

# **Candidate Informational Packet**

Revised 11/17/17

## **Councilmember**

**The City of University City**

**Municipal Election – April 3, 2 018**

**December 12, 2017** - Opening of candidate filings

**January 16, 2018** - Closing of candidate filings

6801 Delmar Blvd. 2<sup>nd</sup> Floor, Room 8 - 314-505-8531



**NOTICE OF ELECTION AND OF THE OPENING AND CLOSING FOR FILING DECLARATIONS OF CANDIDACY FOR ELECTIVE OFFICES IN THE CITY OF UNIVERSITY CITY, MISSOURI, FOR THE ELECTION TO BE HELD APRIL 3, 2018.**

Notice is hereby given that an election will be held on Tuesday, April 3, 2018, in the City of University City, Missouri, for the purpose of electing a Mayor, and three Councilmembers, one from Wards One, Two and Three, for a term of four years each.

Filing Procedures

The first day for filing Declarations of Candidacy for the April 3, 2018, election is from **8:00 a.m. to 5:00 p.m. on Tuesday, December 12, 2017**. Filing will close at **5:00 p.m. on Tuesday, January 16, 2018**. Each Declaration of Candidacy must be filed with the City Clerk at the City Hall, 6801 Delmar Blvd, University City MO. Except as provided in Section 115.355.2, RSMo., all candidates must file in person; no one else can file for a candidate. State law requires persons filing declarations of candidacy to provide proof of identity.

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The first day of filing will be done by lottery drawing by the candidate. At 8:00 a.m. on December 12, 2017, declarations will be accepted at University City Hall, 2<sup>nd</sup> floor, room 8, 6801 Delmar Blvd, University City, MO 63130.

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Candidate Eligibility

Pursuant to Section 115.347, RSMo., no candidate's name shall be printed on any official ballot unless his/her written, signed and sworn Declaration of Candidacy has been filed in the office of the city clerk within the time allowed by law.

Section 115.306.1, RSMo., provides that no person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony under the federal laws of the United States of America or to a felony under the laws of this state or an offense committed in another state that would be considered a felony in this state.

*(Revised to remove "or misdemeanor" per the revised statues 11/17/17)*

And Section 115.306.2, (1) RSMo., any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

(2) Each potential candidate for election to a public office, except candidates for a county or city committee of a political party, shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form: (Revised to read as stated in the statutes 11/17/17)

AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

\_\_\_\_\_  
Candidate's Signature

.....  
\_\_\_\_\_  
Printed Name of Candidate

**PROCEDURE TO BE FOLLOWED FOR FILING FOR ELECTED OFFICE IN UNIVERSITY CITY**

Candidates from any ward shall indicate on their petition for nomination to the Council whether or not he/she is a candidate for a full four year term or a candidate for an unexpired term.

The City Clerk, in transmitting the petition for nomination to the Council filed with his or her office by any candidate, shall indicate to the Board of Election Commissioners of St. Louis County whether or not the candidate filing the petition is a candidate for a full four year term or a candidate for an unexpired term.

**I. NOMINATIONS AND NOMINATION PETITIONS** (Section 68, Article IX, Charter):

Nomination for the Council shall be made by petition signed by not less than fifty nor more than seventy-five registered voters who are entitled to vote for the candidate so nominated. No voter shall sign more than one nominating petition for the same office, and should a voter do so, his signature shall be void except as to the petition first filed. With each signature shall be stated the place of residence of the signer, giving the street and number. Each petition shall be verified by the oath of some responsible person, before an officer competent to administer oaths, that each signature thereon is the genuine signature of the person whose name it purports to be and that it was signed in his presence. Nominating petitions shall be filed with the City Clerk in accordance with the opening and closing dates for filing as set by Missouri state statute, and shall be in substantially the following form:

*We, the undersigned, registered voters of the City of University City, County of St. Louis, respectfully petition and request that the name of \_\_\_\_\_, residing at \_\_\_\_\_, be placed upon the ballot as a candidate for the office of **Council-member of Ward Number** \_\_\_\_\_, to be voted for at the election to be held on the 3rd day of April, 2018; and we, individually, signify that our names have appeared on the roll of registered voters within the last year, and that we are qualified to vote for this candidate:*

**Signature      Name (Printed)      Street and Number      Date of Signing**

*(Space for 75 signatures and required data)  
(Verification of Signatures)*

*Acceptance of Nomination*

*Date and hour of filing* \_\_\_\_\_.

*This petition is filed by* \_\_\_\_\_, *whose address is* \_\_\_\_\_.

*Received by* \_\_\_\_\_  
*(Signature of City Clerk)*

The City Clerk shall preserve the name and address of the person by whom each nominating petition is filed. No nominating petition shall be accepted unless accompanied by a signed acceptance of the nomination and a deposit by the candidate of fifty dollars (\$50.00), a receipt for which shall be issued by the City Clerk. Such deposit shall be returned to the candidate if he becomes ineligible or withdraws his candidacy forty-five days before the election, or if he polls at least five percent of the votes cast for the office for which he is a candidate; but if he remains a candidate and fails to receive the prescribed percent of votes, the deposit shall be forfeited and paid into the general fund of the city. Within ten days after the filing of a nominating petition, the City Clerk shall notify the candidate and the person who filed the petition, whether or not it is found to be sufficient. If a petition is found insufficient, the City Clerk shall return it immediately to the person who filed it with a statement certifying wherein the petition is found insufficient. Within the regular time for filing petitions a new or supplemental petition may be filed for the same candidate. The petition of each candidate nominated to be a member of the Council shall be preserved by the City Clerk until the expiration of the term of office for which he has been nominated.

