

Chapter 2.68

ELECTIONS

2.68.010 Declarations of Candidacy Salt Lake City General Elections:

A. A person may become a candidate for mayor if the person is a registered voter and:

1. The person has resided within Salt Lake City for the twelve (12) consecutive months immediately before the date of the election; or
2. If the territory in which the person resides was annexed into Salt Lake City, the person has resided within the annexed territory or Salt Lake City for twelve (12) consecutive months immediately before the date of the election.

B. Each person seeking to become a candidate for mayor shall file a declaration of candidacy with the city recorder during office hours and not later than five o'clock (5:00) P.M. between June 1 and June 7 of any odd numbered year and pay the fee shown on the Salt Lake City consolidated fee schedule at the time of filing the declaration. When June 7 is a Saturday, Sunday, or holiday, the filing time shall be extended until five o'clock (5:00) P.M. on the following regular business day. In lieu of the fee, the person may submit to the city recorder, in addition to the declaration of candidacy, a nominating petition signed by forty five (45) residents of each council district, for a total of three hundred fifteen (315) residents, who are at least eighteen (18) years old. Said nominating petition shall be construed as constituting an alternative to payment of the required fee for persons for whom such fee would create a financial hardship.

C. The declaration of candidacy for the office of mayor shall substantially comply with the following form:

I, (print name) , being first sworn, say that I reside at Street, Salt Lake City, County of Salt Lake, State of Utah, Zip Code , Telephone Number (if any) ; that as of the date of the election for mayor on I will have resided within Salt Lake City for the 12 consecutive months immediately before such election; that I am a registered voter; and that I am a candidate for the office of mayor. I request that my name be printed upon the applicable official ballots.

(Signed) _____

Subscribed and sworn to (or affirmed) before me by on this day of , 2 .

(Signed) _____

(City Recorder or Notary Public)

D. A person may become a candidate for council member if the person is a registered voter and:

1. The person has resided within the council district for which such person seeks office for the twelve (12) consecutive months immediately before the date of the election; or
2. If the territory in which the person resides was annexed into Salt Lake City and into the council district for which such person seeks office, the person has resided within the annexed territory or the

council district for which such person seeks office for the twelve (12) consecutive months immediately before the date of the election.

E. Each person seeking to become a candidate for council member shall file a declaration of candidacy with the city recorder during office hours and not later than five o'clock (5:00) P.M. between June 1 and June 7 of any odd numbered year together with the fee shown on the Salt Lake City consolidated fee schedule. When June 7 is a Saturday, Sunday, or holiday, the filing time shall be extended until five o'clock (5:00) P.M. on the following regular business day. In lieu of the fee, the person may submit to the city recorder, in addition to the declaration of candidacy, a nominating petition signed by seventy five (75) residents of the council district such person seeks to represent who are at least eighteen (18) years old. Said nominating petition shall be construed as constituting an alternative to payment of the required fee for persons for whom such fee would create a financial hardship.

F. The declaration of candidacy for the office of council member shall substantially comply with the following form:

I, (print name) , being first sworn, say that I reside at Street, Salt Lake City, County of Salt Lake, State of Utah, Zip Code , Telephone Number (if any) ; that as of the date of the election for councilmember on I will have resided within council district # in Salt Lake City for the 12 consecutive months immediately before such election; that I am a registered voter; and that I am a candidate for the office of councilmember for council district # . I request that my name be printed upon the applicable official ballots.

(Signed) _____

Subscribed and sworn to (or affirmed) before me by on this day of , 2 .

(Signed) _____

(City Recorder or Notary Public)

G. 1. Any resident of Salt Lake City may nominate a candidate for mayor by filing a nomination petition with the city recorder during office hours but not later than five o'clock (5:00) P.M. between June 1 and June 7 of any odd numbered year signed by:

- a. Twenty five (25) residents of Salt Lake City who are at least eighteen (18) years old; or
- b. Twenty percent (20%) of the residents of Salt Lake City who are at least eighteen (18) years old; and
- c. Paying the fee shown on the Salt Lake City consolidated fee schedule.

