

CANDIDATE PACKET 2018 MUNICIPAL ELECTION



**ELECTION DAY
TUESDAY, MARCH 6, 2018**

**City of Hobbs
City Clerk's Office**
200 East Broadway
Hobbs, New Mexico 88240

Jan Fletcher, CMC, City Clerk
jfletcher@hobbsnm.org
Mollie Maldonado, CMC, Deputy Clerk
mmaldonado@hobbsnm.org
(575) 397-9207

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OFFICE OF THE CITY CLERK

200 East Broadway
Hobbs, New Mexico 88240
Phone 575•397•9207
Fax 575•397•9334

JAN FLETCHER, CMC
City Clerk

MOLLIE MALDONADO, CMC
Deputy City Clerk

November 21, 2017

Dear Prospective Candidate:

Welcome to the election process for the City of Hobbs Regular Municipal Election scheduled for Tuesday, March 6, 2018.

We will be happy to assist you in your efforts to run for an elected position. Attached is a candidate packet that has been compiled to provide you with useful information and forms for elective municipal office. We hope this information will make the process easy for you.

REMEMBER - Candidate Filing Day is *Tuesday, January 9, 2018*, between the hours of 8:00 a.m. and 5:00 p.m. ONLY.

After reviewing this information, and at any time during the election process, should you have any questions or need additional assistance, please do not hesitate to contact one of us at (575) 397-9207.

Thank you for your interest in our community and best wishes in your endeavor.

Sincerely yours,

THE CITY OF HOBBS, NEW MEXICO


JAN FLETCHER, CMC
City Clerk


MOLLIE MALDONADO, CMC
Deputy City Clerk

City of Hobbs

REGULAR MUNICIPAL ELECTION GENERAL INFORMATION

The Regular Municipal Election is scheduled on ***Tuesday, March 6, 2018***. The offices to be filled are:

City Commissioner, District 2	Two-Year Term
City Commissioner, District 4	Four-Year Term
City Commissioner, District 5	Four-Year Term
City Commissioner, District 6	Four-Year Term
Judge, At Large	Four-Year Term

The attached material will provide information and guidelines concerning DECLARATION OF CANDIDACY for the above offices.

***CANDIDATE FILING DAY IS JANUARY 9, 2018,
BETWEEN 8:00 A.M. AND 5:00 P.M. - ONLY***

This is the **ONLY** date and time when a person may file to become a candidate for elected office, unless the person files to be a write-in candidate.

Absentee Voting:

Applications for absentee ballots may be obtained from the City's Clerk's Office at 200 East Broadway or requested by telephone at 397-9200. Absentee voting by paper ballot and envelope begins on Tuesday, January 30, 2018, and ends at 5:00 p.m. on Friday, March 2, 2018. Absentee voting will be conducted in the City Clerk's Office at City Hall, 200 East Broadway, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Affidavit of Authorization:

If a candidate is not going to be available on candidate filing day to submit the required candidate forms, he or she may complete an Affidavit and designate a representative to file the Declaration of Candidacy Form and required documentation to declare candidacy.

Candidate Filing Day - Tuesday, January 9, 2018:

To declare candidacy for a municipal office, you need to submit a Declaration of Candidacy Form and a certified copy of your current affidavit of voter registration from the Lea County Clerk's Office. This certified copy must be obtained and dated by the Lea County Clerk's Office on a date after adoption of the election resolution by the Hobbs City Commission on November 20, 2017. Candidacy must be filed on Tuesday, January 9, 2018, between the hours of 8:00 a.m. and 5:00 p.m. **only**.

Charter:

The City of Hobbs is a Commission-Manager form of government and follows a Charter adopted by the voters of Hobbs. The City is divided into six Commission Districts with one City Commissioner elected to represent each District. The City elects one Mayor to represent the City at large. The City also elects one Judge to represent the City at large.

Compensation:

Compensation for the Mayor is \$18,000 per year, compensation for Commissioner is \$4,800 per year and compensation for Judge is \$60,060.00 per year.

