

Candidate's Guide to the Regular City Election

For Cities with Primary Election Provisions

**City Primary Election Date:
October 11, 2011 (if held)**

**Regular City Election Date:
November 8, 2011**

Prepared by the Office of the Iowa Secretary of State

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For more information, please contact your city clerk or county auditor.

Important Note: The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.

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Overview

Candidate Qualifications

A candidate must be an eligible elector in the city and city ward (if any) at the time of the election. An eligible elector meets all of the requirements to register to vote but does not have to be registered to vote.

An eligible elector must:

- Be a citizen of the United States
- Be a resident of Iowa
- Be at least 18 years old.

An eligible elector may not:

- Be a convicted felon (unless voting rights have been restored by the president or governor)
- Be currently judged incompetent to vote by a court
- Claim the right to vote in any other place.

[§376.4(1)]

Nomination Papers

City primary elections are held only in cities where the council has not chosen another nominating process. Check with the city clerk or county auditor to determine if the city has a primary election provision.

The city primary election will only be held if more than two candidates file for the same office.

[§376.3, 376.6]

Each candidate must file an affidavit of candidacy and nomination petitions with the city clerk. The affidavit of candidacy and nomination petitions must be filed together or they will be rejected.

[§376.4(1)(a)]

Copies of nomination papers are available at the city clerk's office, county auditor's office, or on the Secretary of State's website: www.sos.state.ia.us/elections/electioninfo/CityElections.html.

Filing Period

Nomination papers must be filed during the filing period. They cannot be filed before or after the following dates:

First day: Monday, August 15, 2011

Last day: Thursday, September 1, 2011 – 5 p.m.

There are no filing fees in Iowa.

[§376.4(1)(a)]

Preparing Nomination Papers

Affidavit of Candidacy

Each candidate must complete and file an affidavit of candidacy. Affidavits lacking the required information listed below will be rejected:

- Candidate's Name

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included. Please provide the phonetic spelling of the candidate's name. This is helpful when producing audio ballots for voters who are visually impaired. Be as clear as possible. For example, Eisenhower = "EYES-in-how-er."

- Office Sought and Ward

The name of the office and the city and city ward (if any) that the candidate is running for must be included.

- Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This would be the case if the office term does not normally end this year but must appear on the ballot this year. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was not appointed (not elected) to fill the remainder of the unexpired term.

Contact the city clerk and county auditor with questions about whether you are running to fill a vacancy.

- Type and Date of Election

The 2011 Primary City Election will be held on Tuesday, October 11.

- Candidate Affiliation

Leave this blank unless a candidate was nominated by a NPPO nominating convention.

- Candidate's Home Address

Candidates must provide their house number and street name. The mailing address, phone, and email are optional but do assist the filing officer and the public in contacting the candidate.

- Candidate's Affirmation, Signature and Notarization

The affidavit must be notarized. A notarial officer must be present when the candidate signs the affidavit and will complete the verification on the bottom of the affidavit.

Nomination Petitions

Candidates must collect signatures on nomination petitions and file the petitions at the same time the affidavit of candidacy is filed.

Preparing Nomination Petitions

Before anyone signs the petition, complete the required information in the header of every petition page. Signatures cannot be counted on petitions missing the required information.

Best Practice: Complete the header on one petition page and make copies of that page so all petition page headings are identical.

The following information is required on each petition header:

- **Candidate's Name**

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included.

- **Office Sought**

- **Candidate's County and City of Residence**

- **Type and Date of Election**

The 2011 Primary City Election will be held on Tuesday, October 11.

- **Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?**

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This would be the case if the term does not normally end this year but must appear on the ballot this year. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Contact the city clerk and county auditor with questions about whether you are running to fill a vacancy.

- **City Ward (if any)**

The candidate must provide the city ward (if any). Signatures on petition pages that do not provide the applicable city ward (when required) cannot be counted.

Signature Requirements

The minimum number of signatures needed is at least 10 or two percent of the people who voted for the office at the last regular city election, whichever is greater. Signatures requirements for candidates who are elected only by the voters of a ward are based on the number of registered voters in the ward and signatures must be collected from ward residents. Ask the city clerk or county auditor for the minimum number of signatures needed.

