, and operational activities of municipal offices, departments, agencies, boards, and commissions, together with his evaluation and recommendations relating to them;
- (10) Attend all meetings of the Council and take part in its discussions and deliberations, but without the right to vote;
- (11) Appoint, with approval by majority vote of the full membership of the Council, an acting municipal manager to serve in his absence or temporary incapacity to perform the powers and duties provided for in this part; and
- (12) Discharge any other duties specified by statute or imposed by the Council.

CITY COUNCIL

The City Council consists of six members. The Mayor presides at all meetings of the Council. The Mayor serves as the chief ceremonial officer of the City and represents the City in all external relationships including various boards and committees. The Mayor conducts the Council meetings and work sessions.

The Council exercises the legislative powers of city government, including the adoption of ordinances, resolutions and policies, setting appropriate tax levies for general city services, adopting the city budget, and setting other general tax and services rates. The Council shall supervise, appoint, and direct its own staff and establish job descriptions, job functions, job classifications or reclassifications and compensation thereof, within the budgeted appropriations and consistent with state law. It may also review and monitor the municipal administration, conduct public hearings, and perform all other duties and responsibilities authorized or required by state law. The Council shall consider and give, where appropriate, its advice and consent to the Manager on all proposed appointments to city boards, commissions, committees or other bodies established to provide advice or assistance to the operation of city government, as may otherwise be required by state law or by joint resolution signed by the Mayor and Council.

CITY COUNCIL MEETINGS

The regular meetings of the City Council are held on the first and third Thursdays of each month, at 6:00 p.m., in the Council Chambers at the Holladay City Office. Briefing Sessions are held at 5:00 p.m. before each regularly scheduled City Council meeting. Council work meetings are usually held on the third Thursday of each month.

Special meetings may be held as circumstances require.

QUALIFICATIONS FOR ELECTED OFFICE

1. A candidate must be a United States Citizen.
2. A candidate must be at least 18 years old and a registered voter of Holladay.
3. A candidate must have resided in the City of Holladay or recently annexed area for at least 12 consecutive months immediately preceding the date of the election.

OFFICES TO BE VOTED ON / TERMS OF OFFICE

Mayor (4-Year Term)	City-wide	January 2010 - January 2014
Council Member (4-Year Term)	District 1	January 2010 - January 2014
Council Member (4-Year Term)	District 3	January 2010 - January 2014

TO FILE FOR OFFICE / DECLARATION OF CANDIDACY

Obtain from the City Recorder a *Declaration of Candidacy* form. Complete the form in its entirety and sign it in front of the City Recorder. Submit the form to the City Recorder's office along with a \$35.00 non-refundable filing fee within the filing period during regular office hours from 8:00 a.m. to 5:00 p.m. from July 1, 2009 to July 15, 2009.

FILING FEE

Each candidate is required to submit a \$35.00 non-refundable filing fee with the *Declaration of Candidacy* form.

FILING PERIOD

The filing period is during regular office hours beginning at 8:00 a.m. July 1, 2009, and the deadline for candidates to file for office is July 15, 2009, at 5:00 p.m.

FILING DEADLINE

The deadline for candidates to file for office is Monday, July 15, 2009, at 5:00 p.m., M.D.T.

