

MUNICIPAL ELECTION GUIDE

for

MAYOR AND CITY COUNCIL CANDIDATES



GENERAL MUNICIPAL ELECTION

NOVEMBER 5, 2019

City of Manitou Springs, Colorado – Office of the City Clerk
606 Manitou Avenue
Manitou Springs, CO 80829
(719) 685-2554

City of Manitou Springs

MUNICIPAL ELECTION GUIDE

FOR THE

November 5, 2019

COORDINATED MUNICIPAL ELECTION

Welcome to the City of Manitou Springs' election process. This packet contains municipal election information as well as some of the forms you will need once you decide to become a candidate.

Coordinated Municipal Elections are held on the first Tuesday in November in odd numbered years. All Municipal Elections are non-partisan. Except as otherwise set forth in the Manitou Springs City Charter and in ordinances not inconsistent with the Charter, the Municipal Election Code of 1965, as may be amended from time to time, and as currently set forth in Article 10 of Title 31 of the Colorado Revised Statutes, shall apply to all elections held in the City, and the Uniform Election Code of 1992, as may be amended from time to time, and as currently set forth in Title 1 of the Colorado Revised Statutes, shall apply to all elections coordinated with El Paso County.

The November 5 Municipal Election will be conducted as a mail ballot election in coordination with El Paso County. This Election Guide will give you basic information on the municipal election process and should answer most of your questions. However, after reading this packet, should you need additional information, feel free to contact the City Clerk's office at (719) 685-2554.

Sincerely,
Donna Kast, CMC, SCP
City Clerk

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FOR
MAYOR AND CITY COUNCIL
CANDIDATES

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FORMS and PUBLICATIONS

Municipal Election Guide (*prepared by the Office of the City Clerk*)

Candidate Affidavit

Petition Verification Process

Instructions for Petition Circulators

Nomination Petition

(DO NOT REMOVE STAPLE OR PETITION WILL BE DEEMED INVALID)

Circulator's Affidavit

Candidate Acceptance of Petition Nomination

Ward Map

Municipal Candidate Guide (*published by the Colorado Municipal League*)

Fair Campaign Practices Act

Colorado Campaign and Political Finance Manual (*published by the Colorado Secretary of State*)

2019 Municipal Filing Calendar

Statement of Personal Expenditures by a Candidate

Candidate Statement of Non-receipt of Contributions and Non-expenditure of Funds

New Committee Registration Form

Form for Amendments(s) to Existing Committee Registration

Report of Contributions and Expenditures Packet

REGULAR MUNICIPAL ELECTION
COORDINATED MAIL BALLOT ELECTION
November 5, 2019

CANDIDATE INFORMATION AND INSTRUCTIONS

I. GENERAL INFORMATION

The legislative affairs of the City are vested in a City Council comprised of one (1) Mayor, three (3) At-large City Council Seats and three (3) City Council Ward seats; one from each Ward. The City of Manitou Springs is divided into three (3) Wards. A copy of the Ward map is included in this packet.

At the November 5, 2019 Municipal Election, the following seats are up for election:

Mayor	2-year term	(vote for one)
City Council At-Large	4-year term	(vote for three)

Candidates are required to circulate nomination petitions, obtaining not fewer than 25 signatures from registered electors within the Manitou Springs city limits. (If running for a Council Ward Seat, signatures must be obtained from registered electors within the applicable Ward.) You become a candidate when you submit a nomination petition that has been deemed sufficient by the City Clerk's office and submit a ***Candidate Acceptance of Petition Nomination*** form.

Candidates who accept contributions or make expenditures in support of their candidacy must meet the filing requirements of the Fair Campaign Practices Act. A ***Candidate Affidavit*** must be filed with the City Clerk within 10 days of becoming a candidate. **The affidavit is an attestation that the candidate has familiarized himself/herself with campaign finance laws and regulations, so be sure to read the laws before submitting the affidavit.**

The City Clerk is the Designated Election Official for the City of Manitou Springs. All questions related to candidacy should be addressed to the City Clerk at 606 Manitou Avenue, (719) 685-2554, cityclerk@comsgov.com.