**II. BALLOTS:**

Ballots are printed by the Board of Election Commissioners in accordance with Missouri law. The order in which the names of the candidates shall be printed on the ballots will be determined by a lottery drawing. Candidates filing after first day will be placed on the ballot below candidates who filed on the first day, in order as they are received.

**III. RETURNS; CANVASS:** (Section 71, Article IX, Charter)

Election returns shall be canvassed by the Council at a meeting not later than forty-eight hours after their receipt by the City Clerk, and the candidates receiving the highest number of votes for each office declared elected.

**IV. TIE VOTE:** (Section 72, Article IX, Charter)

If at any municipal election there shall be no choice between candidates by reason of two or more having received an equal number of votes, the Council shall proceed to determine the election by lot.

**V. PROCEDURE FOR FILING FOR MUNICIPAL ELECTION**

The first day for filing Declarations of Candidacy for the April 3, 2018, election is from **8:00 a.m. to 5:00 p.m. on Tuesday, December 12, 2017. Filing will close at 5:00 p.m. on Tuesday, January 16, 2018.** Each Declaration of Candidacy must be filed with the City Clerk at the City Hall, 6801 Delmar Blvd, University City MO. Except as provided in Section 115.355.2, RSMo., all candidates must file in person; no one else can file for a candidate. State law requires persons filing declarations of candidacy to provide proof of identity.

\*\*\*\*\*

All persons who circulate the petition, whether it be the candidate or some representative of said candidate, must sign the petition before a Notary Public that he, she or they witnessed the signing of said petition.

\*\*\*\*\*

Candidacy declarations will be accepted at University City Hall, 2<sup>nd</sup> Floor, room 8, 6801 Delmar Blvd. University City, MO 63130.

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It is the candidate's responsibility, not the City Clerk's, to contact the Missouri Ethics Commission and the St. Louis County Board of Election Commissioners to determine County, State and Federal requirements for filing, funning and holding an elected office.

**VI. CANDIDATE ELIGIBILITY**

Pursuant to Section 115.347, RSMo., no candidate's name shall be printed on any official ballot unless his/her written, signed and sworn Declaration of Candidacy has been filed in the office of the city clerk within the time allowed by law.

Section 115.306.1, RSMo., provides that no person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony under the federal laws of the United States of America or to a felony under the laws of this state or an offense committed in another state that would be considered a felony in this state.

*(Revised to remove "or misdemeanor" per the revised statutes 11/17/17)*

And Section 115.306.2, (1) RSMo., any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

(2) Each potential candidate for election to a public office, except candidates for a county or city committee of a political party, shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form: *(Revised to read as stated in the statutes 11/17/17)*

**AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:**

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

\_\_\_\_\_  
Candidate's Signature

\_\_\_\_\_  
.....  
Printed Name of Candidate

- See attached 5120 form from Missouri Department of Revenue





# The City of University City

## Chapter 105. Elections

### Section 105.010. General Elections.

[R.O. 2011 §2.06.010; Code 1950 §501.1; Prior Code §11-1; Ord. No. 6192, 1999]

The general municipal election day for the election of a Mayor and any other elective officers that may now or hereafter be elected by the City at large, and one (1) Councilmember for each ward, shall be the first (1st) Tuesday after the first (1st) Monday in April, 1998, and the first (1st) Tuesday after the first (1st) Monday in April every four (4) years thereafter. The general municipal election day for a Councilmember from each ward shall be the first (1st) Tuesday after the first (1st) Monday in April, 2000, and the first (1st) Tuesday after the first (1st) Monday in April every four (4) years thereafter.

### Section 5. Generally.

[R.O. 2011 Charter Art. II § 5; Ord. No. 3649, § 1; Ord. No. 5211, § 3]

- The council shall consist of seven members, each of whom shall be elected for a term of four years. Two councilmembers shall be elected by the qualified voters of each of the three wards of the city, and one who shall be the mayor shall be elected by the qualified voters of the city at large.

### Section 6. Councilmembers — Qualifications.

[R.O. 2011 Charter Art. II § 6; Ord. No. 4389, § 3; Ord. No. 4962, § 5; Ord. No. 5211, § 3]

- A councilmember shall be a qualified voter of the city and shall have been a resident thereof for at least three consecutive years immediately prior to his election. Councilmembers elected by wards shall be residents of the wards from which elected. Councilmembers shall hold no other popularly elected public office nor shall they hold any other compensatory position in the city government during their terms. If a councilmember shall cease to be a resident of University City or the ward from which elected, or shall cease to possess any of the above qualifications, or shall be convicted of a felony, malfeasance in office, bribery, or other corrupt practice, or of a crime involving moral turpitude, the councilmember's office shall immediately become vacant.

[R.O. 2011 Charter Art. II § 8; Ord. No. 3649, § 1; Ord. No. 5211, § 3]

- The councilmember elected at large shall preside at all meetings of the council, and shall have the title of mayor. He shall be recognized as the head of the city government for all ceremonial purposes, and by the governor for purposes of military law, but shall have no administrative duties. During the absence of the mayor or his inability to act for any reason, the council shall choose one of its members as chairman pro tempore, who shall perform the duties of the mayor.

