

Chapter 11

City Elections

This chapter of the handbook applies only to city elections.

When planning for a city election, also refer to the other chapters of this handbook for information that applies to all elections, including city elections.

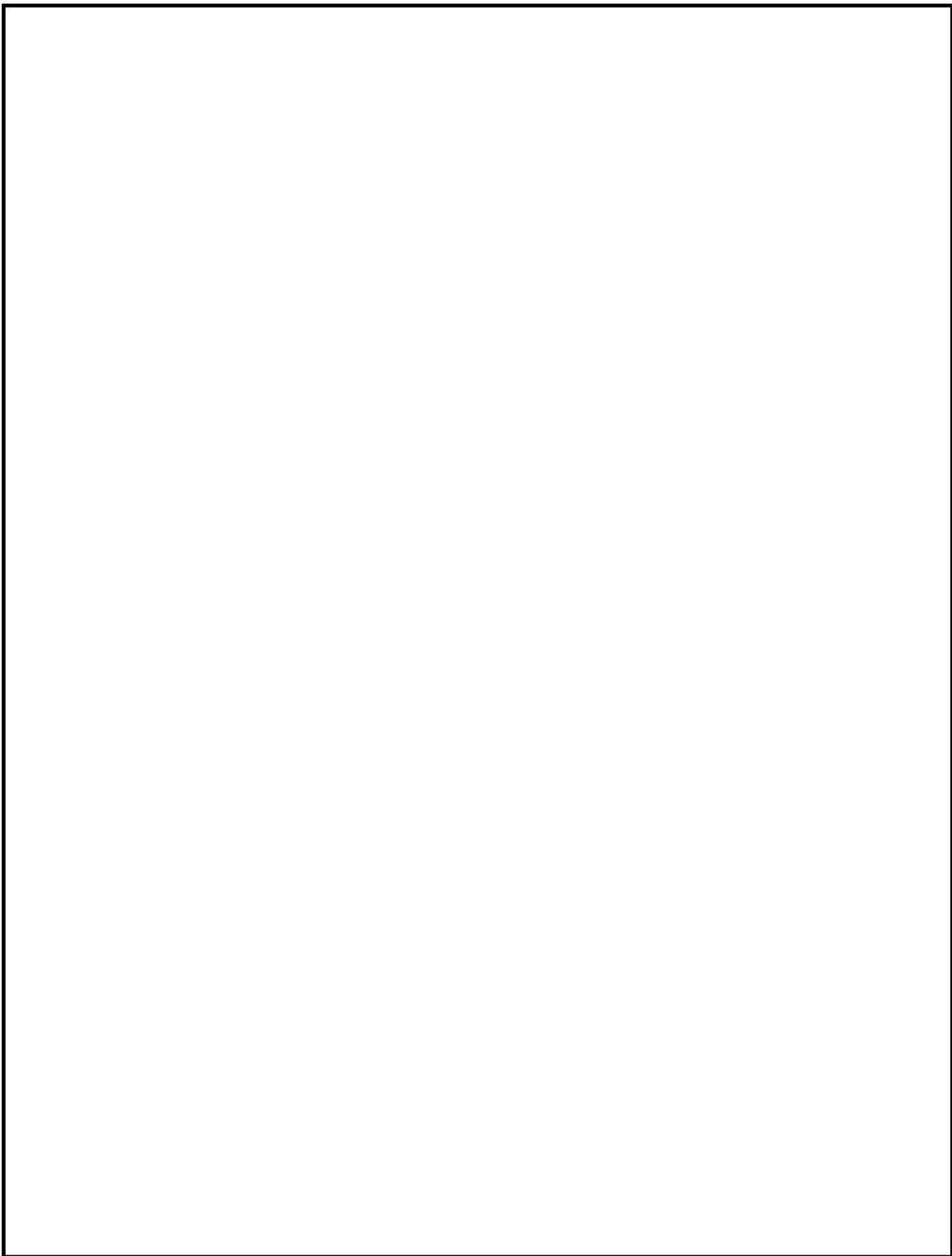


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City Elections

What is the City Election?