Districts:

As used in the Election code, "precinct" means a designated division of a county for election purposes which is entitled to a polling place and a precinct board. For purposes of a municipal election, these precinct boundaries end with the boundaries of the municipality. Only registered voters residing within precincts in the City limits are eligible to vote in municipal elections. The City of Hobbs is divided into six districts which are divided by precincts as follows:

- ▶ **District 1** - Precincts 24, 25, 29, 32, 33 and a portion of Precinct 28
- ▶ **District 2** - Precincts 41, 42, 43 and 44
- ▶ **District 3** - Precincts 52, 53, and a portion of Precincts 35 and 51
- ▶ **District 4** - Precincts 36, 54, 55, 62, and a portion of Precincts 35 and 51
- ▶ **District 5** - Precincts 20, 22, 23, 27, 30 and a portion of Precinct 28
- ▶ **District 6** - Precincts 31, 34, 61, 62 and a portion of Precinct 35

Early Voting:

Early voting using electronic vote tabulators begins on Wednesday, February 14, 2018, and ends at 5:00 p.m., on Friday, March 2, 2018. Early voting will be conducted in the City Clerk's Office at City Hall, 200 East Broadway, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Electioneering Too Close to the Polling Place:

No form of campaigning on election day shall take place within 100 feet of the building of the polling place. A person who commits electioneering too close to the polling place is guilty of a petty misdemeanor. (§3-8-77, N.M.S.A. 1978).

No campaigning is allowed in City Hall or on City property.

Polling Places:

All of the precincts have been consolidated for this election. Consolidated Voting Convenience Centers (VCC) have been established at the following locations:

Hobbs Teen Center
620 West Alto

City Hall Annex, 1st Floor
200 East Broadway

Hobbs Municipal Schools Training Center
2110 East Sanger

Lea County Event Center
5101 Lovington Highway

The purpose of a VCC is to allow any eligible voter to vote at any Hobbs VCC of their choice and convenience on election date.

Recall:

Pursuant to State law, the Mayor and City Commissioners in a Commission-Manager form of government are subject to recall. Provisions for recall are included in the City's Charter. For the Mayor, petitions for recall must be signed by no less than 10% of the total number of registered qualified electors in the municipality at the last regular municipal election. For a City Commissioner elected from a district, the petition shall be signed by no less than 10% of the total number of registered qualified electors in that Commissioner's district at the last regular municipal election.

Runoff Elections:

If no candidate receives at least 40% of the votes cast for a particular office, a runoff election shall be held within 45 days after certification of the results of the election. The two qualified candidates who receive the highest number of votes cast for the office shall automatically become the candidates in a runoff election without filing a declaration of candidacy. The Commission shall fix the day of the runoff election.

Term of Office:

The term of office of a Mayor and City Commissioner is four years. The term of office of the Municipal Judge is four years. The position of City Commissioner representing District 2 will be a two-year term during this election to fill the remaining term of office for a vacancy which was appointed by the Commission. Per the City Charter, any registered qualified elector appointed to fill a vacancy shall serve until the next regular City election, at which time a registered qualified elector shall be elected to fill the remaining unexpired term.

Voter Lists:

Candidates may obtain voter lists for political purposes from the Lea County Clerk's Office in Lovington, New Mexico. Please call 396-8619 for pricing and additional information.

Voter Registration:

Voter registration forms are available at the following locations:

- City Clerk's Office, City Hall, 200 East Broadway
- Hobbs Public Library, 509 North Shipp
- Motor Vehicle Department, 4800 Jack Gomez Blvd.
- Lea County Clerk's Office, 100 North Main Street, Lovington, NM

Candidates may not distribute voter registration forms unless they are a designated registration agent by the Lea County Clerk. Persons desiring to register to vote may request an application by mail from the City Clerk's Office or the Lea County Clerk's Office. The Lea County Clerk will close voter registration for the March regular election at 5:00 p.m. on February 6, 2018.

Write-In Candidacy:

Write-in candidates must file in person at the Municipal Clerk's office on Tuesday, January 16, 2018, between 8:00 a.m. and 5:00 p.m. This is the **ONLY** date and time when a write-in candidate may file for office.