DATES TO REMEMBER

July 1 - July 15, 2009	Filing period during regular office hours from 8:00 a.m. and not later than 5:00 p.m.
July 15, 2009	Filing deadline at 5:00 p.m., M.D.T.
August 17-31	In Office voting period
August 20, 2009	Deadline to submit bios for Statewide Voter Information website, no later than 5:00 p.m.
September 1 - September 8, 2009	Each candidate shall file a signed campaign financial statement with the City Recorder at least seven days, but no more than 14 days, before the September election.
September 1-11	Early voting period
September 15, 2009	Primary Election - polls open from 7:00 a.m. to 8:00 p.m. (Held only if the candidates for a position number more than twice the seats available.) No electioneering within 150 feet of the polling place (entrance to the building).
September 16 - October 15, 2009	Each candidate eliminated in the primary election shall file a signed campaign financial statement with the City Recorder within 30 days after the primary election.
October 5-19, 2009	In Office voting period
October 20-30, 2009	Early voting period
October 27, 2009	Each candidate not eliminated at the primary election shall file a signed campaign financial statement with the City Recorder at least seven days before the November election.
November 3, 2009	Municipal General Election - polls open from 7:00 a.m. to 8:00 p.m. No electioneering within 150 feet of the polling place (entrance to the building).
November 4 - December 3, 2009	Each candidate in the general election shall file a signed campaign financial statement with the City Recorder within 30 days after the November election.
January 4, 2010	Swearing-in ceremony.

MUNICIPAL CAMPAIGN FINANCIAL REPORTING

Candidates for elected municipal office must file a signed Campaign Financial Statement with the City Recorder containing itemized and total contributions and expenditures as outlined below:

(1) At least once seven days before the date of the municipal and primary election and general election, reporting each contribution of more than \$50 and each expenditure as of 10 days before the date of the municipal general election.

The statement filed seven days before the municipal general election shall include:

(1) A list of each contribution of more than \$50 received after the cutoff date for the statement filed seven days before the election, and the name of the donor;

(2) An aggregate total of all contributions of \$50 or less received by the candidate after the cutoff date for the statement filed seven days before the election; and

(3) A list of all expenditures for political purposes made by the candidate after the cutoff date for the statement filed seven days before the election, and the recipient of each expenditure. Expenses include the initial filing fee.

The statement filed 30 days after the municipal general election shall include:

(1) A list of each contribution of more than \$50 received after the cutoff date for the statement filed seven days before the election, and the name of the donor;

(2) An aggregate total of all contributions of \$50 or less received by the candidate after the cutoff date for the statement filed seven days before the election; and

(3) A list of all expenditures for political purposes made by the candidate after the cutoff date for the statement filed seven days before the election, and the recipient of each expenditure.

Candidates who are eliminated at a primary election shall file a signed Campaign Financial Statement containing the information required by this section not later than 30 days after the primary election.

Any person who fails to file a timely report will have their name removed from the ballot.

Additionally, any person who fails to comply with this section is guilty of an infraction.

(See sample Financial Declaration of Candidate form - *Exhibit B*)

CAMPAIGN REGULATIONS

POSTING OF POLITICAL SIGNS

All candidates are subject to regulations in the City of Holladay Sign Ordinance, including Section 13.82(A).190 Political Signs Allowed by Zones:

Signs are allowed on private property and not closer than 10 feet to a driveway. Signs can be no larger than 16 square feet in size with a maximum height of 6 feet. Political signs **MAY BE ERECTED NO EARLIER THAN 45 DAYS BEFORE EACH ELECTION DAY (AUGUST 1ST for the Primary Election and September 19th)** and shall be removed 3 days following each election day (September 18th for the Primary Election and November 6th for the General Election).

ELECTIONEERING

Electioneering includes any oral, printed, or written attempt to persuade persons to refrain from voting or to vote for or against any candidate or issue.

The State Election law prohibits electioneering on the day of any election within a polling place or in any public area within 150 feet of the building in which a polling place is located. **This includes the City Office since absentee and early voting is available up to the date of election.**

GENERAL INFORMATION

POLLING PLACES

Polling places are at various elementary schools, junior high schools and other locations throughout the City of Holladay. For reasons beyond our control, polling locations sometimes change. Every household will be mailed a Polling Location Notice prior to each election. This year the County set the polling locations in order to establish consistency in municipal, county and Presidential elections. A list of all polling places and/or a map of voting precincts and polling locations is available in the City Recorder's Office upon request as soon as they have been established. One map will be made available to each candidate free of charge.

