



CITY OF LAS VEGAS
COUNCILOR (Four year term)
CANDIDATE PACKET

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2018 Regular Municipal Election Calendar

11-14-17	Adoption of Resolution calling for Municipal Election
01-9-18	Candidate Filing Day (8:00 – 5:00)
01-10-18	Candidate Certification by City Clerk (9:00 a.m.)
01-11-18	Candidates draw for position on the ballot (5:01 p.m.)
01-16-18	Withdrawal of Candidacy
01-16-18	Write-In Candidate Filing Day (8:00 – 5:00)
01-17-18	Write-In Candidate Certification by City Clerk
01-30-18	Withdrawal of Write-in Candidacy
01-30-18	Absentee voting begins
02-06-18	Registration books closed by County Clerk
02-14-18	Early voting on voting machine begins
03-02-18	Last day for early voting. Last day to mail absentee ballots from Clerk's Office. After 5:00 p.m., destruction of all unused absentee ballots.
03-02-18	Deadline for candidate to file a petition for challengers, or watchers
03-06-18	Election Day
03-08-18	Canvass of election results City Hall (Time TBA)
03-12-18	Candidate must take Oath of Office (by 7:00 PM)

An Organizational meeting of the governing body will take place between March 12, 2018 and March 27, 2018.

Declaration of Candidacy Information

If you are interested in becoming a candidate for Councilor for the City of Las Vegas– Election Day is March 6, 2018 . As a potential candidate, there are things you need to know concerning the election process, your rights and responsibilities, and the rights and responsibilities of the City Clerk.

When do I file for office?

January 9, 2018, between the hours of 8:00 AM and 5:00 PM is the only time the city clerk can accept a declaration of candidacy for a candidate.

The official Election Clock is located in the City Clerk's office. All deadlines will be determined using this clock.

All candidates must file the following documents:

1. A Declaration of Candidacy form (page 9); **AND**
2. A Certified copy of the candidate's current affidavit of voter registration on file with the San Miguel County Clerk which has been certified on a date not earlier than the adoption of the election resolution, (November 14, 2017).

The Declaration of Candidacy form is provided with this information packet and must be used for filing. Only this form will be accepted. Please read through the form and understand the requirements of the information you need to provide. Your signature is required to be notarized. There will be a notary available for your signature in the City Clerk's Office, if you need one.

The Affidavit of voter registration must show the address as a street address, not a post office box. The address on the affidavit and the declaration must match. Certifications of voter registration may be obtained from the San Miguel County Clerk. You may call the **San Miguel County Office** at **(505) 425-9331** to request your affidavit.

If you are unable to personally appear on January 9, 2018, an Affidavit Authorizing Filing of Declaration of Candidacy is also available (page 10). This provides an authorized representative to file your Declaration of Candidacy. This form is required to be notarized. You, as the candidate, must sign your Declaration of Candidacy, the representative may not.

When the Declaration of Candidacy is filed in the office of the City Clerk, it becomes a public record.

How does the City Clerk certify my candidacy?

From the information provided on the Declaration of Candidacy form, the City Clerk determines if the individual is a qualified elector, if the individual resides in the district of the municipality, and is registered to vote.

On January 10, 2018 by 9:00 AM, the City Clerk shall post a list of the certified candidates, along with a list of those who have not been certified and the reasons for non-certification. The

candidate or authorized representative shall personally appear at the City Clerk's Office to learn whether the declaration has been certified as valid.

At 5:01 PM, January 10, 2018, the City Clerk will conduct a drawing by lot for position on the Ballot, in the presence of the certified candidates or their representatives. Either you or your representative should be present to draw for your position. If no one is present to draw for your ballot position, a member of the City Clerk's staff will draw for the position. Candidates will draw for their position in order based on when you filed your declaration of candidacy (first filed, draws first).

What other information do I need?

Included in this information packet is a complete election calendar of events. If you have any questions on any of the events or any citywide question, call the **City Clerk's Office at 454-1401 ext. 3261** for Casandra or **ext. 3262** for Danielle and we will find the answer.

You may also email your requests for information to: Casandra Fresquez (cmfresquez@ci.las-vegas.nm.us) or Danielle Sena (danielles@ci.las-vegas.nm.us).

For information about any of the city departments, budget, etc. please contact the City Clerk's office, 454-1401. The City also has a website www.lasvegasnm.gov that may answer some of your questions. Additional information about municipal government and elected officials can be found at the New Mexico Municipal League website www.nmml.org

Is this a paid position?

The yearly compensation for members of the City Council is ten thousand five dollars (\$10,005.00).

Can I still run for office if I don't file on January 9th?

If you decide to run for office after the January 9th filing day, you may still choose to run as a write-in candidate.