**CITY OF HOBBS
2018 REGULAR MUNICIPAL ELECTION
CALENDAR OF IMPORTANT DATES**

January 9, 2018	Candidate Filing Day
January 10, 2018	Certification of Candidates
January 11, 2018	Candidates contact the Clerk's Office between 8:00 a.m. and 5:00 p.m. to ascertain whether Declaration of Candidacy has been declared valid. Candidates appear in the Clerk's Office at 5:01 p.m. to draw for ballot positions.
January 16, 2018	Deadline for withdrawal of candidacy
January 16, 2018	Write-In Candidate Filing Day
January 17, 2018	Certification of Write-In Candidates
January 18, 2018	Write-in candidates contact the Clerk's Office between 8:00 a.m. and 5:00 p.m. to ascertain whether Declaration of Write-In Candidacy has been declared valid.
January 30, 2018	First day to issue/mail absentee ballots
January 30, 2018	Deadline for withdrawal of write-in candidacy
February 6, 2018	Lea County Clerk closes voter registration.
February 14, 2018	First day for early voting in the City Clerk's Office.
February 22, 2018*	Election School for Precinct Workers
March 2, 2018	Last day for City Clerk to issue/mail absentee ballots. Last day for early voting in the City Clerk's Office.
March 6, 2018	Election Day
March 9, 2018*	Canvass and certification of returns; City Clerk administers oath of office to newly-elected officials.

** indicates tentative dates*

DECLARATION OF CANDIDACY INSTRUCTIONS

CANDIDATE FILING DAY
Tuesday, January 9, 2018
BETWEEN THE HOURS OF 8:00 A.M. AND 5:00 P.M.

A. On Tuesday, January 9, 2018, between the hours of 8:00 a.m. and 5:00 p.m., all candidates for the positions of City Commissioner and Judge shall personally appear before the City Clerk or Deputy City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico, to file all documents required by law in order to cause a person to be certified as a candidate. **The candidate shall file with the City Clerk or Deputy City Clerk:**

1. Declaration of Candidacy, and;
2. A certified copy of the candidate's current affidavit of voter registration on file with the County Clerk, **which has been certified by the Office of the County Clerk on a date after the adoption of the election resolution on November 20, 2017.**

B. The affidavit of voter registration **must** show the candidate's address as a street address or rural route number, **not** as a post office box.

C. This is the **only** date and time on which a person may file to become a candidate for elected office unless the person files to be a write-in candidate.

D. The Municipal Clerk shall provide a form for the declaration of candidacy and shall accept only those declarations which contain:

1. The **identical** name and **identical** resident street address as shown on the certified affidavit of voter registration of the candidate.
2. The office and term to which the candidate seeks election and district designation, if applicable.
3. A statement that the candidate is eligible and legally qualified to hold the office to which the candidate is filing.
4. A statement that the candidate has not been convicted of a felony, or if the candidate has been convicted of a felony, a statement that the candidate's elective franchise has been restored.
5. A statement that the candidate or candidate's authorized representative shall contact the office of the City Clerk on Thursday, January 11, 2018, to ascertain whether the City Clerk has certified the Declaration of Candidacy as valid.

6. A telephone number at which the candidate or the candidate's authorized representative can be reached for purposes of giving telephone notice.
 7. A statement to the effect that the Declaration of Candidacy is an affidavit under oath and that any false statement knowingly made therein constitutes a fourth degree felony under the laws of New Mexico.
 8. A notarized signature of the candidate on the Declaration of Candidacy.
(The City Clerk's Office does provide notary services.)
- C. Once filed, the Declaration of Candidacy is a public record.
- D. The City Clerk shall not accept a Declaration of Candidacy for more than one municipal elected office per candidate, so that each candidate declares for only one municipal elected office.
- E. In order to be certified as a candidate, the documents submitted to the City Clerk must prove that the individual is a qualified elector of the City of Hobbs and, if appropriate, that the individual resides in and is registered to vote in the municipal election district from which the individual seeks election.
- F. In the event that an individual fails to submit to the City Clerk on Tuesday, January 9, 2018, the documents listed in the form and with the contents required, the City Clerk shall not certify that individual as a candidate for municipal office.
- G. A person acting solely on the candidate's behalf, by virtue of an affidavit of authorization, signed by the candidate, notarized and presented to the City Clerk by such person, may file in the Office of the City Clerk all documents required by law in order to cause a person to be certified as a candidate.
- H. The candidate or candidate's authorized representative shall contact the Office of the City Clerk on Thursday, January 11, 2018, to ascertain whether the City Clerk has certified the Declaration of Candidacy as valid.
- I. At 5:01 p.m. on Thursday, January 11, 2018, all certified candidates will draw for position on the ballot.
- J. Prior to Tuesday, January 16, 2018, any candidate for municipal office may withdraw his/her candidacy by filing an affidavit in the Municipal Clerk's office on a form provided by the Clerk.