## Chapter C.

### Charter of The City of University City, Missouri – Article IX. Nominations and Elections

#### Section 68. Nominations and nomination petitions.

[R.O. 2011 Charter Art. IX § 68;

Ord. No. 4389, § 3; Ord. No. 5211, § 3; Ord. No. 5736, Prop. No. 16, 4-3-1990]

- Nominations for the council shall be made by petition signed by not less than fifty nor more than seventy-five registered voters who are entitled to vote for the candidate so nominated. No voter shall sign more than one nominating petition for the same office, and should a voter do so, his signature shall be void except as to the petition first filed. With each signature shall be printed the person's name and shall be stated the place of residence of the signer, giving the street and number. Each petition shall be verified by the oath of some responsible person, before an officer competent to administer oaths, that each signature thereon is the genuine signature of the person whose name it purports to be and that it was signed in his presence. Nominating petitions shall be filed with the city clerk in accordance with the opening and closing dates for filing as set by Missouri state statute, and shall be in substantially the following form:

We, the undersigned, registered voters of the City of University City, County of St. Louis, respectfully petition and request that the name of _____ residing at _____, be placed upon the ballot as a candidate for the office of councilmember of Ward Number _____ (or at large) to be voted for at the election to be held on the _____ day of _____; and we, individually, signify that our names have appeared on the roll of registered voters within the last year, and that we are qualified to vote for this candidate:	
Signature	Name(Printed)
Street and Number	Date of Signing
(Space for 75 signatures and required data)	
	(Verification of signatures)
	Acceptance of Nomination
Date and hour of filing _____	
This petition is filed by _____ whose address is _____	
Received by _____	
(signature of city clerk)	

- The city clerk shall preserve the name and address of the person by whom each nominating petition is filed. No nominating petition shall be accepted unless accompanied by a signed acceptance of the nomination and a deposit by the candidate of fifty dollars, a receipt for which shall be issued by the city clerk. Such deposit shall be returned to the candidate if he becomes ineligible or withdraws his candidacy forty-five days before the election, or if he polls at least five per centum of the votes cast for the office for which he is a candidate; but if he remains a candidate and fails to receive the prescribed per centum of votes, the deposit shall be forfeited and paid into the general fund of the city. Within ten days after the filing of a nominating petition the city clerk shall notify the candidate and the person who filed the petition whether or not it is found to be sufficient. If a petition is found insufficient the city clerk shall return it immediately to the person who filed it with a statement certifying wherein the petition is found insufficient. Within the regular time for filing petitions a new or supplemental petition may be filed for the same candidate. The petition of each candidate nominated to be a member of the council shall be preserved by the city clerk until the expiration of the term of office for which he has been nominated

# DECLARATION OF CANDIDACY

I, \_\_\_\_\_, a resident and registered voter of the county of St. Louis and the state of Missouri, residing at \_\_\_\_\_, do announce myself a candidate for the office of \_\_\_\_\_, to be voted on at the election to be held on the 3<sup>rd</sup> day of April, 2018, and I further declare that if nominated and/or elected to such office I will qualify and serve.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Residence Address

\_\_\_\_\_  
E-Mail

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
NAME AS TO APPEAR ON BALLOT (Please Print)

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Signature of election official or other officer  
authorized to administer oaths

I, \_\_\_\_\_ hereby acknowledge that:  
(Print Name)

\_\_\_\_ I have obscured my social security number and attached a copy of the completed, notarized  
(Initial) MO DOR Form 5120.

\_\_\_\_ It is my responsibility to send the original MO DOR Form 5120 to the Missouri Department  
(Initial) of Revenue.

**CITY OF UNIVERSITY CITY**

**PETITION FOR NOMINATION for COUNCILMEMBER, WARD**

We, the undersigned, registered voters of the City of University City, County of St. Louis, respectfully petition and request that the name of

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residing at

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be placed upon the ballot as a candidate for the office of **COUNCILMEMBER – WARD** , to be voted for at the election to fill an expired term, to be held on the 3<sup>rd</sup> day of April, 2018 and we individually signify that our names have appeared on the roll of registered voters within the last year, and that we are qualified to vote for this candidate:

CIRCULATOR'S AFFIDAVIT:

I swear that the above signatures were made in my presence and to the best of my knowledge are the signatures of the persons they represent.

\_\_\_\_\_  
Signature of Person Filing

Address

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

ACCEPTANCE OF NOMINATION:

I hereby accept the nomination for the Council of University City and agree to serve if elected.

\_\_\_\_\_  
(Signature of Candidate)

Date and hour of filing: \_\_\_\_\_

This petition is filed by: \_\_\_\_\_

Whose address is: \_\_\_\_\_

Received  
by: \_\_\_\_\_  
(City Clerk)

	<b>SIGNATURE</b>	<b>PRINT NAME</b>	<b>ADDRESS</b>	<b>DATE</b>
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# Candidate's Affidavit of Tax Payments and Bonding Requirements

[Home](#) » [Personal Tax](#) » candidates

If you desire to file as a candidate for election to a public office in Missouri, you must file a Candidate's Affidavit of Tax Payments (Form 5120) with the Missouri Department of Revenue in addition to other required documents filed to the Secretary of State or local election official.

