

# Issue Committee Guidelines



*City of Fort Collins  
Special Municipal Election*

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*November 6, 2001*

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### **Introduction**

The *Issue Committee Guidelines* are furnished as a source of general information about the regulations governing issue committees formed for the purpose of supporting or opposing municipal ballot issues. These guidelines contain basic information and are not intended to be comprehensive in scope or depth. If you have questions regarding the interpretation of applicable laws and regulations for your particular situation, you may wish to consult with a private attorney who can provide you with that interpretation. If there is any inconsistency between these guidelines and the applicable provisions of the City Code, City Charter, or state law, the provisions of the Code, Charter, or state law take precedence.

### **Election Administration**

All regular and special municipal elections are administered by the City Clerk's Office under the provisions of the City Code, the City Charter, and Colorado law. The City Council has called a special municipal election, to be held in conjunction with the Larimer County Coordinated Election, on November 6, 2001. The City will contract with Larimer County for the conduct of the election.

All information regarding the conduct of the election and requirements of an issue committee should be obtained from the City Clerk's Office. Other entities, such as Larimer County, are not familiar with the requirements of the City Code and Charter. The City Clerk's Office will assist you through the election process as much as possible. However, the City Clerk's Office cannot provide legal advice.

The City Clerk's Office is open from 8:00 a.m. to 5:00 p.m., Monday through Friday, with the exception of legal holidays.

### **Important Telephone Numbers**

The following telephone numbers are provided to assist you with election and City government related questions.

**Election-Related Questions**

Wanda M. Krajicek, City Clerk	221-6515
Rita Knoll Harris, Chief Deputy City Clerk	221-6516
Aimee Jensen, Deputy City Clerk	221-6315

**Sign Code Questions**

Building and Zoning Department	221-6760
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**Questions/Complaints Regarding Placement of Election Signs in the Public Right-of-Way**

Engineering Department	221-6605
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**Voter Registration Questions/Requests for Voter Registration Records**

Larimer County Elections Office	498-7820
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**General City Government Information**

Switchboard/Information Desk	221-6500
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<b>City Clerk's FAX Number</b>	<b>221-6295</b>
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## CAMPAIGN REGULATIONS

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### Electioneering

State law prohibits electioneering on election day within any polling place, or in any public street or room, or in any public manner within 100 feet of any building in which a polling place is located.

### Election Signs

Permits are not required for placement of political signs on private property. Permission should be obtained from the property owner before signs are placed on private property. Political signs are not allowed on parkland, medians, sidewalks, street rights-of-way, in front of City buildings or any other public area owned or controlled by the City of Fort Collins. Political signs may only be placed upon private property behind the sidewalk and only with the consent of the property owner.

Any number of election signs are allowed in **residential zones**, provided each sign does not exceed 8 square feet in area per face and is unlighted. In **nonresidential zones**, any number of election signs are allowed, provided each sign is not larger than 32 square feet in area per face.

Election signs may not be put in place more than 60 days before the election (no earlier than **September 7**). The Zoning Board of Appeals may consider a request for a variance to extend the time period. Variance requests to the Zoning Board of Appeals should be made through the City's Building and Zoning Department at 221-6760.

All election signs must be removed within five days after election day (by **November 11**).

Provisions regulating the placement of election signs are contained in Article 3 of the Fort Collins Land Use Code.

### Identification of Written Campaign Materials

State law prohibiting anonymous statements concerning candidates or issues was repealed effective July 1, 1997.

There are no local requirements to identify the sponsor(s) responsible for the publication, printing, or distribution of the material.

## CAMPAIGN REGULATIONS

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### **Door-to-Door Solicitation**

Political solicitations are exempt from the City Code provision prohibiting door-to-door solicitations, except when the occupant of a private residence has chosen to post a **“NO SOLICITATION”** or **“NO TRESPASSING”** sign near the entrance to the premises. Posting of such a sign prohibits *any* kind of solicitation at that residence.

A copy of the City Code sections relating to door-to-door solicitation is provided at the end of this Section.

*This provision is commonly referred to as the Green River Ordinance.*

### **Penalties**

Failure to comply with the City Code and Land Use Code provisions relating to door-to-door solicitations and election signs is punishable by a fine not to exceed \$1000 or by imprisonment not to exceed 180 days, or both. [City Code, Section 1-15]

# CAMPAIGN REPORTING REQUIREMENTS

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## General

On November 21, 2000, the Fort Collins City Council adopted Ordinance No. 162, 2000 establishing local election campaign provisions. These provisions supersede the provisions of the *Fair Campaign Practices Act* [Title 1, Article 45 of the Colorado Revised Statutes] as to local elections. The local provisions, and any subsequent amendments thereto, have been codified in Article V, Chapter 7 of the City Code, a copy of which is included at the end of this Section.