The city election is held in odd-numbered years to elect city officers and vote on public measures. All cities will hold a regular city election.

As part of the election process, a city may hold a city primary election before the regular city election. If a city does not have primary election provisions, a city may hold a city runoff after the election. A city might also choose not to have primary or runoff provisions.

[§39.3(3)]

Date of City Election

The regular city election is held in all cities in Iowa on the first Tuesday after the first Monday in November of odd-numbered years.

[§376.1]

The city primary election, if necessary, is held on a Tuesday four weeks before the date of the regular city election.

[§376.7]

The city runoff election, if necessary, is held on a Tuesday four weeks after the date of the regular city election.

[§376.9]

Laws Related to City Elections

Chapter 376 of the *Iowa Code* is the main source of information for laws relating to city elections. §376.1 refers to other sections of the *Iowa Code* that apply whenever this chapter does not contain a specific requirement.

Control Counties

Some cities cross county lines. When that happens, the auditor whose county has the largest taxable base is given the responsibility of conducting the election for that city. This auditor is known as the “control county auditor.”

[§47.2(2)]

UOCAVA Absentee Ballot Requests

You must forward copies of valid absentee requests from UOCAVA voters registered in your county who live in cities controlled by another auditor. They must be forwarded to the control county auditor for that city. This is only necessary if the voter has requested ballots specifically for the city election or has requested ballots for all elections for the calendar year.

What is Different about City Elections?

Different Types of City Elections

City councils may choose the nomination method they think will be most beneficial to their cities by adopting a nomination method by ordinance. Depending on the nomination method in place, different types of elections might be required.

Different Types of Nomination Methods

One of the main differences between city elections and all other elections is that cities have different nomination methods that may cause different types of elections to be held.

There are five possible election/nomination method combinations. A city will have one of the following:

1. A city primary election (if necessary), followed by a regular city election.
2. A regular city election with candidates nominated either by petition **or** by convention (Chapter 44 and 45 cities).
3. A regular city election with the only candidate nomination method being nomination by petition (Chapter 45 cities).
4. A regular city election with the only candidate nomination method being nomination by convention (Chapter 44 cities).
5. A regular city election, followed by a city runoff (if necessary).

Important Note: All cities have a primary provision unless the council has passed an ordinance specifying another type of nomination.

The city clerk must certify the type of nomination method to the auditor no later than 90 days before the regular city election. After the certification is received, the nomination method cannot be changed for that year's city election.

[§376.6]

Write-In Votes

Votes for write-in candidates at the city election are handled differently from write-in votes cast at other elections. Review the information in this chapter about write-in votes for each type of city election carefully. Make sure you understand how write-in votes need to be processed for each city under your control.

Pre-Election

Paying for the Election

Cities pay the election costs associated with conducting all city elections. See the Pre-Election Day chapter for a list of items that can be included in the bill.

[§47.3]

Satellite Voting Petitions

Residents of a city can petition for satellite voting for city elections. The minimum number of signatures required on a petition is 100. The petition must be delivered to the auditor no later than 30 days before a city primary or regular city election at 5 p.m.

For a city runoff, the petition must be delivered to the auditor no later than 21 days before the runoff election at 5 p.m.

[§53.11(2)]

Exception: In the rare event that a special election to fill a vacancy is scheduled between the date of the regular city election and the date of a required city runoff election, the auditor can choose not to offer satellite voting for the city runoff election, even if a petition is received.

[§53.11(1)(a)]

At least seven days before the first day of a satellite, the auditor must notify the political parties of the date, time, and location of a satellite so the parties may appoint observers.

[§53.11(5)]

See the Absentee Voting chapter for more information on satellite voting.

Voter Pre-Registration Deadline

The pre-registration deadline is 11 days before any city election at 5 p.m. This is a Friday and the auditor's office must be open from 8 a.m. until 5 p.m. After this deadline, voters can register to vote and cast an absentee ballot at the same time using EDR procedures at the auditor's office, health care facility, or at a satellite absentee voting station or they can use EDR procedures at their polling place on election day.