In the Affidavit, you will state that you are not delinquent in the payment of any state income taxes, personal property taxes, real property taxes on your place of residence as stated on the declaration of candidacy.

Is not a past or present corporate officer of any motor vehicle and driver license office that owes any taxes to the state.

Has not been found guilty of or pled guilty of a felony under the laws of the United States of America.

*(Revised to remove "or misdemeanor" per the revised statutes 11/17/17)*

You must complete all information requested on the Affidavit, **sign the Affidavit before a notary, and have the Affidavit notarized**. The original Affidavit must be filed with the Missouri Department of Revenue. A copy of the Affidavit must be attached to your declaration of candidacy filed with the [Secretary of State](#) or local election official, if applicable. You may obscure or remove your Social Security number from the copy of the Affidavit attached to your declaration of candidacy.

Complaints pursuant to Section 115.306, RSMO (Form 5121) against candidates believed to be delinquent of state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence stated on the declaration of candidacy, or if the person is a past or present corporate officer of any motor vehicle and driver license office that owes any taxes to the state, must be submitted to the Department. Once the complaint is received by the Department, the allegations against a candidate will be investigated. Tax information is confidential, and those filing the complaint will not receive confidential information regarding the candidate.

## Forms

- [Candidate's Affidavit of Tax Payments and Bonding Requirements \(Form 5120\) - Fillable](#)
- [Complaint Pursuant to Section 115.306, RSMo \(Form 5121\) - Fillable](#)

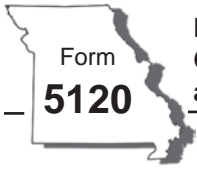
## Missouri Revised Statutes

- [Section 115.306, RSMo - Filing Requirement](#)

## Resources

- [Property Taxes and Tax Receipts Directories](#)
- [Missouri Secretary of State Candidate Information](#)





Missouri Department of Revenue  
**Candidate's Affidavit of Tax Payments  
 and Bonding Requirements**

<b>Candidate Information</b>	First Name		Middle Name		Last Name												
	Social Security Number			County of Residence		Telephone Number*											
	<table border="1"> <tr> <td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td> </tr> </table>													City		State	Zip Code
Street Address*			City		State	Zip Code											
Elected Office Candidate is Seeking			E-mail Address														

\* Please update the Department should any information change

<b>Signature</b>	Declaration under <a href="#">115.306, RSMo</a> : I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on my declaration of candidacy, or that I am not a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.	
	Signature	Date (MM/DD/YYYY) ____/____/____

<b>Notary Information</b>	Embosser or black ink rubber stamp seal	Subscribed and sworn before me, this		
		_____ day of		_____ year
	State	County (or City of St. Louis)	My Commission Expires (MM/DD/YYYY) ____/____/____	
	Notary Public Signature			
Notary Public Name (Typed or Printed)				

Please review 115.306, RSMo. A failure to comply may disqualify you from the ballot. Upon request by the Department of Revenue, the candidate shall provide a copy of tax receipts for the candidate's personal property, municipal, and real property taxes, and any other information necessary to demonstrate compliance with 115.306, RSMo.

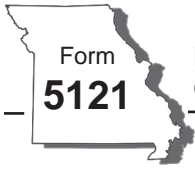
Form 5120 (Revised 08-2015)

**Mail to:** Missouri Department of Revenue  
 General Counsel's Office  
 P.O. Box 475  
 Jefferson City, MO 65105

**Phone:** (573) 751-4450  
**TTY:** (800) 735-2966  
**Fax:** (573) 751-7151

Visit <http://dor.mo.gov/personal/candidates/>  
 for additional information.





Missouri Department of Revenue  
**Complaint Pursuant to Section 115.306, RSMo**

<b>Candidate</b>	Name (Last, First, Middle)			
	Address	City	State	Zip Code
	Elected Office of Candidate			

<b>Complainant</b>	I have probable cause to believe that the above candidate has failed to file and pay the following taxes that are due and owing and to my knowledge are not in dispute. Select all that apply.	
	<input type="checkbox"/>	State Income Taxes
	<input type="checkbox"/>	Personal Property Taxes
	<input type="checkbox"/>	Municipal Taxes
	<input type="checkbox"/>	Real Property Taxes on the Place of Residence
	<input type="checkbox"/>	Candidate is or was a corporate officer of a fee office that owes taxes to the state.
The facts upon which I have probable cause to believe a tax or taxes are owed are as follows:		
_____		
_____		
_____		
_____		
_____		

<b>Complainant</b>	Signature		Printed Name (Last, First, Middle)	
	Address	City	State	Zip Code
	Daytime Telephone Number (____) _____ - _____	E-mail Address		

<b>Notary Information</b>	Embossed or black ink rubber stamp seal	Subscribed and sworn before me, this _____ day of _____ year		
		State	County (or City of St. Louis)	My Commission Expires (MM/DD/YYYY) ____/____/____
		Notary Public Signature		
		Notary Public Name (Typed or Printed)		

**Send Form 5121 and any attachments to:**

Missouri Department of Revenue  
 General Counsel's Office  
 P.O. Box 475  
 Jefferson City, MO 65105

**Phone:** (573) 751-4450  
**TTY:** (800) 735-2966  
**Fax:** (573) 751-7151

Visit <http://dor.mo.gov/personal/candidates/>  
 for additional information.