Signature of Candidate

SUBSCRIBED AND SWORN TO before me this _____ day of _____,
2018.

Notary Public

My Commission Expires:

-For Official Use Only-

Received in the Office of the Municipal Clerk at _____ a.m./p.m. on the 9th day
of January, 2018.

Municipal Clerk or Deputy City Clerk

(Seal)

Signature of Candidate

SUBSCRIBED AND SWORN TO before me this _____ day of _____,
2018.

Notary Public

My Commission Expires:

-For Official Use Only-

Received in the Office of the Municipal Clerk at _____ a.m./p.m. on the 9th day
of January, 2018.

Municipal Clerk or Deputy City Clerk

(Seal)

(for use only if candidate is unavailable to personally appear on candidate filing day)

(Seal)

DECLARATION OF WRITE-IN CANDIDACY INSTRUCTIONS

WRITE-IN CANDIDATE FILING DAY
Tuesday, January 16, 2018
BETWEEN THE HOURS OF 8:00 A.M. AND 5:00 P.M.

A. On Tuesday, January 16, 2016, between the hours of 8:00 a.m. and 5:00 p.m., a write-in candidate for the positions of City Commissioner and Judge shall personally appear before the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico, to file all documents required by law in order to cause a person to be certified as a candidate. **The candidate shall file with the City Clerk or Deputy City Clerk:**

1. Declaration of Write-In Candidacy, and;
2. A certified copy of the candidate's current affidavit of voter registration on file with the County Clerk, **which has been certified by the Office of the County Clerk on a date after the adoption of the election resolution on November 20, 2017.**

B. The affidavit of voter registration **must** show the candidate's address as a street address or rural route number, **not** as a post office box.

C. This is the **only** date and time on which a person may file to become a write-in candidate for municipal office.

D. The Municipal Clerk shall provide a form for the declaration of write-in candidacy and shall accept only those declarations which contain:

1. The **identical** name and **identical** resident street address as shown on the certified affidavit of voter registration of the candidate.
2. The office and term to which the candidate seeks election and district designation, if applicable.
3. A statement that the candidate is eligible and legally qualified to hold the office to which the candidate is filing.
4. A statement that the candidate has not been convicted of a felony, or if the candidate has been convicted of a felony, a statement that the candidate's elective franchise has been restored.

5. A statement that the candidate or candidate's authorized representative shall contact the office of the City Clerk on Thursday, January 18, 2018, to ascertain whether the City Clerk has certified the Declaration of Write-In Candidacy as valid.
6. A telephone number at which the candidate or the candidate's authorized representative can be reached for purposes of giving telephone notice.
7. A statement to the effect that the Declaration of Write-In Candidacy is an affidavit under oath and that any false statement knowingly made therein constitutes a fourth degree felony under the laws of New Mexico.
8. A notarized signature of the candidate on the Declaration of Write-In Candidacy. (The City Clerk's Office does provide notary services)

C. Once filed, the Declaration of Write-In Candidacy is a public record.

D. The City Clerk shall not accept a Declaration of Write-In Candidacy for more than one municipal elected office per candidate, so that each candidate declares for only one municipal elected office.

E. In order to be certified as a candidate, the documents submitted to the City Clerk must prove that the individual is a qualified elector of the City of Hobbs and, if appropriate, that the individual resides in and is registered to vote in the municipal election district from which the individual seeks election.

F. In the event that an individual fails to submit to the City Clerk on Tuesday, January 16, 2018, the documents listed in the form and with the contents required, the City Clerk shall not certify that individual as a write-in candidate for municipal office.

G. A person acting solely on the write-in candidate's behalf, by virtue of an affidavit of authorization, signed by the write-in candidate, notarized and presented to the City Clerk by such person, may file in the Office of the City Clerk all documents required by law in order to cause a person to be certified as a write-in candidate.

H. The write-in candidate or write-in candidate's authorized representative shall personally appear at the Office of the City Clerk on Thursday, January 18, 2018, to ascertain whether the City Clerk has certified the Declaration of Write-In Candidacy as valid.