[§48A.7A, 48A.9]

Affidavit Review

All ballots that are received by 5 p.m. on the Friday before any city election must have their return envelopes opened (if a combined return-affidavit envelope wasn't used) and their affidavit envelopes reviewed for defects and completeness. If any problems are discovered, the voter must be notified immediately.

[§53.18(2)]

See the Absentee Voting chapter for more information.

Communication with City Clerks

Begin communication with the city clerk early in the year. Planning worksheets are available on the SOS website to help auditors and city clerks. They will help to plan for polling place hours, estimate turnout, and determine the city's preferences about other details related to the election.

Be sure to inform the city clerk how many signatures candidates are required to gather for the seats that will be on the ballot.

Ask the city if there are any vacancies or if any appointments were made. Ask if the city plans to place any public measures on the ballot.

Best Practice: Send a copy of the City Clerk's Guide and the Filing Officer's Guide to each city clerk along with the planning worksheets available on the SOS website. Continue to provide the Filing Officer's Guide as it contains information on reviewing petitions requesting special elections, which are still filed with city clerks. Follow up with city clerks to make sure they understand their responsibilities.

Polling Places

Consolidated/Merged Precincts

Consolidated/merged precincts are allowed for city elections.

[§49.11(3)]

See the Pre-Election Day chapter for more information.

Vote Centers

Vote centers are allowed for city elections.

[§49.11(3)]

See the Pre-Election Day chapter for more information.

Check Accessibility

Check to make sure that all polling places or vote centers are accessible to voters with disabilities. See the Pre-Election Day chapter for more information.

Polling Place Hours

The auditor may open the polls at 7 a.m. or noon for any city, based on past turnout for similar elections and other factors that will affect turnout. The planning worksheet asks the city whether it would like to have the polls opened at 7 a.m. or noon. The decision, however, is made by the auditor based on the factors mentioned. See the Pre-Election Day chapter for more information about polling place hours.

[§49.73]

If the polling places are opened at noon, the auditor's office must be open from 8 a.m. to 11 a.m. for absentee voting on election day.

[§53.2(1)(a)]

Nomination Period

Filing Officer

Effective July 1, 2014, the control county auditor is the filing officer for candidate nomination papers for city elections.

[§376.4]

Filing Period

The filing period varies by the type of election a city has authorized:

Cities with Primary Election Provisions

The filing period begins 85 days before the regular city election and ends at 5 p.m. on the 68th day before the regular city election.

[§376.4(1)(a)]

All Other Cities (including cities with runoff provisions)

The filing period begins 71 days before the regular city election and ends at 5 p.m. on 47th day before the regular city election.

[§376.4(1)(a)]

Auditors' offices must be open until 5 p.m. on the final day for filing in all cases.

By the candidate filing deadline, city clerks must deliver to the auditor the text of any public measure(s) and the action(s) taken by the council to place the question(s) on the ballot.

[§376.4(5)]

Any candidate whose nomination papers were accepted for filing by the auditor has a right to have his or her name placed on the ballot. After papers have been accepted, the auditor's duty at that point is to place the name on the ballot and let the normal objection process run its course.

Candidate Qualifications

Candidates must be eligible electors of the city and city ward (if applicable) at the time of filing nomination papers and at the time of the election.

[§376.4(1)]

Number of Signatures Required on Nomination Petitions

Non-Partisan Offices	Signatures Needed
City Offices	<p style="text-align: center;"><u>Primary or Runoff Provision Cities:</u></p> <p style="text-align: center;">At least 10 or 2% of number of people who voted for the office at last regular city election [§376.4]</p> <p style="text-align: center;"><u>Chapter 45 Cities:</u></p> <ul style="list-style-type: none"> ▪ For cities with a population of 3,500 or greater, at least 25 eligible electors of city or ward. ▪ For cities with a population between 100 and 3,499, at least 10 eligible electors of city or ward. ▪ For cities with a population less than 100, at least 5 eligible electors of city or ward. <p style="text-align: right;">[§45.8]</p>

Multimember Offices in Cities with Primary or Runoff Provisions

If more than one person was elected to an office at the previous regular city election, divide the total votes cast for the office by the number of seats to be filled, then multiply that number by 0.02. If the result is a fraction, round up. Total votes cast equals the votes cast of all candidates plus write-ins (do not include over and undervotes).