# Important Statutes relating to candidate filings for ALL Elections

## RSMo 115.127.5

- Publish the filing notice to the General Public.

## RSMo 115.306.1 - (replaced with revised wording which removes "or misdemeanor" 11/17/2017)

- Candidates for any public office cannot have been found guilty of or pled guilty to a felony under the federal laws of the United States of America or to a felony under Missouri law, or in another state that would be considered a felony in Missouri.  
*(Revised to remove "or misdemeanor" per the revised statutes 11/17/17)*

## RSMo 115.306.2

- Candidates for any public office cannot be delinquent in payment of taxes **(no exceptions)**.
  - State income taxes
  - Personal property taxes
  - Municipal taxes
  - Real property taxes on the place of residence as stated on the declaration of candidacy
  - Person is a past or present officer of a fee office that owes any taxes to the state
- Candidates for election to a public office shall file an affidavit with the DOR and include a copy of the affidavit with the declaration of candidacy.

**Note:** Delinquency in state or municipal user fees or other non-tax obligations is not a disqualification as it had been under Section 115.346.

## RSMo 130.071.2

- In addition to any other penalties provided by law, no person may file for any office in a subsequent election until he or the treasurer of his existing candidate committee has filed all required campaign disclosure reports for all prior elections.

## RSMo 115.308

- Candidates for special district, township, city, and town or village office are exempt from Sections 115.307 – 115.405 RSMo, which address candidate filing and primary elections.

# Missouri Revised Statutes

(Replaced 1/17/17)

## Chapter 115 – Section 115.306 Election Authorities and Conduct of Elections

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### **Disqualification as candidate for elective public office, when — filing of affidavit, contents — tax delinquency, effect of.**

115.306. **1** No person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony under the federal laws of the United States of America or to a felony under the laws of this state or an offense committed in another state that would be considered a felony in this state.

**2. (1)** Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

**(2)** Each potential candidate for election to a public office, except candidates for a county or city committee of a political party, shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form:

#### **AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:**

*I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.*

\_\_\_\_\_ Candidate's Signature

\_\_\_\_\_ Printed Name of Candidate

**(3)** Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state, the department of revenue shall investigate such potential candidate to verify the claim contained in the complaint. If the department of revenue finds a positive affirmation to be false, the department shall contact the secretary of state, or the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The department shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute between the department and the candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate shall be disqualified from participating in the current election and barred from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint

(Removed 11/17/2017) RSMo \*130.071 and 115.308

\*Revisor's Note: This section was declared unconstitutional in *Legends Bank v. State*, see annotation below.

(2012) Senate Bill 844 provision declared unconstitutional as a violation of the original purpose requirement of Art. III, Sec. 21, Constitution of Missouri. *Legends Bank v. State*, 361 S.W.3d 383 (Mo. banc)

For Full Details on Missouri Revised Statutes - <http://www.moga.mo.gov/index.html>





# Notice to Candidate

## Personal Financial Disclosure (PFD) (aka: Financial Interest Statement)

### Part One: Candidate Information

Candidate's Name: \_\_\_\_\_ Political Subdivision: \_\_\_\_\_

Office Sought: \_\_\_\_\_ Date of Election: \_\_\_\_\_

### Part Two: Filing Status (Election Official: Select Option A or B. If select Option B, complete Sections 1 & 2)

#### Option A. Candidate does not have to file a PFD/Financial Interest Statement because:

- 1.  The political subdivision's annual operating budget (AOB) is \$1 million or under.
- 2.  The political subdivision's AOB is over \$1 million and the subdivision has a conflict of interest ordinance on file with MEC that does not require a candidate running for this position (office sought) to file. (NOTE: if candidate has had a business transaction with the subdivision, refer to Option B, Section 1, Item 1)
- 3.  The office sought is committeeman or committeewoman.

#### Option B. Candidate must file a PFD/Financial Interest Statement with MEC because:

##### Section 1:

- 1.  The political subdivision has an AOB over \$1 million and the subdivision has a conflict of interest ordinance on file with the MEC that specifically 1) requires a candidate running for this position (office sought) to file, **OR** 2) requires a candidate (including spouse, children, parents, or a business in which they owned a substantial interest) that has had a business transaction with the political subdivision in excess of \$500 in the preceding twelve months to file pursuant to §105.485.4(1) RSMo.
- 2.  The political subdivision has an AOB over \$1 million and the subdivision does **NOT** have a conflict of interest ordinance on file with the MEC and the candidate is required to file pursuant to §105.483-§105.492 RSMo.
- 3.  Candidate is a new Associate Circuit Judge Candidate (all other judicial candidates file with the Supreme Court).

##### Section 2: Candidates required to file **must be informed** of the following deadlines/penalties:

- 1. If PFD/Financial Interest Statement is not filed by \_\_\_\_\_ (14 days after filing closing date);  
**PENALTY:** Candidate will be assessed a minimum of **\$10 per day late fee** for each day the report is late.
- 2. If PFD/Financial Interest Statement is not filed by \_\_\_\_\_ (21 days after filing closing date);  
**PENALTY:** Candidate will be **disqualified as a candidate** and his/her name will be removed from the ballot.