II. QUALIFICATIONS FOR OFFICE

Each Mayor and City Council Member, when elected, shall have met the following qualifications:

- Registered elector of the City of Manitou Springs
- A citizen of the United States for at least five years
- At least 18 years of age on the date of the election
- A Manitou Springs resident for at least one year

In addition to the above listed eligibility requirements, a candidate for a Ward Seat must also be a resident within the Ward he/she seeks to represent.

III. NOMINATION PETITIONS:

Candidates for Mayor and City Council are required to circulate nomination petitions, obtaining not fewer than 25 signatures from registered electors within the Manitou Springs city limits. **Candidates for Ward City Council seats** are required to circulate nomination petitions, obtaining not fewer than 25 signatures from registered electors **within the applicable Ward and Manitou Springs city limits**. Note: an “eligible elector” is one that is listed as such by the records of the El Paso County Clerk and Recorder.

Nomination petitions will be available at 8:00 am on **Tuesday, August 6, 2019** in the City Clerk’s Office, 606 Manitou Avenue. Nomination petitions may be circulated and signed beginning on the 90th day (**Tuesday, August 6, 2019**) and ending on the 71st day (**Monday, August 26, 2019**) prior to the November 5, 2019 election date.

- ◆ Nomination petitions shall be filed with a *Candidate Acceptance of Petition Nomination* form.

**THE DEADLINE TO FILE A NOMINATION PETITION IS
5:00 PM ON MONDAY, AUGUST 26, 2019.**
(71 days prior to the election)

(Additional instructions for petition circulators are attached to the candidate petitions).

- ◆ The City Clerk will verify that the petition contains the requisite number of valid signatures to be placed on the ballot as a candidate. If a candidate files a petition that does not have the requisite number of valid signatures, a candidate may have an opportunity to circulate additional petitions to meet the signature requirements prior to the **5:00 p.m., August 30, 2019** deadline. (Any candidate that has not filed the required number of valid signatures, verified by the City Clerk’s Office by the filing date of August 30, 2019, will be disqualified and will be ineligible to appear on the election ballot.)

Please keep in mind that if a candidate waits until the last day (August 26) to submit a completed petition, that allows only a few days for signatures to be checked and any insufficiency which may exist to be corrected.

Any candidate who has been nominated may withdraw from the ballot at a later date. However, the ballot must be certified to the County Clerk and Recorder no later than Friday, September 6. The nomination must be withdrawn before that date in order to insure that the candidate’s name does not appear on the ballot.

Names of eligible candidates will appear on the ballot in random order established by lot. The drawing for position on the ballot is scheduled for Wednesday, September 4, 2019, at 3:00 p.m. in the Office of the City Clerk, 606 Manitou Avenue. Candidates are encouraged to attend.

Important Dates to Remember:

- ◆ CANDIDATES MAY BEGIN CIRCULATING NOMINATION PETITIONS August 6
- ◆ LAST DAY COMPLETED PETITIONS MAY BE FILED August 26
- ◆ LAST DAY TO CURE NOMINATION PETITIONS August 30
- ◆ DRAWING FOR POSTION ON THE BALLOT September 4

IV. CAMPAIGN REPORTING REQUIREMENTS

*Following is a BRIEF guide to the Fair Campaign Practices Act (FCPA). It is intended to be a summary of some of the laws and rules regarding the ACT and should not be a substitute for the Colorado Constitution, Colorado Revised Statutes, and the Manitou Springs City Charter. **It is the responsibility of the candidate to be familiar with all the requirements of the FCPA.***

Candidates are required to report campaign income and expenditures. One copy of the Fair Campaign Practices Act (FCPA) and associated reporting forms are included with this packet. The FCPA has strict sanctions for late filing of reports and violations of campaign laws. It is the candidate’s responsibility to file all reports in a timely and accurate manner and to know the requirements of the FCPA. Please feel free to use the forms in this candidate booklet as master copies and make duplicates as needed. An election calendar summary has been attached as Exhibit A and lists important filing dates for candidates and committees to remember. **All reports are required to be filed with the City Clerk, 606 Manitou Avenue.**

Financial Disclosures

Standalone Candidates - Standalone candidates do not have a candidate committee. You do not need a candidate committee if you will not seek or accept contributions during your candidacy or if you will only spend your own money. (You must have a candidate committee if you will accept money from any other person or entity.)