[IAC 721—21.401]

For example, Happytown has primary election provisions and had three at-large seats on the ballot at the last election. There were a total of 15,876 total votes cast.

1. Divide the total votes cast by the number of seats that were filled: $15,876 \div 3 = 5,292$.
2. Multiply 5,292 by 0.02 = 105.84.
3. Round up, so each candidate needs to collect at least 106 signatures.

Cities with Wards

Elected by Ward

In cities where council members are only voted on by the residents of the ward, petition signers must live within the ward.

Elected At-Large

In cities where council members must be resident of a ward but are voted on by the entire city, petition signers may live anywhere in the city.

[§376.4(1)(b)]

NPPO Convention Requirements

Candidates nominated by convention need at least 10 attendees at the convention. At least half of the precincts in the city must be represented by at least one eligible elector.

If the minimum attendance requirements are not met, the nominations made at the convention cannot be included on the ballot.

[§44. 1]

Withdrawals and Objections

Withdrawals and objections must be submitted in writing to the county auditor. For objections, the deadline is by 5 p.m.

Cities with primary election provisions:

63 days before the regular city election

All other cities, including cities with runoff provisions:

42 days before the regular city election

[§44.4(2), 44.9(6), 376.4(6)]

City Primary Elections

Overview

All cities have a primary provision unless the council has passed an ordinance specifying another type of nomination.

[§376.6]

When Held

A city primary election must be held when the number of candidates who file nomination papers is more than twice the number of seats to be filled for a particular office. For example, if three candidates filed nomination papers for mayor, the city primary election must be held.

[§376.6]

If held, the city primary election is held on the Tuesday four weeks before the date of the regular city election.

[§376.7(1)]

Vote for No More Than...

At city primary elections, the ballots should instruct the voters to choose up to the number of candidates who will ultimately be elected for that office at the regular city election. For example, if two at-large city council members will be elected and five candidates are seeking election, ballots should instruct voters to “Vote for no more than two” even though a total of four candidates will be nominated at the city primary election.

[§376.7(1)]

Who Wins?

No one is elected at the city primary. 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.

[§376.7(2)]

No Certificates of Election

No certificates of election are issued to winners of the city primary election.

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 and
- With the auditor.

Best Practice: Notify anyone who received write-in votes of this requirement.

1. The auditor must disregard the write-in votes for any write-in candidate who does not file an affidavit of candidacy.
2. Notations must be made on the abstract showing which persons received write-in votes and filed affidavits of candidacy.
3. The total number of votes cast for the office must be amended by subtracting the write-in votes of the candidate(s) who did not file the affidavit.

[§376.11(3)]

Regular City Elections (Without Runoff Provisions)

When Held

The regular city election is held on the first Tuesday after the first Monday in November of odd-numbered years. All cities hold a regular city election every two years, regardless of the nomination method in place in the city.

[§376.1]

Cities that have authorized nomination by petition (Chapter 45), nomination by convention (Chapter 44), or both will only hold a regular city election, regardless of how many candidates file nomination papers for any office.

This is the final election for cities with primary provisions and cities that have authorized nominations under Chapters 44, 45, or both. As a result of being the “final” election, the post election deadlines are not expedited. See the Post Election Day section of this chapter.

Who Wins?

Candidates who receive the most votes, up to the number of seats to be filled, are declared elected. If there is a tie, the board of supervisors must draw lots.