January 16, 2018, between the hours of 8:00 AM and 5:00 PM is the only time the city clerk can accept a declaration of candidacy for a write-in candidate.

All candidates must file the following documents:

1. A Declaration of Candidacy form; **AND**
2. A Certified copy of the candidate's current affidavit of voter registration on file with the San Miguel County Clerk which has been certified on a date not earlier than adoption of the election resolution, (November 14, 2017).

The Write-in Declaration of Candidacy form is provided with this information packet and must be used for filing (page 12). Only this form will be accepted. Please read through the form and understand the requirements of the information you need to provide. Your signature is required

to be notarized. There will be a notary available for your signature in the City Clerk's Office, if you need one.

The Affidavit of voter registration must show the address as a street address, not a post office box. The address on the affidavit and the declaration must match. Certifications of voter registration may be obtained from the San Miguel County Clerk. You may call the **San Miguel County Office** at **(505) 425-9331** to request your affidavit.

If you are unable to personally appear on January 16, 2018, an Affidavit Authorizing Filing of Declaration of Candidacy is also available (page 10). This provides an authorized representative to file your Declaration of Candidacy. This form is required to be notarized. You, as the candidate, must sign your Declaration of Candidacy, the representative may not.

When the Declaration of Candidacy is filed in the office of the City Clerk, it becomes a public record.

What happens if I change my mind about running for office?

For candidates that file on January 9, 2018 – the deadline to withdraw the candidacy is **January 16, 2018**. This will remove the candidate's name from the ballot. If you, the candidate withdraws after this date, your name will still appear on the ballot. The form to withdraw the candidacy is on page 11.

For write-in candidates that file on January 16, 2018 – the deadline to withdraw the candidacy is **January 30, 2018**. The line for write-in will still be on the ballot, but any votes for the write-in will not be counted. The form to withdraw the candidacy is on page 14.

Certified Candidate Information

1. After the election resolution has been adopted by the City of Las Vegas Council, it will have been published on November 26, 2017. This will notify the public that an election will be occurring and what will be on the ballot.
2. The City Clerk will order ballots on January 12, 2018 to provide the correct spelling and position on the ballot of each candidate. The candidate's name will appear on the ballot exactly as shown on the voter's registration.
3. January 16, 2018 is the deadline for any candidate to withdraw his/her candidacy by filing an affidavit with the City Clerk. If a candidate withdraws **AFTER** this date, his/her name will still appear on the ballot.
4. Applications for absentee ballots can be made anytime. Anyone can request the application from the City Clerk's Office. Once the application is received by the City Clerk, it must be verified and accepted before a ballot can be mailed out. The first day that absentee ballots can be mailed is January 30, 2018.
5. The San Miguel County Clerk will close the voter registration books for the Municipal election at 5:00 PM on February 6, 2018. If voter registration occurs after this date, the person will not be eligible to vote in the municipal election. Contact the County Clerk's

Office (505-425-9331) regarding the process to obtain voter registration forms. There are several places in the city for individuals to register to vote.

6. January 30, 2018 is the deadline for a declared write-in candidate to file an affidavit that she/he is no longer a write-in candidate for the position.
7. Election school for all precinct workers to be determined (TBD) at a later date. The time and place will be announced. As a candidate you will be notified and are welcome to attend.
8. March 2, 2018 at 5:00 PM is the last day for early voting. It is the last day to mail absentee ballots from the Clerk's Office because after 5:00 PM, all unused absentee ballots will be publicly destroyed.
9. March 2, 2018 is the deadline for candidates to file a petition for appointment of challengers, watchers and alternates for each polling place. These appointees are qualified by the City Clerk.
10. **Election Day is March 6, 2018. Polling places are open between the hours of 7:00 AM and 7:00 PM.** The Presiding Judge and precinct workers at the polling place have control of the election process during this time. You, as a candidate, and the City Clerk may not interfere in any way with the election process.
11. No campaigning is allowed within **100 feet of the building** where the poll is located. There will be no campaign literature within **100 feet of the building**.
12. After the polls close, candidates or their authorized representatives may be present to observe the vote count at the polling place. All election results will be returned to City Hall after the precinct board has completed their procedures. The election returns will be given to the City Clerk, who will provide **UNOFFICIAL** results from the polling place.
13. **March 8, 2018** Magistrate Judge (To Be Announced) will serve on the Canvassing Board. The time will be announced. This is the **OFFICIAL** result of the election.
14. Any information you may need as a candidate should be requested through the City Clerk's office.

Challengers, Watchers and Observers

If a candidate wishes to have a challenger or watcher for the polling place, you must petition the City Clerk, no later than the Friday before the Election (March 2, 2018). Upon petition filed with the City Clerk by an unopposed candidate or by both candidates for a municipal office, if only two candidates are running for the office, or by a majority of the candidates for a municipal office, if more than two candidates are running for the office those candidates may appoint one person as a challenger and one alternate for each polling place and appoint one person as a watcher and one alternate for each polling place in the municipal election.

