CITY OF LOGAN, UTAH
ORDINANCE NO. 07-50

AN ORDINANCE AMENDING CAMPAIGN FINANCIAL DISCLOSURE REQUIREMENTS FOR CANDIDATES FOR ELECTIVE OFFICE

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH AS FOLLOWS:

SECTION 1: Logan Municipal Code Section 2.44.100, Campaign Finance Disclosure Requirements, is hereby amended to read as follows.

2.44.100. Campaign Finance Disclosure. In compliance with Section 10-3-208, Utah Code Annotated, all candidates for elective municipal office shall comply with the following campaign disclosure requirements:

A. Definitions:
   1. “Reporting date” means:
      i. ten days before a general election, for a campaign finance statement required to be filed no later than seven days before a general election; and
      ii. the day of filing, for a campaign finance statement required to be filed no later than 30 days after a primary or general election.
      iii. “Reporting date” does not mean filing date.

   2. “Reporting limit” means fifty dollars ($50).

B. 1. Each candidate for office who is not eliminated at a primary election shall file with the City Recorder a campaign finance statement:
   (A) no later than seven days before the date of general election; and
   (B) no later than 30 days after the date of general election.

   2. Each candidate for office who is eliminated at a primary election shall file with the City Recorder a campaign finance statement no later than 30 days after the date of the primary election.

2. Each campaign finance statement under Subsection B.1 shall:

   1. except as provided in Subsection 2.B.ii:

      (A) report all of the candidate’s itemized and total:
         (1) campaign contributions, including in-kind and other nonmonetary contributions, as of received before the close of the reporting date; and
         (2) campaign expenditures as made through the close of the reporting date; and

      (B) identify:
(1) for each contribution that exceeds the reporting limit, the amount of the contribution and the name of the donor;

(2) the aggregate total of all contributions that individually do not exceed the reporting limit; and

(3) for each campaign expenditure, the amount of the expenditure and the name of the recipient of the expenditure; or

   i. report the total amount of all campaign contributions and expenditures if the candidates receives $500 or less in campaign contributions and spends $500 or less on the candidate’s campaign.

C. The City Recorder shall, at the time the candidate for office files a declaration of candidacy and again 14 days before the general election, notify the candidate in writing of:

   1. the provisions of statute or ordinance governing the disclosure of campaign contributions and expenditures;
   2. the dates when the candidate’s campaign finance statement is required to be filed; and
   3. the penalties that apply for failure to file a timely campaign finance statement, including the statutory provision that requires removal of the candidate’s name from the ballot for failure to file the required campaign finance statement when required.

D. The City Recorder shall make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement if filed.

E. 1. If a candidate fails to file a campaign finance statement before the general election by the deadline specified in Subsection B.1.i.A, the City Recorder:

   i. shall:
      (A) if practicable remove the candidate’s name from the ballot by blacking out the candidate’s name before the ballots are delivered to voters; or
      (B) if removing the candidate’s name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and

   ii. may not count any votes for that candidate.

   2. Notwithstanding Subsection E.1, a candidate who files a campaign finance statement seven days before a general election is not disqualified if:

   i. the statement details accurately and completely the information required under Subsection B.2, except for inadvertent omissions or insignificant errors or inaccuracies; and

   iii. the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.

F. A campaign finance statement required under this section is considered filed if it is received in the City Recorder’s office by 5 p.m. on the date that it is due.
G. 1. A private party in interest may bring a civil action in district court to enforce the provisions of this section or an ordinance adopted under this section.

2. In a civil action under Subsection G.1, the court may award costs and attorney’s fees to the prevailing party.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH,
THIS DAY OF ____, 2007.

AYES: [Signatures]
NAYS: [Signatures]
ABSENT: [Signatures]

Steven C. Taylor, Chairman

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 17th day of July, 2007.

Steven C. Taylor, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 17th day of July, 2007.

Randy Watts, Mayor
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE,

On this 8th day of August, 2007

personally appeared before me, Rachelle S. Thomas, who being first duly sworn,

deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal

a daily newspaper published in Logan, City, Cache County, Utah, and that the advertisement

LEGAL NOTICE

was published in said newspaper for One (1) issue


Signed, Rachelle S. Thomas

Subscribed and sworn to before me, the day and year above written.

Signed, Cynthia K. F. L. Notary Public.


LEGAL NOTICES

SUMMARY OF ORDINANCE amending the Logan Municipal Code, 1989, passed by the Logan Municipal Council, is as follows:

Ordinance 07-50. An ordinance was adopted and approved July 17, 2007 amending Section 2.44.100, Subsection B, "Campaign Finance Disclosure," to conform to language in Utah State Code.

This ordinance is effective upon publication. Full text may be reviewed at the Office of the Logan City Recorder, City Hall, 255 North Main, during regular business hours.

Lois Price, Recorder

Publication Date: August 5, 2007