When June 7 is a Saturday, Sunday, or holiday, the filing time shall be extended until five o'clock (5:00) P.M. on the following regular business day. In lieu of the fee, the nominating petition may be signed by an additional forty five (45) residents of each council district, for a total of three hundred fifteen (315) additional residents, who are at least eighteen (18) years old. Said additional signatures on the nominating petition shall be construed as constituting an alternative to payment of the required fee for persons when such fee would create a financial hardship.

2. a. The petition for mayor shall substantially conform to the following form:

NOMINATION PETITION

The undersigned residents of Salt Lake City being 18 years old or older nominate (name of nominee) to the office of mayor.

b. The remainder of the petition shall contain lines and columns for the signatures of persons signing the petition and their addresses and telephone numbers.

H. 1. Any resident of Salt Lake City may nominate a candidate for council member by filing a nomination petition with the city recorder during office hours but not later than five o'clock (5:00) P.M. between June 1 and June 7 of any odd numbered year signed by:

a. Twenty five (25) residents of the council district which the candidate seeks to represent who are at least eighteen (18) years old; or

b. Twenty percent (20%) of the residents of the council district which the candidate seeks to represent who are at least eighteen (18) years old; and

c. Paying the fee shown on the Salt Lake City consolidated fee schedule.

When June 7 is a Saturday, Sunday, or holiday, the filing time shall be extended until five o'clock (5:00) P.M. on the following regular business day. In lieu of the fee, the nominating petition may be signed by an additional seventy five (75) residents of the said council district who are at least eighteen (18) years old. Said additional signatures on the nominating petition shall be construed as constituting an alternative to payment of the required fee when such fee would create a financial hardship.

2. a. The petition shall substantially conform to the following form:

NOMINATION PETITION

The undersigned residents of Salt Lake City being 18 years old or older nominate (name of nominee) to the office of councilmember.

b. The remainder of the petition shall contain lines and columns for the signatures of persons signing the petition and their addresses and telephone numbers.

1. A declaration of candidacy or nomination petition filed under this section is valid unless a written objection is filed with the city recorder within five (5) days after the last day for filing.

2. If an objection is made, the city recorder shall:

a. Mail or personally deliver notice of the objection to the affected candidate immediately; and

b. Decide any objection within forty eight (48) hours after it is filed.

3. If the city recorder sustains the objection, the candidate may correct the problem by amending the declaration or petition within three (3) days after the objection is sustained or by filing a new declaration within three (3) days after the objection is sustained.

4. a. The city recorder's decision upon objections to form is final.
 - b. The city recorder's decision upon substantive matters is reviewable by a district court if prompt application is made to the district court.
 - c. The decision of the district court is final unless the supreme court, in the exercise of its discretion, agrees to review the lower court decision.
- J. Any person who filed a declaration of candidacy and was nominated, and any person who was nominated by a nomination petition, may any time up to twenty three (23) days before the election, withdraw the nomination by filing a written affidavit with the city recorder. (Ord. 15-07 ♦ 6, 2007: Ord. 1-01 ♦ 1, 2001: Ord. 53-95 ♦ 1, 1995)

2.68.020 Write-In Candidates:

- A. Each person wishing to become a valid write-in candidate for mayor or for city council member shall file a declaration of candidacy with the city recorder and pay the fee as provided by this chapter not later than sixty (60) days before the municipal general election in which the person intends to be a write-in candidate. *This section 2.68.020(A), Write-in Candidates, is currently being revised to conform to the 2013 Utah State HB 0403 which requires a write-in candidate to declare candidacy sixty (60) days before the municipal general election.*
- B. 1. The city recorder shall:
- a. Read to the candidate the constitutional and statutory requirements for office and the requirements for office under this chapter; and
 - b. Ask the candidate whether or not the candidate meets the requirements.
2. If the candidate cannot meet the requirements of office, the city recorder may not accept the write-in candidate's declaration of candidacy. (Ord. 1-06 ♦ 6, 2005: Ord. 53-95 ♦ 1, 1995)