*NOTE: If the political subdivision has a conflict of interest ordinance on file with the MEC:*

- 1. *And the above filing deadlines are not met; penalties (if any) are assessed by the political subdivision according to its ordinance.*
- 2. *Candidate must also file a copy of his or her PFD with the governing body/subdivision.*

### Part Three: Acknowledgement (completed by candidate & witnessed by election official):

I, \_\_\_\_\_ hereby acknowledge that I have received:  
(Print name)

\_\_\_\_\_  
(initial) **Notice to Candidate**, (written notice of candidate's obligation to file a PFD/Financial Interest Statement, including the consequences for failure to file on time); and

\_\_\_\_\_  
(initial) **Guide to Ethics Law – A Plain English Summary**, (regarding laws governing candidates for election to office in Missouri) and I hereby acknowledge the authority of the Missouri Ethics Commission, or the political subdivision for which I am filing, in enforcing said laws.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Candidate's Email Address (Optional)

\_\_\_\_\_  
Signature of Election Official (Witness)

\_\_\_\_\_  
Date

09/2014



# MISSOURI ETHICS COMMISSION

## 2018 Election Packet Information

Each October the Missouri Ethics Commission distributes election packets to election officials to give to candidates as they file for office. For your convenience we have gathered these materials online so you may view or print them as needed.

### CAMPAIGN FINANCE

[Guide to Ethics Laws](#) - A Plain English Guide (2018)

[When to Form & Register a Committee](#)

[Campaign Material Identification Requirements](#) (Paid-for-by disclaimer)

### PERSONAL FINANCIAL DISCLOSURE (PFD)

[PFD Calendar](#)

[Notice to Candidate](#)

[Financial Disclosure Statement for Political Subdivisions](#) (Short Form)

[Personal Financial Disclosure Statement](#) (Long Form)

### MoDOT

[Unauthorized Roadside Signs](#)

For MoDot related information, call **1-888-ASK-MODOT** (275-6636)

### Need more info?

**Visit:** [www.mec.mo.gov](http://www.mec.mo.gov)

**Read:** MEC Guide to Ethics Law

### Questions?

**Call:** 800-392-8660 or 573-751-2020

**Email:** (PFD) - [pfdonline@mec.mo.gov](mailto:pfdonline@mec.mo.gov)  
(Campaign Finance) - [helpdesk@mec.mo.gov](mailto:helpdesk@mec.mo.gov)

# Register for Candidate Training

As a candidate, there are many requirements you need to know for your campaign. The Missouri Ethics Commission is offering training to help you understand these requirements. Topics include campaign finance disclosure, personal financial disclosure (PFD), and campaign material identification (paid for by) requirements. Both candidates and treasurers are encouraged to attend.

## MEC Candidate Training provides answers to common questions, such as:

### Campaign Finance:

- How much cash can I receive from a person?
- What is an in-kind contribution?
- How much of my own money can I spend?

### Personal Financial Disclosure:

- When must I file this form?
- What if I don't file?
- Whose information do I include?

### Campaign Materials:

- What must I put on my signs and printed materials?
- What about campaign t-shirts?

## Types of Training Provided

### In Person



Regional and BOEC/county-hosted training presentations address proper campaign finance record-keeping and reporting compliance.

### Webinars



Convenient online training that covers campaign finance record-keeping, reporting, and personal financial disclosure for candidates.\*

## How to Register

Access the **MEC Training Schedule** from the [Educational Resources](#) link (located at the top of the MEC homepage [[mec.mo.gov](http://mec.mo.gov)]). From the schedule, choose from the available webinars, in-person events, or browse the [Guide to Training & Resources](#).

## Additional Information

- MEC training information and resources can be found at: [www.mec.mo.gov/training](http://www.mec.mo.gov/training).
- A committee checklist, committee registration packet, deadline calendar, and printed material brochure can be accessed on the [Candidate Central](#) page; found via the Campaign Finance link at the top of the MEC homepage.
- Web Tutorials—Includes “*Campaign Material Identification Requirements*”, & many more. No registration needed, click the link and the tutorial will begin running in your browser window.

\*Attendees register online and must have a valid email address and internet access. Prior to the session, a confirmation email will be sent with a link to access the session as well as instructions for testing your internet connection. We do not recommend attending webinars through a dial-up connection.



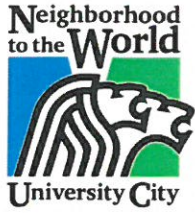
## Missouri Ethics Commission

3411 A. Knipp Dr.

Jefferson City MO 65109

Phone (800) 392-8660 or (573) 751-2020

[www.mec.mo.gov](http://www.mec.mo.gov)



**Office of the City Clerk**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8531, Fax: (314) 863-9146

November 2017

Dear Candidate for Public Office:

With your filing as a candidate in the upcoming election, please be advised of the City of University City's regulations on signs. Sign regulations, including those applicable to campaigns, are set forth in Article 8 of the University City Zoning Code.

Attached are the related Zoning Code excerpts. The entire ordinance relating to Sign Regulations can be found on the City's website at <https://ecode360.com/UN3457>.

Please be advised that the City is required to investigate any complaints regarding signage. Those found to be in violation of the Zoning Code will be removed in accordance with Article 9 relating to Administration and Enforcement. The signs will be retained at City Hall, 4<sup>th</sup> floor for pickup for 60 days after removal.

Thank you in advance for your assistance with this matter. Please contact the Department of Community Development at (314) 505-8500 with questions.