Challengers and Watchers shall:

1. Have the right to be present at the polling place.

2. Examine voting machines as authorized by law.
3. Challenge voters pursuant to 3-8-43 NMSA, 1978.
4. Inspect signature rosters
5. Witness the counting and tallying of ballots
6. Make written memoranda of any action or omission by any member of the precinct board.

Challengers and Watchers shall **not**:

1. Perform any duty of a precinct board member
2. Handle the ballots, signature rosters, absentee voter lists or voting machines
3. Take any part in the tallying or counting of ballots
4. Interfere with the orderly conduct of elections.

The governing body may appoint one qualified elector to serve as an observer of the election. An observer shall have no powers other than to observe the conduct of the election and observe the counting and tallying and report to the governing body.

Absentee Voting

Absentee Ballot Application

To vote absentee, anyone may request an application for an absentee ballot, by contacting the City Clerk's office – **454-1401**. The City Clerk cannot by law automatically send applications to the elderly or disabled.

When a completed application is received in the office of the City Clerk, the voter will be verified on the Voter Register List as a qualified elector of the City. If the application is accepted, the City Clerk will issue an absentee ballot. If the application is rejected, the applicant is notified and the reason for rejection is included.

Absentee Ballots

From **January 30, 2018 through March 2, 2018** – absentee ballots may be mailed to a voter. Voters may also come into City Hall and vote an absentee ballot in person. Voters shall either deliver or mail the absentee ballot to the City Clerk.

The City Clerk shall accept an official ballot in an official outer envelope, delivered in person by the voter, a caregiver to the voter, or a member of the voter's immediate family. ("Immediate family member" means spouse, children, parents, brothers and sisters).

Early Voting

From **February 14, 2018 through March 2, 2018** – absentee ballots may be cast using a voting tabulator machine Image Cast Evolution (ICE) in the City Clerk's office.

NOTE: During the period for absentee and early voting, the area of City Hall where voting takes place, is considered a polling place. There will be no campaigning or campaign literature allowed in this area.

Sample Ballots

Sample ballots will be available in the City Clerk's office on or about January 31, 2018. Sample ballots will be made available in reasonable quantities to all interested persons for distribution to the voters.

Election Results

The City Council Chambers will serve as Election Central on Election Day. All results will be posted as they are brought in from the polling places. Please remember that these results are considered "unofficial" until they are canvassed on March 8, 2018.

Forms and Requirements

Included in this information package are various forms you will need to file during the election process. If you need additional forms, please contact the City Clerk's office.

**AFFIDAVIT AUTHORIZING FILING OF
DECLARATION OF CANDIDACY**

State of New Mexico)
) ss
County of San Miguel)

I, _____, being first duly sworn upon my oath do hereby state for my affidavit, that I hereby appoint and authorize

_____ who resides at
_____ Las Vegas, New Mexico to file my

Declaration of candidacy for me with the office of the Municipal Clerk of the City of Las Vegas, New Mexico.

Signature of Candidate

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public

My Commission Expires:

AFFIDAVIT OF WITHDRAWAL OF CANDIDACY

State of New Mexico)
) ss
County of San Miguel)

I, _____, being first duly sworn upon my oath do hereby state for affidavit that:

I, _____, hereby withdraw as a candidate for the office
(Name of Candidate)
of **Councilor** for a **four year** term in the election scheduled for March 6, 2018 and that I hereby revoke my Declaration of Candidacy filed with the Municipal Clerk on January 9, 2018.

Signed: _____
Signature of Candidate

Subscribed and sworn to before me this _____ day of _____, 2018.

Notary

My Commission Expires:

Received in the office of the City Clerk at _____ (A.M./P.M.) on the ____ day of _____ 2018.

City Clerk

DECLARATION OF WRITE-IN CANDIDACY

State of New Mexico)
) ss
County of San Miguel)

I, _____, being first duly sworn upon my oath do hereby state for my affidavit that:

I, _____ hereby declare that I am a candidate for the office of **City Councilor** for Ward _____ for a **four-year term** to be elected at the regular municipal election to be held on March 6, 2018.

I affirm that I currently reside at _____, Las Vegas, New Mexico.
(Address)

I affirm that my name and resident address as stated in this Declaration of Write-In Candidacy are identical to my name and resident address as stated in my affidavit of registration on file with the county clerk of San Miguel County, New Mexico.

I affirm that I am eligible and legally qualified to hold the office for which I have declared my write-in candidacy.

I affirm that I have not been convicted of a felony.
-OR-

I affirm that I have been convicted of a felony and that my election franchise has been restored and, I have been granted a pardon or a certificate by the Governor restoring my full rights of citizenship.