VOTER REGISTRATION

Requirements to register to vote specify that you must: (1) be a United States citizen; (2) be a resident of Utah for at least 30 days immediately before the next election; (3) be at least 18 years old by the next election; and (4) have your principal place of residence in a specific voting precinct in Utah. A person who has been convicted of a felony whose right to vote has not been restored as provided by law may not register to vote while incarcerated.

Qualified persons may register with the County Clerk any time the clerk's office is open. However, those persons registering during the fourteen days immediately before an election are to be told they are registered but may not vote in the pending election because they have registered too late.

By-mail forms are available in many public buildings such as banks, libraries, high schools, post offices, city and town offices. By-mail registration forms that are postmarked at least 30 days before the election date and received at least seven days before the election are to be processed by the County Clerk.

Qualified persons may register when applying for or renewing a driver's license or when they receive service from a public assistance agency.

For questions regarding voter registration, citizens may call the Salt Lake County Clerk's Office at 801.468.3427, Monday through Friday, from 8:00 a.m. to 5:00 p.m.

EARLY VOTING PERIOD

Early voting begins 14 days before Election Day, and ends the Friday before Election Day. This provides voters the option of voting prior to Election Day at any Early Voting location in Salt Lake County. Voters do not need an excuse to utilize this convenient voting method. You do not have to vote at an early voting location in the city, you can vote at any location (*i.e.* you live in Holladay but work in Sandy, you can go to a location in Sandy and vote a Holladay ballot).

ABSENT-VOTER BALLOTS

Any registered voter may file an absentee ballot application with the County Clerk's office in person or by mail or fax or in the case of (i) a hospitalized voter or (ii) any military voter or overseas citizen voter who is physically disabled so as to be unable to see or hear by proxy. This application form must be received by the County Clerk's office as follows:

1. No later than 20 days before the election for overseas registered voters.
2. Not later than the Friday before the election if the absentee ballot is to be mailed within the United States.
3. On Election Day, if the registered voter is hospitalized or confined to a medical or long-term care institution after the deadline for filing an application has passed. (The hospitalized voter's absentee application and absentee ballot must be returned to the County Clerk's office before the polls close on election day.)

The voted absentee ballot must be mailed or delivered to ensure the County Clerk's office receives it before the close of polls on election day or it must clearly be postmarked before election day and received not later than noon on the day of the official election canvass.

QUESTIONS REGARDING MUNICIPAL ELECTIONS

If citizens have questions about which voting precinct they live in, or where their polling place is located, they should call the City Recorder's Office at 801.272.9450, or the County Clerk's office at 801.468.3427 Monday through Friday, from 8:00 a.m. to 5:00 p.m.

SWEARING-IN CEREMONY

Successful candidates are sworn in at noon on the first Monday in January following the election, or as soon thereafter as practical. If the first Monday is an observed holiday, the swearing-in ceremony is done the following day at noon. The City Recorder administers the Oath of Office to the successful candidates and issues the Certificate of Election.

OATH OF OFFICE

After being elected, Council Members are required to take the following oath of office during the Swearing-In Ceremony held at 12 noon on the first Monday in January or as soon thereafter as practically possible:

I do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this State, and that I will discharge the duties of my office with fidelity.

ELECTED OFFICIALS COMPENSATION

Council Members currently receive annual compensation in the amount of \$11,440. The Mayor currently receives annual compensation in the amount of \$18,304. Council Members may use their compensation to participate in health and dental coverage available to Holladay employees. All elected officials receive city paid retirement benefits into a 401K through the Utah Retirement System.

EXHIBIT A
2009
DECLARATION OF CANDIDACY

State of Utah

}**SS.**

Salt Lake County

I, _____
*Print name EXACTLY as it is to appear on the official ballot. (NOTE: There is a 24 character limit for candidate names.)
No changes can be made after the candidate filing period.*

declare my intention of becoming a candidate for the office of:

_____ Mayor (Four Year Term)
_____ Council District # 1 (Four Year Term))
_____ Council District # 3 (Four Year Term)

I do solemnly swear that: I will meet the qualifications to hold the office, both legally and constitutionally, if selected;

I reside at _____ in the City of Holladay
_____, State of Utah, Zip Code _____.