[§50.44, 376.11(1)]

Write-In Votes

Write-In Candidate Wins and Accepts

No affidavit of candidacy is required. The person is declared elected as if their name had been printed on the ballot.

[§376.11(1)]

Write-In Candidate Wins and Declines

When a write-in candidate wins a city election and does not want the job, the winning candidate may submit a letter of resignation to the city clerk by 5 p.m. on the 10th day after the canvass. If the write-in winner does not resign within 10 days after the canvass, the office is vacant if the write-in winner fails to take the oath of office at the beginning of the next term.

[§376.11(1)]

If a letter of resignation is submitted within 10 days of the canvass, the city clerk then notifies the person who received the next-highest number of votes. If there is a tie vote for the next highest number of votes, the board of supervisors draws lots to determine the person who received the next highest number of votes.

[§50.44, 376.11(2)]

If the next highest vote-getter accepts, the person is considered the duly elected officer.

Exception: A petition may be filed requesting a special election if the next highest vote-getter takes office. The petition must be signed by eligible electors of the city equal in number to 25% of the people who voted for the office in the election. The petition must be filed within 10 days of the city clerk notifying the next highest vote getter.

[§376.11(2)]

If the next highest vote-getter declines, the person must do so in writing within 10 days of the notice from the city clerk. If this occurs:

- The office is vacant at the end of the term.
- The vacancy must be filled pursuant to §372.13(2).
- If the council chooses to appoint, the appointment may be made before the end of the current term.

[§376.11(2)]

Regular City Elections (With Runoff Provisions)

When Held

The regular city election is held on the first Tuesday after the first Monday in November of odd-numbered years. All cities hold a regular city election every two years, regardless of the nomination method in place in the city.

[§376.1]

The regular city election in a city with a runoff provision is not considered the “final” election since a runoff election may be necessary.

Who Wins?

It depends. All candidates must receive a majority of the votes cast to be declared elected at the regular city election.

Majorities in “Vote for No More than One” Races

A simple majority is needed to be declared elected at the regular city election in a city with a runoff provision. A simple majority is at least one vote more than 50% of the total votes cast.

If no candidate receives a majority in this type of race, a runoff must be held between the two highest vote getters. For example, a runoff for the office of mayor will have two candidates on the runoff ballot.

[§376.8(2), 376.9(1)]

If there is a tie, the board of supervisors must draw lots.

[§50.44]

Majorities in At-Large Multi-Member Body Races

A majority is found by dividing the total number of votes cast for all candidates for that body by the number of positions to be filled then dividing that by 2 and adding 1. Total votes cast equals the votes cast for all candidates plus write-ins (do not include over and under votes).

If no candidate receives a majority in this type of race or if not enough candidates received a majority to fill all the seats, a runoff will be held to fill the remaining seat(s). The number of candidates on the runoff ballot will equal twice the number of seats to be filled.

[§376.8, 376.9(1)]

Example:

Happytown has a five member at-large city council and a runoff provision. At the regular city election, three at-large seats are on the ballot. There were eight candidates on the ballot and 15,876 total votes cast (TVC).

To determine the majority:

1. Divide the TVC by the number of seats to be filled: $15,876 \div 3 = 5,292$
2. Divide 5,292 by 2 = 2,646
3. Add one to 2,646 = 2,647 (always round up if necessary)

The majority is 2,647.

The highest vote-getter, Tom, received 8,215 votes so Tom won this council seat with a majority of the votes. A runoff is not necessary for this seat.

The second highest vote-getter, Nancy, received 2,488 votes. The third highest vote-getter, Mark, received 1,774 votes. Neither of these candidates received a majority (2,647) so two of the three council seats require a runoff between the highest vote-getters. The number of candidates on the runoff ballot will equal twice the number of seats to be filled. There are two seats left to be filled in Happytown so the four highest vote-getters who did not receive a majority will appear on the runoff ballot.

[§376.8]

Expedited Canvass and Recount Timeline

In cities with runoff provisions, the canvass and recount timelines are expedited. The canvass of votes must take place no earlier than 1 p.m. on the Thursday following the election. Requests for recounts must be received no later than 5 p.m. on the third day following the election.