Standalone candidates must report all expenditures to the City Clerk. They must itemize all expenditures of \$20 or more. Itemized expenditures must list the name and address of the payee and the purpose of the expense. The law does not require standalone candidates who do not make expenditures to file disclosure reports, but they are encouraged to do so in the interest of full disclosure to the public. Candidates who do not make expenditures may file a zero report if they choose to do so.

Candidate Committees – A candidate committee accepts contributions and makes expenditures under the authority of the candidate. Candidates who do not have a committee cannot accept contributions. A candidate committee includes the candidate. It is not necessary for the committee to have other members besides the candidate. A candidate may have only one candidate committee.

Candidates should register their candidate committee with the City Clerk **BEFORE** accepting contributions. All candidate committees must have a Registered Agent. A candidate committee will remain open and be responsible for filing timely reports until terminated by the candidate.

Contributions – Contribution limits do not apply to municipal elections. A contribution is defined as anything of value given, directly or indirectly, to a candidate and/or committee. Non-monetary contributions are assessed at the fair market value.

For contributions or donations made by check, the date the committee deposits the check into their account is the date of receipt. Committees must disclose contributions of less than \$20 on their report although itemization is not required. Committees must report, and itemize, contributions of \$20 or more (either one time contributions or contributions greater than \$20 in aggregate during a reporting period), including non-monetary (in-kind) contributions. Itemization means listing each contribution individually with the name and address of the contributor. Committees receiving contributions of \$100 or more from natural persons, including non-monetary contributions, must also include the occupation and employer of the contributor on the report. Contributors may make contributions using cash, check, money order, credit card, EFT, etc., but contributions in cash or coin exceeding \$100 are prohibited. Non-monetary donations of goods, equipment, supplies or services constitute contributions, and require disclosure.

Within 24 hours of receiving any contribution of \$1,000 or more within 30 days preceding the date of the election, the candidate must file a *Notice of Major Contributor* form with the City Clerk and with the Colorado Secretary of State.

All contributions must be deposited in a financial institution and must not be co-mingled with any other funds.

Expenditures – An expenditure occurs when it is made, when it is obligated, or when a contract is established, whichever occurs first. Committees may not spend more than \$100 in cash or coin. Committees must itemize all expenditures of \$20 or more (either one time expenditures or expenditures greater than \$20 in aggregate during a reporting period).

Sanctions – The City Clerk shall impose a penalty of \$50 per day for late filings. Sanctions begin the day after the report was due. Sanctions continue to accrue until the required information is filed. Candidates are personally liable for penalties imposed on the candidate committee. A waiver disputing sanctions must be filed in writing within 30 days of the date the sanction notice was mailed.

V. POLITICAL SIGNS

Political signs are permitted without a permit in all zones within the City. They should not exceed six square feet per sign. Political signs are to be removed within 10 days after the election.

To protect the health, safety, and welfare of the people of the City, to minimize traffic hazard and distraction and to promote the community appearance, the following signs shall be **PROHIBITED** in the City except as otherwise specifically provided in the Manitou Springs Municipal Code and by variance procedure:

1. Any sign which in any way obstructs the view of, may be confused with, or purports to be an official traffic sign, signal or device or any other official sign that is not legitimately installed by the City.
2. Any sign which creates in any way an unsafe distraction for motor vehicle operators.
3. Signs with visible moving, revolving, or rotating parts or visible mechanical movement, or any description or other apparent visible movement achieved by electrical, electronic or mechanical means, and all animated or electronically activated, electronic message boards or signs with exposed LED or other light source technology including electronic message

center signs. All electronic signs, including LED and similar electronic signs are prohibited, regardless of whether the message is static or displays movement.