I. Prior to January 30, 2018, a declared write-in candidate may file an affidavit that he/she is no longer a write-in candidate for municipal office. In this event, any votes for such a candidate shall not be counted.

Signature of Write-In Candidate

SUBSCRIBED AND SWORN TO before me this _____ day of _____,
2018.

Notary Public

My Commission Expires:

-For Official Use Only-

Received in the Office of the Municipal Clerk at _____ a.m./p.m. on the 16th
day of January, 2018.

Municipal Clerk or Deputy City Clerk

(Seal)

Signature of Write-In Candidate

SUBSCRIBED AND SWORN TO before me this _____ day of _____,
2018.

Notary Public

My Commission Expires:

-For Official Use Only-

Received in the Office of the Municipal Clerk at _____ a.m./p.m. on the 16th
day of January, 2018.

Municipal Clerk or Deputy City Clerk

(Seal)

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

(for use only if candidate is unavailable to personally appear on write-in candidate filing day)

STATE OF NEW MEXICO)
) ss.
COUNTY OF LEA)

I, _____, being first duly sworn upon my oath, do hereby state for my Affidavit that I hereby appoint and authorize _____, who resides at _____, New Mexico, to file my Declaration of Write-In Candidacy for me with the office of the Municipal Clerk of the City of Hobbs, New Mexico, and submit all documents required by law in order to declare my candidacy for the position of _____.

Candidate's Signature

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 2018.

Notary Public

My Commission Expires:

Filed in my office this _____ day of _____, 2018.

City Clerk or Deputy City Clerk

(Seal)



CITY OF HOBBS

RESOLUTION NO. 6610

RESOLUTION PROCLAIMING A REGULAR MUNICIPAL
ELECTION ON TUESDAY, MARCH 6, 2018

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS,
NEW MEXICO, THAT:

1. A regular municipal election for the election of municipal officers shall be held on Tuesday, March 6, 2018. The polls will open at 7:00 a.m. and close at 7:00 p.m.

2. At the regular municipal election, persons shall be elected to fill the following elective offices:

- a. One Commissioner from District 2, for a two-year term
- b. One Commissioner from District 4, for a four-year term
- c. One Commissioner from District 5, for a four-year term
- d. One Commissioner from District 6, for a four-year term
- e. One Municipal Judge, elected at large, for a four-year term

Any registered qualified elector of the City of Hobbs may be a candidate for the office of Municipal Judge or City Commissioner for the district in which the elector has resided, if that candidate has resided within the City limits of Hobbs and, if applicable, within the appropriate Commission district for a period of at least 180 days prior to the filing of that elector's declaration of candidacy.

3. There are no questions to be submitted to the voters.

4. The following precincts have been consolidated for the regular municipal election:

CP1 Precincts 20, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32,
33, 34, 35, 36, 41, 42, 43, 44, 51, 52, 53, 54, 55, 61, 62

5. The following locations are designated as polling places for the conduct of the regular municipal election:

City Hall Annex, 1st Floor, 200 East Broadway

Teen Center, 620 West Alto

Hobbs Municipal Schools Training Center, 2110 East Sanger

Lea County Event Center, 5101 North Lovington Hwy.

Absentee: City Clerk's Office, 200 East Broadway

Early: City Clerk's Office, 200 East Broadway

6. Absentee Voting. Applications for absentee ballots may be obtained only from the office of the City Clerk. All applications for an absentee ballot must be completed and accepted by the City Clerk prior to 5:00 p.m., March 2, 2018. After 5:00 p.m. on that date, no further absentee ballots will be issued by the Municipal Clerk. The City Clerk will accept completed absentee ballots delivered by mail, or in person by the voter casting the absentee ballot, by a member of the voter's immediate family or by the voter's caregiver, until 7:00 p.m. on March 6, 2018.

Absentee ballots may be marked in person in the office of the City Clerk during the regular hours and days of business, beginning on Tuesday, January 30, 2018, and closing at 5:00 p.m. on Friday, March 2, 2018.

Early Voting. Early voting on paper ballots counted by electronic vote tabulators will be conducted in the office of the Municipal Clerk during the regular hours and days of business, beginning on Wednesday, February 14, 2018, and closing at 5:00 p.m. on Friday, March 2, 2018.