[§50.48(7), 376.9(1)]

Write-In Votes

Write-In Candidate Wins at Regular City Election and Declines

1. The winner must file a notice of resignation with the auditor by 5 p.m. on the day following the canvass.
2. All remaining persons who received write-in votes and who want to be on the run-off ballot must file affidavits of candidacy with the auditor by 5 p.m. on the fourth day following the canvass.

Best Practice: The auditor should notify the write-in candidates of this requirement.

3. The abstract of votes must be amended to show that the person who was declared elected declined the office, and a notation must also be made next to the names of those persons who did not file an affidavit.
4. The runoff election must still be held even if one of the remaining candidates has a majority of the votes after the write-in votes of candidates that fail to file an affidavit are disregarded.

[§376.11(4)]

Runoff Election Necessary Because No Candidate(s) Received the Majority and Write-In Votes Were Cast for that Office

1. Everyone who received write-in votes and who wants to appear on the runoff election ballot must file an affidavit of candidacy with the auditor by 5 p.m. on the day after the canvass. The write-in votes received by a person who does not file an affidavit will be disregarded.

Best Practice: The auditor should notify the write-in candidates of this requirement.

2. The abstract of votes must be amended to note which write-in candidates failed to file the affidavit.
3. The runoff election must still be held even if one of the remaining candidates has a majority of the votes after the write-in votes of candidates that fail to file an affidavit are disregarded.

[§376.11(5)]

If no candidate names were listed on the regular city election ballot and no write-in candidate files an affidavit, the office will still appear on the city runoff ballot with no candidate name listed.

City Runoff Elections

When Held

City runoff elections are only held in cities that have authorized a runoff provision by ordinance. When required, the city runoff election is held on the Tuesday four weeks after the date of the regular city election.

[§376.9(2)]

If no candidates receive a majority of the votes cast for a particular office or if a write-in candidate who received a majority declines the office at the regular city election, a runoff election will be necessary.

[§376.8(2)]

Candidates on Runoff Ballot

The names of all the highest vote-getting candidates from the regular city election will be placed on the city runoff election ballot, up to twice the number of seats to be filled. For example, if three at-large city council members will be elected, up to six candidates will be listed on the city runoff election ballot.

[§376.9(1)]

Final Election

A city runoff election is always the final election. No expedited timeline is required after election day.

Who Wins?

Candidates who receive the most votes, up to the number of seats to be filled, are declared elected. If there is a tie, the board of supervisors must draw lots.

[§50.44, 376.9(3)]

Write-In Votes

If a write-in candidate wins receives the most votes at the runoff city election and wants the job, no affidavit of candidacy is needed. The person is declared elected as if their name had been printed on the ballot.

[§376.11(1)]

Ballot Preparation

Voting Equipment

Voting equipment must be used in all cities with more than 3,500 residents.

The auditor can decide whether to use voting equipment or whether to have the ballots counted by hand for each city with 3,500 or fewer residents. If counting by hand will cause a significant savings in election costs, the auditor may use hand-counted paper ballots. The decision about whether to use voting equipment is made on a city by city (not precinct by precinct) basis.

Voters can petition to require the use of voting equipment in the city if the auditor decides not to use it. See §49.26 for more information.

[§49.26]

Non-Partisan Election

City elections are non-partisan. Candidates' names appear on the ballot with no reference to political affiliation, even if the candidate was nominated by a NPPO.

[§376.5]

When Ballots Must be Ready

Ballots must be ready as soon as practicable, but there is no date specifically set by law. As soon as ballots are ready, begin mailing out absentee ballots. In-person voting cannot begin more than 40 days before the election.

[§53.10(1)]

Public Measures

Cities and counties can include public measures on the regular city election ballot. The deadline to submit the full text is 5 p.m. on the candidate filing deadline.

Important Note: Public measures are not allowed on city primary or city runoff ballots.