Sincerely,

LaRette Reese  
Interim City Clerk  
City of University City



## Chapter 400. Zoning Code

### ARTICLE VIII. Sign Regulations

#### Division 1. Generally

#### Section 400.2160. Intent and Purpose.

[R.O. 2011 §34-100; Ord. No. 6139 §1(Exh. A (part)), 1997]

- A. It is the intent and purpose of this Article to provide sign regulations that promote the following objectives:
1. Effective communication without excessive proliferation or size of signage;
  2. Protection of the public from unsafe signs by requiring proper location, installation and maintenance, and avoiding undue distractions to persons driving motor vehicles; and
  3. Provision of a quality community image, thereby protecting and enhancing the economic vitality of the City by ensuring that the City remains a desirable place to live, visit and conduct business.

#### Section 400.2170. Applicability.

[R.O. 2011 §34-101; Ord. No. 6139 §1(Exh. A (part)), 1997]

Except as otherwise provided for in Article IV, Section **400.780(D)(3)** of this Chapter, the provisions of this Article shall govern the installation, erection, painting or display of any outdoor sign or sign which is designed to be seen by the public from out-of-doors.

## Chapter 400. Zoning Code

### ARTICLE VIII. Sign Regulations

#### Division 3. Sign Regulations — All Zoning Districts

#### Section 400.2230. Prohibited Signs.

[R.O. 2011 §34-104.1; Ord. No. 6139 §1(Exh. A (part)), 1997; Ord. No. 6142 §1(part), 1997; Ord. No. 6401 §1(part), 2002; Ord. No. 6891 §1, 7-23-2012]

- A. The following types of signs are prohibited in all zoning districts of University City:
1. Moving signs of which all or any part of the sign moves or which appears to move by any means, including fluttering or rotating. This prohibition includes, but is not limited to, pennants, streamers, or propellers.
  2. Flashing signs, except illuminated signs which indicate the time, temperature, weather or other similar information, shall not be considered flashing signs; provided that the total area of such sign is not greater than sixteen (16) square feet, the vertical dimension of any letter or number is not greater than twenty-four (24) inches, and the color or intensity of light is constant except for periodic changes in the information display, which occur not more frequently than once every thirty (30) seconds.
  3. Strips or strings of lights outlining property lines, sales area, rooflines, doors, windows, wall edges or other architectural features of a building, except decorative holiday lighting between Thanksgiving and January tenth (10th) of the following year.
  4. Signs on municipal land or rights-of-way, other than real estate open house signs, those signs erected at the direction or with the permission of a public authority and signs authorized to project into a right-of-way in accordance with this Article; provided however, that this prohibition shall not be enforced on any election day on any municipal land in an area beginning twenty-five (25) feet from the outer door to any municipal building designated as a polling place.
  5. Signs which are not securely affixed to the ground, or otherwise affixed in a permanent manner to an approved supporting structure, except for portable signs as allowed in Section 400.2220(C) of this Chapter.  
[Ord. No. 6972 §1, 11-10-2014]
  6. Signs attached to, painted on, or placed on any vehicle including a trailer that is parked in public view on private property. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during the normal course of business or parked after business hours, provided parking takes place as inconspicuously as possible and the duration of the parking does not exceed a period of sixteen (16) hours, except on weekends or holidays.
  7. Off-premises advertising signs, except as authorized in this Chapter.
  8. "Sold" signs displayed after seven (7) working days following the removal of the property from the market.
  9. Real estate signs which do not comply with all provisions of Section 400.2240 of this Article.
  10. Obsolete signs remaining thirty (30) days after they become obsolete.



11. Signs installed, erected, enlarged or structurally altered in violation of the provisions of this Article.
12. Signs which have become deteriorated or damaged to an extent that the cost of the reconstruction or restoration of such signs is in excess of fifty percent (50%) of its replacement value exclusive of foundations.
13. Signs lettered in a crude or amateurish fashion.
14. Other signs not expressly permitted by this Article.

## Section 400.2240. Permitted Signs.

[R.O. 2011 §34-104.2; Ord. No. 6672 §1, 2006; Ord. No. 6891 §1, 7-23-2012]

- A. Except as otherwise limited in this Section, the following types of signs are permitted, without a sign permit, in all of the zoning districts of University City:
1. Temporary signs — on-premise yard signs not exceeding ten (10) square feet in gross area (per sign) for each ten thousand (10,000) square feet of lot area or fraction thereof and not exceeding three (3) feet in height for each ten thousand (10,000) square feet of lot area or fraction thereof; provided the height limitations shall not apply to signs displayed in windows or attached directly to building walls. Height shall be measured from the ground at the base of the sign to the highest point of the sign or its support. The number of signs, described in this Subsection, shall be limited to one (1) sign for each street frontage per message conveyed, but in no event shall more than one (1) of the same sign for each street frontage be displayed.
  2. Temporary signs — off-premise real estate open house signs and open house directional signs shall be permitted only during open house hours and when the owner or a representative of the owner is in attendance. Such directional signs may be located off-premises and within a street right-of-way, subject to the requirements of Article V, Section 400.1410, "Visibility at Intersections" of this Chapter. Location of such signs in street rights-of-way not under the control of the City shall be subject to the rules and regulations of the applicable authority (e.g., Missouri Highway and Transportation Department, or St. Louis County Department of Highways and Traffic).
  3. Official public notices and notices posted by a public authority in accordance with public notice requirements as may be required by law, including City codes.
  4. Governmental signs for the control or direction of traffic and other public purposes, such as neighborhood watch program signs, historical markers and plaques, or temporary emergency signs.
  5. "No Parking" or "No Trespassing" signs which are no larger than one (1) square foot in gross sign area.
  6. Signs painted, or applied in decal form, in the windows of commercial and industrial districts not exceeding one (1) square foot in gross sign area for each business located on the ground floor of the premises.
  7. Single identification signs not exceeding four (4) square feet in gross sign area which are hung below a canopy or awning; provided they allow a clearance of at least seven (7) feet above the sidewalk or other pedestrian way.
  8. Painted graphics when located in a non-residential zoning district.
  9. Temporary residential garage sale signs including, but not limited to, garage sale, patio sale, yard sale, porch sale, basement sale or any similarity thereto, that do not exceed five (5) square feet and located upon premises where the sale is taking place. These signs shall be removed within twenty-four (24) hours following the completion of the sale.
  10. Tablets or plaques in building walls denoting names of buildings, names of officers and officials and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials.
  11. Address numbers.