Phone Number _____ E-mail Address: _____

The mailing address that I designate for receiving official election notices is:

I will not knowingly violate any law governing campaigns and elections; I will file all campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot.

Signature of Candidate

Subscribed and sworn before me this _____ day
of _____, 2009.

Notary Public (or other officer qualified to administer oath)

By: _____

Title: Election Specialist

Note: The qualifications to be a candidate are:

1. Be a United States citizen at time of filing.
2. Be at least 18 years old at the time of the next municipal election.
3. Must be a registered voter of the municipality.
4. Must be a resident of the municipality or a resident of the recently annexed area for 12 consecutive months immediately preceding the date of the election.
5. If elected from a council district, the person must be a resident of that council district.
6. In accordance with Utah Constitution Article IV, Section 6, 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 hold elective office is restored under Section 20A-2-101.5.

EXHIBIT B

FINANCIAL DECLARATION OF CANDIDATE

FINANCIAL REPORT TO CITY OF HOLLADAY CITY RECORDER

Full name of candidate

Street address

City

Name of office

District

1) Total contributions of donors who gave more than \$50.00

(Form "A" total from other side of this sheet)

\$ _____

2) Aggregate total of contributions of \$50.00 or less.....

\$ _____

3) Total campaign expenses

(Form "B" total from other side of this sheet).....

\$ _____

4) Balance at the end of the reporting period

\$ _____

DATE: _____

Signed: _____

Candidate

EXHIBIT C

UTAH STATEWIDE ELECTRONIC VOTER INFORMATION WEBSITE

(For an electronic copy of this form go to <http://www.elections.utah.gov/website.form.doc>)

As directed in Utah Code section 20A-7-801, Utah's lieutenant governor hosts a statewide electronic voter information website. Candidates may submit statements of qualifications (up to 200 words) and certain biographical information for inclusion on the website.

Please use this form to submit information. For posting on the 2009 municipal general election website, candidates must submit their information no later than **5:00 p.m., Thursday, August 20, 2009 to the City Recorder.**

Submit forms to your municipal recorder or county clerk. Call your municipal recorder or the Office of the Lieutenant Governor at 1.800.995.VOTE (8683) or 801.538.1041 with any questions.

Name: _____

Office: _____

District: _____

E-mail address: _____

Website: _____

Age: _____

Occupation: _____

Residence Address: _____

Years at residence: _____

Qualifications: _____

20A-7-801. Statewide Electronic Voter Information Website Program -- Duties of the lieutenant governor -- Content -- Duties of local election officials -- Deadlines -- Frequently asked voter questions -- Other elections.

(1) There is established the Statewide Electronic Voter Information Website Program administered by the lieutenant governor in cooperation with the county clerks for general elections and municipal authorities for municipal elections.

(2) In accordance with this section, and as resources become available, the lieutenant governor, in cooperation with county clerks, shall develop, establish, and maintain a state-provided Internet website designed to help inform the voters of the state of:

(a) the offices and candidates up for election; and

(b) the content, effect, operation, fiscal impact, and supporting and opposing arguments of ballot propositions submitted to the voters.

(3) Except as provided under Subsection (6), the website shall include:

(a) all information currently provided in the Utah voter information pamphlet under Title 20A, Chapter 7, Voter Information Pamphlet, including a section prepared, analyzed, and submitted by the Judicial Council describing the judicial selection and retention process;

(b) all information submitted by election officers under Subsection (4) on local office races, local office candidates, and local ballot propositions; and

(c) other information determined appropriate by the lieutenant governor that is currently being provided by law, rule, or ordinance in relation to candidates and ballot questions.