[§39.2(1)(b)]

Vacancies

See the Vacancies chapter for more information.

Rotation

Rotation of candidates' names is required if:

- Candidates are running opposed (e.g. three people seeking two at-large city council seats)

AND

- The office will appear on the ballot in more than one precinct.

[§49.31(3)]

Order of Offices

City Primary Elections:

1. Mayor (if any)
2. City Council Members (if any)
3. Other elected city officers (if any)

If vacant offices must appear on the ballot, list them as the last office under the appropriate heading unless the office is a part of a multimember body. In that case, list the vacant office after the regularly scheduled offices.

Important Notes: Public measures are not allowed on city primary election ballots.

Regular City Elections:

1. Mayor (if any)
2. City Council Members
3. Other elected city officers (if any)
4. City Public Measures (if any)
5. County Public Measures (if any)

If vacant offices must appear on the ballot, list them as the last office under the appropriate heading unless the office is a part of a multimember body. In that case, list the vacant office after the regularly scheduled offices.

City Runoff Elections:

1. Mayor (if any)
2. City Council Members (if any)
3. Other elected city officers (if any)

If vacant offices must appear on the ballot, list them as the last office under the appropriate heading unless the office is a part of a multimember body. In that case, list the vacant office after the regularly scheduled offices.

Important Note: Public measures are not allowed on city runoff election ballots.

Ballot Layout

All offices on the ballot are non-partisan offices. No reference to party affiliation is listed with the candidates' names, even if the candidate was nominated by a NPPO. List the names of the candidates in alphabetical order by last name. Rotation is required if candidates are running opposed and the office appears on the ballot in more than one precinct.

[§49.31(3)]

Official Ballot - November 8, 2011
Regular City Election
and Special Election
In the County of Linn, State of Iowa

ATTEST:
Joel D. Miller
JOEL D. MILLER
LINN COUNTY
COMMISSIONER OF ELECTIONS

Instructions to Voters

To vote, completely fill in the oval to the left of your choice.

To cast a write-in vote, you **MUST** completely fill in the oval **AND** write the name of your candidate on the line provided. If you make a mistake, you may request a new ballot.

To vote to approve any question on this ballot, fill in the oval to the left of the word "YES", like this . To vote against a question, fill in the oval to the left of the word "NO", like this .

Nonpartisan Offices City of Ely
<p>For Mayor (Vote for no more than one)</p> <p><input type="radio"/> James E. Doyle Jr.</p> <p><input type="radio"/> David Lambert</p> <p><input type="radio"/> Dale A. Stanek II</p> <p><input type="radio"/> (Write-in vote, if any) _____</p>
<p>For Council Member (Vote for no more than three)</p> <p><input type="radio"/> Bob Ballantyne</p> <p><input type="radio"/> Bill Grove</p> <p><input type="radio"/> (Write-in vote, if any) _____</p> <p><input type="radio"/> (Write-in vote, if any) _____</p> <p><input type="radio"/> (Write-in vote, if any) _____</p>

Rotation required if the office appears on the ballot in more than one precinct and the candidates are opposed.

Rotation not required because the candidates are not opposed.

FRONT Card 23 SEQ# 1

Post Election Day

“Final” Election?

If the election is not the final election for the city, the post election day activities are expedited.

City Primary Election

This is not the final election. An expedited timeline applies.

Regular City Election

This may or may not be the final election as follows:

Cities with primary provisions:

The regular city election is the final election.

Cities with runoff provisions:

The regular city election is not necessarily the final election (even if a runoff ends up not being necessary). An expedited timeline applies.

All other cities:

The regular city election is the final election.

City Runoff Election

This is the final election.

Provisional Ballots

Timeline for “Final” City Elections

For the following election types, post a list of the number of provisional ballots cast in each precinct no later than 9 a.m. on the Thursday after the election:

- Regular city elections in cities without runoff provisions and
- City runoff elections.