12. Flags of the United States of America, States, Cities or other regional or national governmental flags.
13. *Other flags.*
  - a. *Residential.*
    - (1) *Types.*
      - (a) Plain flags (of any color), and/or
      - (b) Flags with non-commercial design elements including insignias, emblems, logos commonly used for decorative, seasonal, sports, or school identification purposes.
    - (2) *Limitations.*
      - (a) This Section applies only to occupants of a building with an approved occupancy permit, and further only to those that occupy the ground floor of the building with street frontage.
      - (b) No off-premises advertising shall be permitted as a flag under this Section.
  - b. *Commercial.*
    - (1) *Types.*
      - (a) Plain flags (of any color) when displayed on commercial zoned property, and/or
      - (b) Flags with design elements including primary sign information, insignias, emblems and logos commonly used by and associated with the business or organization when displayed on commercially-zoned property. Copy (beyond insignias, emblems, ad logos) on such flags shall be limited to that permitted under Section 400.030, "Definitions" for identification signs in this Chapter.
    - (2) *Limitations.*
      - (a) This Section applies only to occupants of a building with an approved occupancy permit, and further only to those that occupy the ground floor of the building with street frontage.
      - (b) No off-premises advertising shall be permitted as a flag under this Section.
  - c. *Dimensions.* Shape must be rectangular and size must not exceed a height of three (3) feet and a width of five (5) feet.
  - d. *Display.*
    - (1) *Means.* Each flag must be individually hung from a wood, fiberglass or metal pole which is securely affixed to a building at no less than a forty-five degree (45°) angle from the vertical plane.
    - (2) *Location.* Flag must be on the portion of the building occupied by the resident/ applicant and in no case shall be displayed above ground floor level.
    - (3) The resident or displaying commercial business shall be limited to five (5) such flags on their portion of the building.

## Section 400.2260. Sign Placement.

[R.O. 2011 §34-104.4; Ord. No. 6139 §1(Exh. A (part)), 1997]

No sign shall be placed in or project over a street right-of-way line, except as provided for in this Chapter, including signs on canopies, awnings or marquees that are permitted to project into a right-of-way under the provisions of Article V, Division 2 of this Chapter.

## Chapter 400. Zoning Code

### ARTICLE IX. Administration and Enforcement

#### Division 5. Violation of This Chapter

#### Section 400.2560. Unlawful Acts.

[R.O. 2011 §34-115.1; Ord. No. 6139 §1(Exh. A (part)), 1997]

It is unlawful for any person to erect, construct, reconstruct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, provide, fail to provide, maintain or fail to maintain any premise, land, structure, building, or part thereof, or cause the same to be done contrary to or in conflict with the provisions of this Chapter, of a duly issued permit or of a duly issued order of the Zoning Administrator. All such unlawful acts shall be treated as violations of the provisions of this Chapter and shall be subject to the penalties stated herein.

#### Section 400.2570. Violations — Penalties.

- A. The owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee, or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation, or who maintains any building or premises in which any such violation shall exist shall be guilty of an ordinance violation punishable by a fine of not less than ten dollars (\$10.00) and not more than two hundred fifty dollars (\$250.00) for each and every day that such violation continues, or by imprisonment for ten (10) days for each and every day such violation shall continue, or by both such fine and imprisonment in the discretion of the court. Notwithstanding the provisions of Section 82.300, RSMo., for the second (2nd) and subsequent offenses involving the same violation at the same building or premises, the punishment shall be a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00) for each and every day that such violation shall continue, or by imprisonment for ten (10) days for each and every day such violation shall continue, or by both such fine and imprisonment in the discretion of the court.
- B. Any such person who, having been served with an order to remove any such violation, shall fail to comply with such order within ten (10) days after such service or shall continue to violate any provision of the regulations made under authority of Sections 89.010 to 89.140, RSMo., in the respect named in such order shall also be subject to a civil penalty of two hundred fifty dollars (\$250.00).

## Chapter 400. Zoning Code

### ARTICLE IX. Administration and Enforcement

#### Division 5. Violation of This Chapter

#### Section 400.2580. Other Remedies.

[R.O. 2011 §34-115.3; Ord. No. 6139 §1(Exh. A (part)), 1997]

In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of this Chapter, the City, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises. Such regulations shall be enforced by the Zoning Administrator to cause any building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of the regulations of this Chapter.