(4) (a) An election official shall submit the following information for each ballot label under the election official's direct responsibility under this title:

(i) a list of all candidates for each office;

(ii) if submitted by the candidate to the election official's office on or before August 20 at 5 p.m.:

(A) a statement of qualifications, not exceeding 200 words in length, for each candidate;

(B) the following biographical information if desired by the candidate, current:

(I) age;

(II) occupation;

(III) city of residence;

(IV) years of residence in current city; and

(V) email address; and

(C) a single web address where voters may access more information about the candidate and the candidate's views; and

(iii) factual information pertaining to all ballot propositions submitted to the voters, including:

(A) a copy of the number and ballot title of each ballot proposition;

(B) the final vote cast for each ballot proposition, if any, by a legislative body if the vote was required to place the ballot proposition on the ballot;

(C) a complete copy of the text of each ballot proposition, with all new language underlined and all deleted language placed within brackets; and

(D) other factual information determined helpful by the election official.

(b) The information under Subsection (4)(a) shall be submitted to the lieutenant governor no later than one business day after the deadline under Subsection (4)(a) for each general election year and each municipal election year.

(c) The lieutenant governor shall:

(i) review the information submitted under this section prior to placing it on the website to determine compliance under this section;

(ii) refuse to post information submitted under this section on

the website if it is not in compliance with the provisions of this section; and

(iii) organize, format, and arrange the information submitted under this section for the website.

(d) The lieutenant governor may refuse to include information the lieutenant governor determines is not in keeping with:

(i) Utah voter needs;

(ii) public decency; or

(iii) the purposes, organization, or uniformity of the website.

(e) A refusal under Subsection (4)(d) is subject to appeal in accordance with Subsection (5).

(5) (a) A person whose information is refused under Subsection (4), and who is aggrieved by the determination, may appeal by submitting a written notice of appeal to the lieutenant governor within ten business days after the date of the determination. A notice of appeal submitted under this Subsection (5)(a) shall contain:

(i) a listing of each objection to the lieutenant governor's determination; and

(ii) the basis for each objection.

(b) The lieutenant governor shall review the notice of appeal and shall issue a written response within ten business days after the notice of appeal is submitted.

(c) An appeal of the response of the lieutenant governor shall be made to the district court, which shall review the matter de novo.

(6) (a) The lieutenant governor shall ensure that each voter will be able to conveniently enter the voter's address information on the website to retrieve information on which offices, candidates, and ballot propositions will be on the voter's ballot at the next general election or municipal election.

(b) The information on the website will anticipate and answer frequent voter questions including the following:

(i) what offices are up in the current year for which the voter may cast a vote;

(ii) who is running for what office and who is the incumbent, if any;

(iii) what address each candidate may be reached at and how the candidate may be contacted;

(iv) for partisan races only, what, if any, is each candidate's party affiliation;

(v) what qualifications have been submitted by each candidate;

(vi) where additional information on each candidate may be obtained;

(vii) what ballot propositions will be on the ballot; and

(viii) what judges are up for retention election.

(7) By not later than March 1, 2008, the lieutenant governor shall have the Statewide Electronic Voter Information Website Program ready for use in the next election in accordance with this section.

(8) As resources are made available and in cooperation with the county clerks, the lieutenant governor may expand the electronic voter information website program to include the same information as provided under this section for special elections and primary elections.

**CITY OF HOLLADAY
ACKNOWLEDGEMENT OF CANDIDATES GUIDE
TO ELECTION INFORMATION**

I,

(Name of Candidate and Office Sought)

do hereby acknowledge receipt of the Candidates Guide to Elections. I certify that I am aware that regulations exist pertaining to campaign finances, including reporting requirements and political signage. I certify that I will become familiar with such regulations and will comply with the same.

Dated, this _____ day of _____, 2009.

Candidate

Witness

EXHIBIT D

POLLING LOCATIONS AND MAP