4. Any sign that obstruct ingress to or egress from a required door, window, fire escape, or other required exit way.
5. Any sign that is painted upon retaining walls, rocks or natural features.
6. Any sign that is erected or painted upon any vegetation.
7. Any temporary, freestanding signs placed in the public right-of-way.
8. Signs painted or affixed to benches or fences.
9. Portable Signs, except those required for traffic control, and Sandwich Board or A-frame Signs.
10. Any sign which is structurally unsafe; constitutes a hazard to safety or health; is not kept in good repair; is capable of causing electrical shocks to persons likely to come in contact with it; or does not conform to the design, structural, and material standards for signs as adopted by the City.
11. Signs mounted, attached, or painted on motor vehicles, trailers or boats when used as additional advertising on or near the premises, but excluding vehicles used in conducting a business or service, whether parked or not.
12. Revolving beacons and searchlights.
13. Animated Signs.
14. Flashing Signs.
15. Signs with more than two faces unless approved as part of a Planned Sign Program.
16. Off-premise signs except as provided for in City regulations and allowed for non-commercial signs and directional signs as allowed in Chapter 15 of the Municipal Code.
17. Signs, other than Flags and Banners, designed or allowed to wave, flap, or rotate with the wind.
18. Any sign emitting sound.
19. Signs announcing a proposed use or land development prior to approval of the proposed use or development on that property.
20. Exposed neon tubing within the Downtown Zone District unless approved as part of a Planned Sign Program and with Historic Preservation Commission approval.
21. Obsolete signs and signs not related to the activity onsite.
22. Any sign located within utility or access easements, on public property, or within public rights-of-way, except as allowed in Chapter 15 of the Municipal Code or as specifically provided for in Section 15.16.055 - Planned Sign Program.

VI. REGISTERING TO VOTE

Election law allows residents to register to vote up to and including Election Day. The following dates apply to voter registration:

- ◆ October 15, 2019 – Last day to submit an application to register to vote through a **voter registration drive** for the Coordinated Election.
- ◆ October 28, 2019 – Last day to submit an application to register to vote through the **mail, a voter registration agency, a local driver's license examination facility, or online** to receive a

mail ballot for the Coordinated Election. (If you register to vote online at least 8 days before an election, you will be MAILED a ballot. After the 8th day before an election, you must visit a Voter Service & Polling Center or the County Clerk and Recorder’s office to register and receive a ballot in person.)

- ◆ November 5, 2019 – ***In-person*** voter registration deadline—Must register at the County Clerk and Recorder’s office or vote center.

EXHIBIT A

**ELECTION CALENDAR
SUMMARY OF IMPORTANT DATES**

WITHIN 10 DAYS AFTER BECOMING A CANDIDATE	Candidate Affidavit must be filed with the City Clerk
BEFORE ACCEPTING ANY CONTRIBUTIONS	Candidate Committee should be registered with the City Clerk
August 6	First day candidate nomination petitions may be circulated [C.R.S. 1-4-805; 31-10-909(1)(a)]
August 26	Last day to circulate and file nomination petitions. Must be filed with the City Clerk by 5:00 p.m. [C.R.S 1-4-805; 31-10-909(1)(a)]
August 30	Last day candidates may amend nominating petitions to replace signatures found to be insufficient [C.R.S 1-4-805; 31-10-909(1)(a)]
September 3	Last day to file an Affidavit of Intent to run as a write-in candidate. The Affidavit must be filed with the City Clerk by close of business. [C.R.S. 1- 4-1102]
September 4	Lot drawing for candidate position on the ballot will be held in the City Clerk’s Office at 3:00 p.m.
October 11	First day that the County Clerk may begin mailing ballots to active registered electors, except for UOCAVA voters [CRS 1-7.5-107(3)(a)]

October 15	Committees and/or candidates must file first Report of Contributions and Expenditures with the City Clerk by close of business – report contributions and expenses from October 28, 2018 – October 10, 2019
October 21	Counting of mail ballots may begin [C.R.S. 1-7.5-107.5] (No results may be disclosed until after 7:00 pm on Election Day)
October 28	Last day to register to vote online C.R.S. [C.R.S. 1-2-201(4), 1-2-217.7(3.5), 1-2-508(3)]
November 1	Committees and/or candidates must file second Report of Contributions and Expenditures with the City Clerk by close of business – report contributions and expenses from October 11, 2019 - October 27, 2019
December 5	Committees and/or candidates must file third Report of Contributions and Expenditures with the City Clerk by close of business - Report contributions and expenses from October 28, 2019 – November 30, 2019
November 5	ELECTION DAY - eligible electors may register to vote at the Clerk and Recorder's office or a Voter Service and Polling Center [C.R.S. 1-2-201(4), 1-2-217.7(3.5), 1-2-508(3)]