7. Persons desiring to register to vote in the regular municipal election, and who are not currently registered to vote, must register with the County Clerk of Lea County not later than Tuesday, February 6, 2018, at 5:00 p.m., the date on which the Lea County Clerk will close the registration books. Persons desiring to register to vote may do so at the office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico.

8. All Declarations of Candidacy shall be filed with the Municipal Clerk on Tuesday, January 9, 2018, between the hours of 8:00 a.m. and 5:00 p.m. at the office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico.

9. All Declarations of Write-In Candidacy shall be filed with the Municipal Clerk on Tuesday, January 16, 2018, between the hours of 8:00 a.m. and 5:00 p.m. at the office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico.

10. The casting of votes by qualified municipal electors shall be recorded on paper ballots to be counted by electronic vote tabulators.

PASSED, ADOPTED AND APPROVED this 20th day of November, 2017.



ATTEST:

SAM D. COBB, Mayor

JAN FLETCHER, City Clerk

MUNICIPIO DE HOBBS

RESOLUCIÓN NO. 6610

RESOLUCIÓN QUE PROCLAMACIÓN UNA ELECCIÓN MUNICIPAL REGULAR
MARTES EL 6 DE MARZO DE 2018

RESUELVE EL CUERPO GOBERNANTE DEL MUNICIPIO DE HOBBS QUE:

1. Se realizará una elección municipal regular con el fin de elegir oficiales municipales martes el 6 de marzo de 2018. Se abrirán las urnas a las 7:00 a.m. y se las cerrarán a las 7:00 p.m.

2. En la elección municipal regular, se elegirán personas a los siguientes puestos electorales:

- a. Un concejal del distrito 2 por un plaza de dos años
- b. Un concejal del distrito 4, por un plazo de cuatro años.
- c. Un concejal del distrito 5, por un plazo de cuatro años.
- d. Un concejal del distrito 6, por un plazo de cuatro años.
- e. Un juez municipal, por elección general, por un plazo de cuatro años.

Puede presentarse como candidato todo elector competente inscrito del municipio de Hobbs a los puestos de juez municipal o concejal, siempre que haya residido el candidato dentro de los confines del municipio de Hobbs y, en el caso de que el puesto sea el de una concejalía, dentro de los confines del distrito correspondiente a la concejalía, por un período como mínimo de 180 días antes de la fecha de la declaración de candidatura.

3. Hay ninguna pregunta a ser sometida a los votantes.

4. Se han combinado los siguientes recintos para la elección regular municipal:

CP1 20, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34,
35, 36, 41, 42, 43, 44, 51, 52, 53, 54, 55, 61, 62

5. Se designan como urnas para la realización de la elección regular los siguientes sitios:

City Hall Annex, 1st Floor, 200 East Broadway

Teen Center, 620 West Alto

Hobbs Municipal Schools Training Center, 2110 East Sanger

Lea County Event Center, 5101 North Lovington Hwy.

Absentee: City Clerk's Office, 200 East Broadway

Early: City Clerk's Office, 200 East Broadway

6. **Votación en Ausencia.** Puede obtenerse la solicitud para la votación en ausencia únicamente de la Secretaría Municipal. Se obliga completar y entregar toda solicitud para la votación en ausencia antes de las 5:00 p.m. del 2 de marzo de 2018. A partir de las 5:00 p.m. de aquel día la Secretaría Municipal no emitirá más papeletas de voto. Aceptará la Secretaría Municipal las papeletas completadas hasta las 7:00 p.m. el 6 de marzo de 2018 por correo o en persona por el elector mismo, por un pariente del núcleo de la familia del elector o por una persona responsable del cuidado del elector.

Puede registrarse el voto por papeleta de votación en ausencia durante días y horas hábiles desde martes el 30 de enero de 2018 hasta las 5:00 p.m. viernes el 2 de marzo de 2018.

Votación Anticipada. Se realizará la votación anticipada mediante papeletas a contarse por tabuladores de voto electrónico en la Secretaría Municipal durante días y horas hábiles desde miércoles el 14 de febrero de 2018 hasta viernes el 2 de marzo de 2018 a las 5:00 p.m.