[§376.4(1)(a)]

Collecting Signatures

Eligible electors of the city and ward (if applicable) may sign nomination petitions. (See page 1 for the definition of an eligible elector.) Candidates may sign their own petitions assuming they are eligible electors of the city and ward (if applicable).

You may begin collecting signatures at any time. However, the signers must still be eligible electors when the papers are filed in order for the signatures to count.

All signers must include the following information:

- A signature (the signature may be printed)
- The address of their residence

This must include a house number and street name. Providing a post office box only is not sufficient. A signer who is homeless should describe where the signer lives or write “homeless.”

- The name of the city in which they live
- The date of signing

There is no limit on the number of nomination petitions one elector may sign for different candidates.

Important Note: Petition signers often use “ditto” marks when appropriate (e.g. when the name of a city or the date of signing the petition is the same as the previous signer). The use of ditto marks alone does not invalidate a signature.

Filing Checklist

- Review your affidavit and nomination petition headers.**

Nothing can be added to a notarized affidavit or a petition header if there are signatures on the page. Nomination papers can only be returned if they have been rejected.

- Count the signatures.**

Best Practice: File more than the required number of signatures since it is possible for signatures to be challenged. If there are signatures on your petition you know should not be included, simply draw a line through the names. Those signatures will not be counted.

- Make a copy of your nominations papers for your own records.**

- Bind your nomination papers together.**

Nomination papers may be rejected without examination if not bound together.

Best Practice: Use staples or a three-ring binder.

- File both the affidavit and nomination petitions at the same time.**

- File as early as possible.**

Nomination papers will be inspected for completeness before they are accepted for filing. If you file early, you may have time to correct any errors and resubmit your papers.

Nomination papers may be filed in person or by mail. When filing by mail, postmark dates do not count. The filing officer must receive the papers by 5 p.m. on the filing deadline. If you would like to be contacted when your nomination papers have been received, please indicate that when you mail your papers and include a daytime phone number at which you can be reached.

Important Note: It is the responsibility of the candidate to ensure the nomination papers are filed by the deadline.

After Election Day

Who Wins?

Technically, no one is elected at the city primary election. Candidates who receive the most votes are instead nominated to appear on the regular city election ballot, up to twice the number of seats to be filled. For example, if three candidates are running for mayor at a city primary election, the two highest vote-getting candidates will be nominated to appear on the regular city election ballot.

Candidates who win nomination at the city primary election will automatically have their names appear on the regular city election ballot. No additional paperwork must be filed.

Write-In Votes

Any person who receives write-in votes at the city primary election and who wants to be eligible for the regular city election must file an affidavit of candidacy. The affidavit must be filed:

- By 5 p.m. on the day following the canvass of votes by the county board of supervisors
- With the city clerk or county auditor.

The county auditor may disregard the write-in votes for any write-in candidate who does not file an affidavit of candidacy.

[§376.11(3)]

