

THE CITY OF ORMOND BEACH



2020 MUNICIPAL ELECTIONS **GENERAL CANDIDATE INFORMATION**

1. **Qualifications (City Charter, Section 3.02)** - Candidates for the City Commission must have continuously and permanently resided within the City of Ormond Beach for at least one (1) year immediately prior to qualifying, and must be registered voters. Each candidate for City Commission shall be a bona fide resident in the zone in which he/she is running for a period of not less than thirty (30) days immediately prior to qualifying as a candidate.
2. **Campaign Account & Treasurer (Section 106.021, F.S.)** - Candidates may appoint a campaign treasurer and designate a campaign depository at any time but no later than the date qualifying for office ends. Before accepting any campaign contributions, expending any funds, opening a campaign account, or qualifying as a candidate, a campaign depository must be designated and a campaign treasurer must be appointed using the "Appointment of a Campaign Treasurer and Designation of Campaign Depository" (DS-DE 9) form. This form is to be filed with, the filing officer (City Clerk). Also, each candidate shall, at the same time the form DS-DE 9 is filed, designate the office for which he/she is running. If a candidate of a designated office changes the office designation at a later date, he/she must, within fifteen (15) days after filing the change of designation, notify contributors in writing of such intent and offer to return pro rata, upon their request (within thirty (30) days after notification) contributions given in support of that designated office sought.

The name on the campaign account, which must be a separate account from any personal or other account and must be used only for depositing campaign contributions and making expenditures, must include the name of the candidate. There is no longer a requirement that the words "campaign account" appear on the checks for the campaign account, but it is a good idea to still include it if possible.

It must also have the account number and bank name, as well as appropriate space for: exact amount of expenditure, signature of campaign treasurer, exact purpose of expenditure; and name of payee.

The campaign treasurer is responsible for keeping detailed records of all campaign contributions and expenditures, making timely deposits and withdrawals, and filing appropriate reports in a timely manner. All records kept by the campaign treasurer must be preserved for the number of years equal to the term of the office sought. ([Section 106.06, F.S.](#))

Late report penalties are the responsibility of the candidate for office. Any fines must be paid from the candidate's personal funds (not campaign funds). ([Section 106.07, F.S.](#))

3. **Statement of Candidate (Section 106.023, F.S.)** - Each candidate must file a statement with the filing officer within ten (10) days after he/she files his Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) form, stating he/she has read and understands the requirements of Chapter 106, Florida Statutes. This packet includes a copy of [Chapter 106](#). This statement is filed on the Statement of Candidates (DS-DE 84) form, which is provided by the City Clerk. Most candidates find it convenient to file this form at the same time that they file their DS-DE 9 form. Willful failure to file this form is a violation of Sections [106.19\(1\)\(c\)](#) and [106.25\(3\)](#), F.S.
4. **Qualifying (City Charter, Section 5.03)** - The 2020 election qualifying period starts at 12:00 p.m., noon, on Monday, June 8, 2020, and the deadline for filing qualification papers is 12:00 p.m., noon, on Friday, June 12, 2020. (*Note: See paragraphs 2 and 6 for those expecting to qualify later during the qualifying period. A campaign account must be open prior to 12:00 p.m., June 12, 2020.*)
5. **Financial Disclosure** - A completed Form 1, Statement of Financial Interest (reflecting the preceding tax year), must be filed together with, and at the same time, the candidate files his/her qualifying papers. (*Note: An incumbent candidate may file a copy of his/her previously filed Form 1.*)
6. **Filing Assessment (City Code of Ordinances, Section 13-22; Sections 99.093 /106.141, (F.S.))** An election assessment fee equal to 1% of the annual salary of the office sought must be paid not later than at the time the candidate qualifies for office. The fee must be paid by a check drawn on the campaign checking account. The amount due for a City Commission candidate is \$140.05. The amount due for a Mayoral candidate is \$181.18. If a candidate cannot afford to pay the election assessment fee due to it causing an undue financial burden, he/she may sign an affidavit to that effect provided by the filing officer (City Clerk). A candidate filing such an affidavit shall, prior to disposing of campaign funds, reimburse the City as applicable for such waived assessment fee.
7. **Salaries** - The annual salary for the Office of City Commissioner is \$14,004.59. The salary for the Mayor is \$18,117.68. Commission members also receive \$200 monthly as a local travel stipend.
8. **District (Zone) Elections - (City Charter, Section 3.01)** City Commission candidates are elected to office only by the electorate voting within the zone from which they are running. The mayoral election is conducted Citywide.
9. **Contribution Limits (Section 106.08, F.S.)** - The contribution limit for all municipal candidates is \$1,000 per person per election. (Contribution limits do not apply to contributions made by a candidate to his/her own campaign – a candidate may make unlimited contributions to his/her own account). No person may make or accept a cash contribution or contribution by means of a cashier's check in excess of \$50. No child under the age of 18 years may make a contribution in excess of \$100.
10. **Independent Expenditures (Sections 106.11 and 106.071, F.S.)** - An independent expenditure means an expenditure made by a person for the purpose of advocating the election or defeat of a candidate or the approval or rejection of an issue which expenditure *is not controlled by, coordinated with, or made upon consultation with any candidate, political committee or agent of such candidate or committee*. A person making an independent expenditure which in the aggregate is in the amount of \$100 or more must file a report with the filing officer of the candidate on whose behalf the