[§50.20]

Expedited Timeline for City Elections that are not “Final”

For the following election types, the ASVP board must meet on Wednesday at noon, so the provisional ballot list must be posted as soon as possible before they meet:

- City primary elections and
- Regular city elections in cities with runoff provisions.

[§50.20]

ASVP Board

Timeline for “Final” City Elections

For the following election types, the board must meet no earlier than noon on the Thursday after the election to consider any provisional ballots cast in the election and any absentee ballots that were received and postmarked on time:

- Regular city elections in cities without runoff provisions and
- City runoff elections.

Expedited Timeline for City Elections that are not “Final”

For the following election types, the board must meet on Wednesday at noon:

- City primary elections and
- Regular city elections in cities with runoff provisions.

[§50.21]

For additional information about ASVP board procedures, see the Absentee Voting chapter.

County Canvass

The control county canvasses the results for the city.

Timeline for “Final” City Elections

For the following election types, the county canvass is held on the Monday or Tuesday after the election.

- Regular city elections in cities without runoff provisions and
- City runoff elections.

[§50.24(1)]

Expedited Timeline for City Elections that are not “Final”

For the following election types, the canvass must be held no earlier than 1:00 p.m. on the Thursday after the election:

- City primary elections and
- Regular city elections in cities with runoff provisions.

[§376.7(1), 376.9(1)]

Required Percentage for Passage of Public Measures

Most public measures require a simple majority to pass. Bond issues require at least 60% to pass.

[§50.45, 75.1]

Write-In Votes

Write-in votes in city elections are handled differently than in any other election. See the election specific pages in this chapter for information on how to handle write-in votes for each type of city election.

[§376.11]

Election Results

To generate abstracts, the election canvass summary, and certificates of election, enter election results into I-VOTERS. See the Post Election Day chapter for more information.

Abstracts

Two sets of each city's abstracts must be prepared and signed by a majority of the board of supervisors.

- Send one set of the abstracts to the city.
- Keep one set for your files.

[§50.24]

Important Note: If necessary, the abstracts must be amended to show the final winner who accepted the office and the possible changes to write-in candidates.

See the Post Election Day chapter for more information on preparing abstracts.

Certified Election Canvass Summary

A canvass summary must be prepared for each city and signed by a majority of the board of supervisors. See the Post Election Day chapter for more information.

[§50.24(3)]

Certificates of Election

Each person who was elected must receive a certificate of election. Include open meetings and records laws (Chapters 21 and 22 of the *Iowa Code*) information with the certificates.

[§21.20, 50.29]

Term Length

In general, terms for city offices are for two years unless the voters of the city voted at an election to approve to change the term length to four years.

[§376.2]

Term Start Dates

The terms for city officers begin the first day in January that is not a Sunday or legal holiday. The terms of officers elected to fill vacancies begin within 10 days of the canvass. See the Vacancies chapter for more information.

The certificate should be issued to the winning candidate who accepted the office.

[§50.29, 63.8, 376.2(1)]

Recounts

Timeline for “Final” City Elections

For the following election types, requests for recounts must be filed within three days of the county canvass:

- Regular city elections in cities without runoff provisions and
- City runoff elections.

[§50.48(1)(a)]

Expedited Timeline for City Elections that are not “Final”

For the following election types, requests for recounts must be filed within three days of the election (the day after the canvass):

- City primary elections and
- Regular city elections in cities with runoff provisions.

[§50.48(7)]

See the Recounts chapter for more information.

Contests

A statement of intent to contest a city election must be filed within 10 days after the election with the city clerk.

[§57.6, 376.10]

Best Practice: Remind city clerks to notify you immediately if anyone files for a contest.

See the Contests chapter for more information.

Record Retention

Keep records for six months unless a city election contest is pending. Tally lists and abstracts which have not been electronically recorded must be kept forever.

See the election document retention record available in the Election Forms Library.

Exception to Six Month Rule: Unvoted ballots and programmed memory cards.

[§50.19, IAC 721—22.51(11), 22.51(13), 22.51(14)]