I affirm that I, or my authorized representative, shall personally appear at the office of the municipal clerk during normal business hours on **January 17, 2018** to ascertain whether the municipal clerk has certified my declaration of write-in candidacy as valid.

I affirm that I, or my authorized representative, can be reached at the following for purposes receiving notice:

_____, _____ or _____.

I affirm that this declaration of write-in candidacy is an affidavit under oath and that any false statement knowingly made herein constitutes a fourth degree felony under the laws of the New Mexico.

Signature of Write-In Candidate

Subscribed and sworn to before me this _____ day of _____, 2018.

My Commission Expires: _____
Notary Public

Received in the office of the City Clerk at _____ (A.M./P.M.) on the 16th day of January 2018.

City Clerk

Note: This form, Declaration of Write-In Candidacy must be filed along with a certified copy of voter registration certificate. Filing date is January 16, 2018, between the hours of 8:00 am and 5:00 pm.

**AFFIDAVIT AUTHORIZING FILING OF
DECLARATION OF WRITE-IN CANDIDACY**

State of New Mexico)
) ss
County of San Miguel)

I, _____, being first duly sworn upon my oath do hereby state for my affidavit, that I hereby appoint and authorize

_____ who resides at

_____ San Miguel, New Mexico to file my

Declaration of write-in candidacy for me with the office of the Municipal Clerk of the City of San Miguel, New Mexico.

Signature of Write-In Candidate

Subscribed and sworn to before me this _____ day of _____, 2018.

Notary Public

My Commission Expires:

- (1) Projection from wall and over public property. No temporary sign shall extend over or into any street, alley, sidewalk, or other public thoroughfare a distance greater than four inches from the wall upon which it is erected, and shall not be placed or project over any wall opening.
 - (2) Obstruction to doors, windows and fire escapes. No temporary sign shall be erected so as to prevent free ingress to or egress from any door, window or fire escape, nor shall such sign be attached to any strand pipe or fire escape.
- D. Erection; anchorage and support. Every temporary sign shall be attached to the wall with wire or steel cables, and no strings, ropes or wood slats for anchorage or support purposes shall be permitted.
 - E. Duration of permits. Permits for temporary signs shall authorize the erection of said signs and their maintenance for a period not exceeding 30 days.
 - F. Advertising permitted. The advertisement contained on any temporary sign shall pertain only to the business, industry, or pursuit conducted on or within the premises on which such sign is erected or maintained. This provision shall not apply to signs of a civic, political or religious nature.
 - G. Political signs. Political signs or posters shall be permitted on private property only with the consent of the owner of the property. Political signs shall be allowed up to a total area of six square feet in a residential zone and up to 32 square feet for each sign in a nonresidential zone. Such signs shall not be permitted on any public structure or otherwise located within public lands or right-of-way. Political signs and posters shall not be displayed more than 60 days prior to or more than 15 days after an election to which they pertain.

§ 347-23. Marquees.

- A. Definition. As used in this chapter, the following terms shall have the meanings indicated:

MARQUEE — Includes any hood or awning of permanent construction projecting from the wall of a building above an entrance and extending over a thoroughfare.
- B. Construction.
 - (1) Materials required. All marquees, including the anchors bolts, supports, rods and braces thereof, shall be constructed of incombustible materials, shall be designed by a structural engineer and approved by the Zoning Inspector as in compliance with the Building Code, and by the Electrical Inspector as in compliance with the Electrical Code of the City of Las Vegas, and shall be illuminated.¹⁵
 - (2) Drainage. The roofs of all marquees shall be properly guttered and connected by down spouts to a sewer so that the water therefrom will not drip or flow onto public property.

15. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

1-20-16. Electioneering too close to the polling place.

Electioneering too close to the polling place consists of any form of campaigning on election day within one hundred feet of the building in which the polling place is located, and includes the display of signs or distribution of campaign literature.

Whoever commits electioneering too close to the polling place is guilty of a petty misdemeanor.

History: 1953 Comp., § 3-20-14, enacted by Laws 1969, ch. 240, § 440.

Cross references. — For campaign practices, see 1-19-1 NMSA 1978 et seq.

ANNOTATION

Provisions also apply to Absent Voter Act if the absentee voting is for such elections. 1970 Op. Att'y Gen. No. 70-90.

Applicable to rubber stamps made available by write-in candidate. — Under former 3-3-20(20), 1953 Comp., a write-in candidate could have rubber stamps bearing his name made available at each polling place at his expense only if such rubber stamps were made available at least 50 feet from the polling place. 1964 Op. Att'y Gen. No. 64-131 (opinion rendered under former law).

Am. Jur. 2d, A.L.R. and C.J.S. references. — 26 Am. Jur. 2d Elections § 467.

29 C.J.S. Elections § 330.