expenditure was made at the same time as political committees that support or oppose candidates or issues.

11. **In-kind Contributions (Sections 106.07, 106.021 and 106.055, F.S.)** - An in-kind contribution is anything of value made for the purpose of influencing the results of an election. The person providing the in-kind contribution must advise the candidate of the fair market value of the contribution; however, this does not include personal services provided without compensation by individual volunteers.
12. **Contributions & Expenditures Campaign Reports/Due Dates (Section 106.07(1)-106.07(8)(b), F.S.)** - Penalty: Reports must be submitted online via the Volusia County Supervisor of Elections by midnight on the date designated due. Reports which are filed late are subject to fines for each late day, the fine shall be \$50 per day for the first three (3) days late and \$500 for each day thereafter, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports due immediately preceding each primary and general election, the fine is \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater. Late report penalties are the responsibility of the candidate and are to be paid from personal funds of the candidate. Such fines are to be paid within twenty (20) days after receipt of the notice of payment due.

Individuals filing DS-DE 9 forms prior to the City qualifying period must file reports in accordance with the reporting schedule outlined by the Division of Elections. If the 10th day following the end of a calendar quarter occurs on a Saturday, Sunday or legal holiday, the report shall be filed on the next following day which is not a Saturday, Sunday or legal holiday.

Note: The first day of the reporting period of all initial (first) campaign reports is the day the campaign treasurer is appointed.

13. **Political Advertising - Disclaimer and Endorsements (Sections 106.143/ F.S.)**
Any political advertisement and any campaign literature published, displayed or circulated prior to, or on the date of election, by a candidate must prominently state "Political advertisement paid for and approved by (name of candidate) for (office sought)."

Example: *Political advertisement paid for and approved by John Doe for City Commissioner, Zone 3.*

The candidate shall provide a written statement of authorization to any newspaper, radio station, television station, or other medium for each such advertisement submitted for publication, display, broadcast, or other distribution.

No political advertisement of a candidate who is not an incumbent of the office for which the candidate is running shall use the word "re-elect". Additionally, such political advertisements must include the word "**for**" between the candidate's name and the office for which the candidate is running, in order that incumbency is not implied. (106.143(6) F.S.)

Per F.S. 106.143(4), it is unlawful for any candidate or person on behalf of a candidate to represent that any person or organization supports such candidate, unless the person or organization so represented has given specific approval in writing to the candidate to make such representation.

14. **Telephone Solicitations (Section 106.147, F.S.)** - Any telephone call supporting or opposing a candidate must identify the persons or organizations sponsoring the call by stating either: *“paid for by ...”* or *“paid for on behalf of...”* This does not apply to any telephone call in which the individual making the call is unpaid, and both parties have known each other prior to the call. Any telephone call, not conducted by independent expenditure, which expressly advocates for or against a candidate or ballot proposal, requires prior written authorization by the candidate or sponsor of the ballot proposal that the call supports. In addition, a copy of the written authorization must be placed on file with the City Clerk by the candidate or sponsor of the ballot proposal prior to the time the calls commence.

15. **Political Signs (City Code of Ordinances, Section 13-71 and Land Development Code Section 3-46)** - Political signs are treated as temporary non-commercial signs in the City’s Land Development Code. Please refer to Section 3-46 for specific guidelines. There is no longer a sign permit or bond required. The display of temporary signs requires permission of the property owner. More information on political advertisements and political signs is included in Section X of this packet.

Signs must be removed within seven (7) days following the election.