2011 City Primary and Regular City Election Candidates' Calendar

Date	Event	Code Cite
Monday, August 15	City Primary Election Candidate Filing Begins. First day to file nomination papers with the city clerk.	§376.4(1)(a)
Thursday, September 1 – 5 p.m.	City Primary Election Candidate Filing Deadline. Last day to file nomination papers with the city clerk. Deadline is 5 p.m.	§376.4(1)(a)
Monday, September 5	Labor Day – State Offices Closed.	§1C.1
Tuesday, September 6	City Primary Election Candidate Withdrawal Deadline. Last day for candidates to withdraw by filing a written request with the city clerk.	§44.9(6), 376.4(6)
	City Primary Election Candidate Objection Deadline. Last day to file written objections to nomination papers or eligibility of a candidate with the city clerk. Deadline is 5 p.m.	§44.4(2), 376.4(6)
Monday, September 12 – 5 p.m.	City Primary Election Satellite Absentee Voting Station Petition Deadline. A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m.	§53.11(2)(b)
Monday, September 26	City Primary Election Worry-Free Postmark Date. Mailed voter registration forms which are postmarked on or before today are considered on time to be pre-registered for the regular city election even if they are received after September 30.	§48A.9(3)
Friday, September 30 - 5 p.m.	City Primary Election Voter Pre-Registration Deadline. The deadline to pre-register to vote for the regular city election is 5 p.m.	§48A.9(1)
Friday, October 7 – 5 p.m.	City Primary Election Absentee Ballot by Mail Request Deadline. Last day to request an absentee ballot by mail. Deadline is 5 p.m.	§53.2(1)(b)
Monday, October 10 – 5 p.m.	City Primary Election Absentee Ballot In-Person Deadline. Last day to request and vote an absentee ballot in person at the county auditor's office.	§53.2(1)(a)
	Exception: If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor's office until 11 a.m.	
	Regular City Election Satellite Absentee Voting Station Petition Deadline. A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m.	§53.11(2)(b)
Tuesday, October 11	City Primary Election Day. Polls are open from 7 a.m. until 8 p.m.	§49.73, 376.7
	Exception: The polls may be opened at noon for any city election unless the county auditor receives a petition objecting to the shortened hours.	
	If the polls open at noon, voters may vote by absentee ballot in person at the county auditor's office until 11 a.m.	§53.2(1)(a)

Date	Event	Code Cite
Wednesday, October 12	Special Precinct Board Convened for City Primary Election. The county auditor must convene the special precinct board at noon to consider provisional ballots and absentee ballots that were postmarked before Tuesday, October 11.	§50.21, 50.22
Thursday, October 13	County Canvass of Votes for City Primary Election.	§376.7
Friday, October 14 – 5 p.m.	City Primary Election Write-In Nominees' Filing Deadline. Persons nominated by write-in votes in the city primary election must file an affidavit of candidacy with the city clerk or county auditor by 5 p.m. or their write-in votes will be disregarded.	§376.11(3)
	Recount Request Deadline for City Primary Election. Written requests must be filed in the county auditor's office by 5 p.m.	§50.48(7)
Friday, October 21	City Primary Election Contest Notice Deadline. Statement of intent to contest election must be filed in the city clerk's office no later than 10 days after the election.	§376.10
Monday, October 24	Regular City Election Worry-Free Postmark Date. Mailed voter registration forms which are postmarked on or before today are considered on time to be pre-registered for the regular city election even if they are received after October 28.	§48A.9(3)
Friday, October 28 - 5 p.m.	Regular City Election Voter Pre-Registration Deadline. The deadline to pre-register to vote for the regular city election is 5 p.m.	§48A.9(1)
Friday, November 4 – 5 p.m.	Regular City Election Absentee Ballot by Mail Request Deadline. Last day to request an absentee ballot by mail. Deadline is 5 p.m.	§53.2(1)(b)
Monday, November 7	Regular City Election Absentee Ballot In-Person Deadline. Last day to request and vote an absentee ballot in person at the county auditor's office. Exception: If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor's office until 11 a.m.	§53.2(1)(a)
Tuesday, November 8	Regular City Election Day. Polls are open from 7 a.m. until 8 p.m. Exception: The polls may be opened at noon for any city election unless the county auditor receives a petition objecting to the shortened hours. If the polls open at noon, voters may vote by absentee ballot in person at the county auditor's office until 11 a.m.	§49.73, 376.1 §53.2(1)(a)
Thursday, November 10	Special Precinct Board Convened for Regular City Election. The county auditor must convene the special precinct board no earlier than noon to consider provisional ballots and absentee ballots that were postmarked before Tuesday, November 8.	§50.21, 50.22
Friday, November 11	Veteran's Day – State Offices Closed.	§1C.1

Date	Event	Code Cite
Monday, November 15/ Tuesday, November 16	County Canvass of Votes for Regular City Election.	§50.24
Thursday, November 17/ Friday, November 18 – 5 p.m.	Recount Request Deadline for Cities. Written requests must be filed in the county auditor's office by 5 p.m. the third day following the canvass.	§50.48(1)
Friday, November 18	Regular City Election Contest Notice Deadline. Statement of intent to contest election must be filed in the city clerk's office no later than 10 days after the election.	§376.10