## Issue Committees

The City Code defines an “issue committee” as:

- (1) two or more persons who are elected, appointed, or chosen, or have associated themselves, for the purpose of accepting contributions and making expenditures to support or oppose any ballot issue or ballot question; or
- (2) Any partnership, committee, association, corporation, labor organization, or other organization or group of persons that has accepted contributions or made expenditures to support or oppose any ballot issue or ballot question. For the purposes of this subparagraph (2), the term "expenditure" shall not include expenditures made by persons in the regular course and scope of their business or in connection with communications sent solely to their members. The term "expenditure" also does not include a contribution, as defined in Section 7-132 of the City Code.

“Issue committee” does not include political committees or candidate committees as otherwise defined in Section 7-132 of the City Code.

## Registration

All issue committees are required to register with the City Clerk before accepting or making any contributions. [City Code, Section 7-134]

A Committee Registration form is provided at the end of these *Guidelines*.

## Campaign Reports

All issue committees are required to report to the City Clerk all contributions and contributions in kind received, including the name and address of each person who has made contributions or contributions in kind in the amount of \$20 or more; expenditures made; and obligations entered into by the committee. [City Code, Section 7-136(a)]

# CAMPAIGN REPORTING REQUIREMENTS

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Reports are due on the 21st day before the election, the 14th day before the election, the Friday before the election, 30 days after the election, and annually on April 1 until such time as a termination report is filed. If the reporting period falls on a weekend or legal holiday, the report must be filed by the close of the next business day.

All reports must be submitted on forms provided by the City Clerk and complete in all respects. The City Clerk's Office will conduct a thorough review of each report filed. Any report that is deemed to be incomplete will be accepted on a conditional basis and the committee treasurer will be notified in writing as to any deficiencies found. Written notice may be provided in person, by mail, by fax, or by electronic mail if an electronic mail address is on file. The committee treasurer will have seven business days from the date of delivery of the notice to file an amended report that cures the deficiencies.

## **Reports must be current as of two days prior to the filing date.**

All campaign reports for the November 6, 2001 election will be scanned as an image and published on the City web site at **fcgov.com/cityclerk**. Reports that have been typed or handwritten in black ink will produce the best images.

For the November 6, 2001 election, reports are due on the following dates:

- October 16, 2001
- October 23, 2001
- November 2, 2001
- December 6, 2001
- November 1, 2002 and beyond

Campaign Report forms are included in the packet of forms at the end of these *Guidelines*. In addition, the forms are provided on CD-Rom in Excel format (diskettes are available upon request).

## **Bank Accounts**

All contributions received by an issue committee must be deposited and maintained in a financial institution in a separate account, the title of which must include the name of the committee.

All records pertaining to such accounts must be maintained by the committee for 90 days following any election in which the committee received contributions unless a complaint has been filed under Section 7-143(a) of the City Code alleging a violation of the provisions of Article V, Chapter 7 of the City Code, in which case they shall be maintained until final disposition of the complaint and



## CAMPAIGN REPORTING REQUIREMENTS

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	<p>any consequent court proceedings. Such records shall be subject to inspection at any hearing held pursuant to Article V, Chapter 7 of the City Code.</p>
<b>Contribution and Expenditure Limits</b>	<p>There are no limits on the amount of contributions (individual or aggregate) that an issue committee may receive, nor are there limits on the amount of expenditures made by an issue committee. However, contributions and expenditures must be reported as noted earlier in this Section.</p>
<b>Expenditures for Political Advertising</b>	<p>If any radio or television station, newspaper, or periodical charges an issue committee a lower rate for use of space, materials, or services than the rate charged another issue committee for comparable use of space materials, or services, the difference in such rate must be reported as a contribution in kind to the issue committee that was charged the lower rate.</p>
<b>Reports are Public Record</b>	<p>Any report submitted pursuant to Article V, Chapter 7 of the City Code will be made available for public inspection. The campaign reports filed 14 days prior to the election and 30 days after the election will be published in the <i>Coloradoan</i>. In addition, all campaign reports will be available on the City's web site at <b><a href="http://fcgov.com/cityclerk">fcgov.com/cityclerk</a></b>.</p> <p>No information contained in any campaign report may be sold or used by any person for the purpose of soliciting contributions or for any commercial purpose.</p>
<b>Unexpended Campaign Contributions</b>	<p>Unexpended contributions to an issue committee may be donated to any charitable organization recognized by the Internal Revenue Service or returned to the contributor. Funds on hand following the election may not be used for any other purpose.</p>