

**CHAPTER 2-06: ELECTION AND QUALIFICATION**

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**2-06-010. Elections.**

The offices of Mayor and Council Member shall be filled by election of the registered voters of Woods Cross City in an at-large municipal election held on the Tuesday after the first Monday in November, as provided in Chapter 3, Title 10 of the *Utah Code Annotated*. Municipal elections for the offices of Mayor or Council Member shall be conducted in the manner provided in the Utah Election Code, set forth in Title 20A of the *Utah Code Annotated*.

**2-06-020. Declaration of Candidacy.**

Any eligible and qualified person desiring to run for the elected municipal offices of Mayor or Council Member shall file a declaration of candidacy with the City Recorder in accordance with the filing requirements set forth in Title 20A, Chapter 9 of the *Utah Code Annotated*.

**2-06-030. Nomination Petition.**

Any resident of the City may nominate a candidate for elected municipal office by filing a nomination petition with the City Recorder in accordance with the filing requirements set forth in Title 20A, Chapter 9 of the *Utah Code Annotated*.

**2-06-040. Residency and Registered Voter Requirements.**

Persons eligible to file a declaration of candidacy or to be nominated for the elected office of Mayor or Council Member shall have been a resident of Woods Cross City for at least one (1) year immediately before the election and shall be a registered voter of Woods Cross. Each person elected to the office of Mayor or Council Member shall maintain residency within the boundaries of the City during his or her term of office. If a person elected to the office of Mayor or Council Member establishes his or her principal place of residence outside the municipality during his or her term of office, the office is automatically vacant. If a person elected to the office of Mayor or Council Member is absent from the City anytime during his or her term of office for a continuous period of more than sixty (60) days without the consent of the City Council, that person's elected office is automatically vacant.

**2-06-050. Employee Status.**

No member of the City Council shall, upon taking office, be an employee of Woods Cross City. Any employee of Woods Cross City shall be entitled to run for office as a member of the City Council but, if elected, shall comply with the provisions of this Section prior to taking office.

**2-06-060. Term of Office.**

Persons elected to the office of Mayor or Council Member shall begin their term of office at 12:00 noon on the first Monday in January following their election, and shall continue in office for four (4) years thereafter and until their respective successors are chosen and qualified, except in case of death, resignation, removal, or disqualification from office.

**2-06-070. Vacancies.**

Vacancies in the offices of Mayor or Council Member shall be filled in accordance with the provisions set forth in Title 20A of the *Utah Code Annotated*.

**2-06-080. Oath of Office.**

(a) Required. All elected officials shall take the oath of office before entering upon the duties of their respective offices. Elected officials shall take their oath of office at 12:00 noon on the first Monday in January following their election or as soon thereafter as is practical.

(b) Administered. The oath of office shall be administered by the City Recorder, any judge, or any notary public.

(c) Filed. All oaths of office shall be filed with the City Recorder.

(d) Failure to Comply. No official act of any officer shall be invalid for the reason that he or she failed to take the oath of office.

**2-06-090. Bond.**

(a) Required. Before commencing his or her duties, every elected officer shall execute and file with the City Recorder an official bond with good and sufficient sureties payable to Woods Cross City in the amount of \$10,000.00, conditioned for the faithful performance of the duties of his or her office, and the payment of all monies received by such officer according to the law and the ordinances of Woods Cross City.

(b) Approval. The bonds of Council Members shall be approved by the Mayor, and the bond of the Mayor shall be approved by the City Council, at the first meeting of the City Council in January following a municipal election.

(c) Premium Charge. The premium charge by a corporate surety for any official bond shall be paid by Woods Cross City.

(d) Additional Bonds. The City Council may at any time require further and additional bonds of any elected officers of the City.

**2-06-100. Salaries.**

Elected officers shall receive such compensation for their services as the Mayor and City Council may fix or amend by ordinance in accordance with the notice and hearing requirements set forth in *Utah Code Ann.* ' 10-3-818, as amended. The compensation of elected officers shall be paid at least monthly out of the City Treasury.

**2-06-110. Transfer of Records.**

Every officer of the City upon expiration of his or her term for any cause whatsoever shall, within five (5) days after notification and request to do so, deliver to his or her successor all books and records which may be the property of the City.

**2-06-120. Campaign Finance Disclosure.**

(a) Disclosure Required. Each candidate for municipal office shall file a Campaign Financial Disclosure report, in substantially the same form as provided by the City, disclosing his or her itemized and total campaign contributions and expenditures.

(b) Time for Filing. Each candidate shall file one Campaign Financial Disclosure report no sooner than fourteen (14) days and no later than seven (7) days before the primary election. Candidates who are eliminated at the primary election shall file another Campaign Financial Disclosure report not later than thirty (30) days after the primary election. Candidates who are not eliminated at the primary election shall file another Campaign Financial Disclosure report no sooner than fourteen (14) days and no later than seven (7) days before the general election and another report not later than thirty (30) days after the general election. Each report shall be successive; i.e., each report shall disclose the contributions and expenditures not reported on the previous report.

(c) Definitions. "Contribution" and "expenditure" shall include the reporting of non-monetary contributions such as in-kind contributions and contributions of tangible things.

(d) Campaign Financial Disclosure Report. The financial disclosure report shall be signed and dated by the candidate, filed with the City Recorder, and identify:

(1) the total campaign contributions received from donors who gave more than fifty dollars (\$50.00);

(2) the total campaign contributions received from donors who gave less than fifty dollars (\$50.00);

(3) the total campaign expenditures made during the campaign period;

(4) an itemized report of all campaign contributions over fifty dollars (\$50.00), including the name of the donor, the date the contribution was received, and the amount of the contribution; and

(5) an itemized report of all expenditures for political purposes made during the campaign period including the name of the recipient and the date, purpose, and amount of the expenditure.

(e) Violations. Any person who fails to comply with this Section shall be guilty of a Class B misdemeanor, punishable in accordance with the laws of the State of Utah, and subject to any other remedy available to the City by law or ordinance for such violation.