

Chapter 3

(Title 2, Chapter 3 adopted by Ordinance 2008-12, effective March 11, 2008)

Elections

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Section 2-3-1. Municipal and special elections.

All municipal elections and special elections within Grantsville City shall be held and conducted, and returns made thereof, as is provided by law.

Section 2-3-2. Nonpartisan primary system adopted.

The nonpartisan primary system for municipal elections in Grantsville City is adopted as authorized by §20A-9-404 of the Utah Code, whereby candidates for municipal office shall be nominated at a nonpartisan primary election. All provisions of the state election code as contained in §20A-1-101 et seq., of the Utah Code which pertain to the nonpartisan primary system for municipal elections, are adopted and incorporated by reference.

Section 2-3-3. Governing body of Grantsville City.

The governing body of Grantsville City consists of a six member council form of government, one of which members is the mayor, all to be elected at large.

Section 2-3-4. Election of city officers.

The offices of mayor and two council members shall be filled in municipal elections held in 1977 and every four years thereafter. The offices of the other three council members shall be filled in a municipal election held in 1979 and every four years thereafter. The terms of these offices shall be for four years and each elected officer of the City shall hold office for four years except in case of death, resignation, removal or disqualification from office. The officers so elected shall begin their term of office at 12 o'clock noon on the first Monday in January following their election.

Section 2-3-5. Eligibility and residency requirements for elected municipal office.

A person filing a declaration of candidacy for a Grantsville City office shall have been a resident of the City for at least 365 consecutive days immediately before the date of the election; and meet the other requirements of §20A-9-203 of the Utah Code.

Section 2-3-6. Mayoral or council vacancies.

Mayoral or council vacancies shall be filled as provided in §10A-1-510 of the Utah Code.

Section 2-3-7. Campaign finance statement for municipal election.

(1) As used in this section:

(a) "Reporting date" means:

(i) ten days before a municipal general election, for a campaign finance statement required to be filed no later than seven days before a municipal general election; and

(ii) the day of filing, for a campaign finance statement required to be filed no later than 30 days after a municipal primary or general election.

(b) "Reporting limit" means \$50.00.

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

(A) no later than seven days before the date of the municipal general election; and

(B) no later than 30 days after the date of the municipal general election.

(ii) Each candidate for municipal office who is eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement no later than 30 days after the date of the municipal primary election.

(b) Each campaign finance statement under Subsection (2)(a) shall:(i) except as provided in Subsection (2)(b)(ii):

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

(I) campaign contributions, including in-kind and other nonmonetary contributions, received before the close of the reporting date; and

(II) campaign expenditures made through the close of the reporting date; and

(B) identify:

(I) for each contribution that exceeds the reporting limit, the amount of the contribution and the name of the donor;

(II) the aggregate total of all contributions that individually do not exceed the reporting limit; and

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

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

(3) The City clerk or recorder shall, at the time the candidate for municipal office files a declaration of candidacy, and again 14 days before each municipal general election, notify the candidate in writing of:

(a) the provisions of statute or municipal ordinance governing the disclosure of campaign contributions and expenditures;

(b) the dates when the candidate's campaign finance statement is required to be filed; and

(c) the penalties that apply for failure to file a timely campaign finance statement, including

the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.

(4) Notwithstanding any provision of Title 63, Chapter 2, of the State Government Records Access and Management Act, the municipal clerk or recorder shall 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.

(5) (a) If a candidate fails to file a campaign finance statement before the municipal general election by the deadline specified in Subsection (2)(a)(i)(A), the municipal clerk or recorder shall inform the appropriate election official who:

(i) shall:

(A) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or

(B) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and

(ii) may not count any votes for that candidate.

(b) Notwithstanding Subsection (5)(a), a candidate who files a campaign finance statement seven days before a municipal general election is not disqualified if:

(i) the statement details accurately and completely the information required under Subsection (2)(b), except for inadvertent omissions or insignificant errors or inaccuracies; and

(ii) the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.

(6) 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.