7. Toda persona no inscrita en el registro electoral que aspira inscribirse para votar en la elección regular municipal debe inscribirse en la oficina del escribano del condado de Lea antes de martes el 6 de febrero de 2018 a las 5:00 p.m. a más tardar, la fecha y hora en las que cerrará el registro el escribano del condado de Lea. Aparte, toda persona que aspira inscribirse en el registro electoral puede realizarlo en la Secretaría Municipal, en el ayuntamiento, 200 Broadway este, Hobbs, New Mexico.

8. Se presentará toda declaración de candidatura martes el 9 de enero de 2018 entre las 8:00 a.m. y las 5:00 p.m. en la Secretaría Municipal, en el ayuntamiento, 200 Broadway este, Hobbs, New Mexico.

9. Se presentará toda declaración de candidatura conforme a nominación en el acto de votar por escrito en un blanco de la papeleta (conocido en inglés como *Declaration of Write-In Candidacy*) martes el 16 de enero de 2018 entre las 8:00 a.m. y las 5:00 p.m. en la Secretaría Municipal, en el ayuntamiento, 200 Broadway este, Hobbs, New Mexico.

10. Se registrará la votación del electorado municipal mediante papeletas a contarse por tabuladores de voto electrónico.

ADOPTADA y APROBADA este día 20 de noviembre de 2017.



DOY FE:


JAN FLETCHER
Secretaria Municipal



SAM D. COBB
Alcalde

CITY OF HOBBS CHARTER



Initially Adopted by the Voters of the
City of Hobbs, New Mexico,
at a Special Election Held on August 1, 2000
Effective April 1, 2001

Revised by Election - ***Held on March 2, 2010***
Revised by Special Election - ***Held on December 9, 2014***

HOBBS CHARTER COMMISSION CHARTER FOR THE CITY OF HOBBS

We, the citizens of the City of Hobbs, New Mexico, under the Constitution and law of New Mexico, do ordain and establish this government for the City of Hobbs, New Mexico.

SECTION 1

POWERS

1-1. Powers. The municipality, now existing and known as the City of Hobbs, is a body corporate and may exercise all legislative powers and perform all functions not expressly denied by general law or this Charter. The City may exercise its legislative power in the manner it deems necessary or the City may act in the manner provided by law ("state statute"). The purpose of this Charter is to provide for maximum local self-government. A liberal construction shall be given to the powers of the City.

SECTION 2

ELECTORATE

Section 2-1. Electors

A. **Candidates.** Any registered qualified elector of the City of Hobbs may be a candidate for the office of Mayor, Municipal Judge, or Commissioner for the district in which the elector resides, if that candidate has resided within the City limits of Hobbs and, if applicable, within the appropriate Commission district for a period of at least 180 days prior to the filing of that elector's declaration of candidacy.

B. Voting Eligibility. Any registered qualified elector of the City of Hobbs is eligible to vote in any City election.

C. Voter Photo Identification. Voter photo identification shall be required for all municipal elections as follows:

1. When a voter approaches the election polling place seeking to vote, the voter must identify herself or himself audibly by name. The Municipal Election Clerk shall locate the registered voter's name as spoken and ask the individual seeking to vote for one current identification card containing the voter's name and photograph.
2. Such photo identification card may include any card issued by a government agency, driver's license, student identification card, commercial transaction card (such as a credit or debit card), insurance card, union card, a professional association card or a voter identification card issued by the Hobbs City Clerk, provided the item submitted contains a photograph depiction of the voter.
3. If the individual is unable to provide a photo identification card, she or he shall be allowed to vote on a conditional ballot, but only if she or he swears or affirms under penalty of perjury in an affidavit provided by the City Clerk that she or he is the registered voter listed on the voter registration rolls at the precinct at which she or he presented herself or himself to vote and provides her or his date of birth and the last four digits of her or his Social Security number.
4. Conditional ballots shall be issued for no other reason than the failure to present photo identification. Conditional ballots shall be counted only by the Canvassing Board and only on the voter's presentation to the City Clerk, by 9:00 a.m. on the third day following the election, one of the photo identification cards described in this section. The Canvassing Board shall also verify that the voter who cast the conditional ballot was registered to vote for the election and did not vote elsewhere in the same election. If a voter who cast a conditional ballot under this section swears or affirms under penalty of perjury in an affidavit provided by the City Clerk within the three-day canvassing period that she or he has a religious objection to being photographed, such voter shall not be required to submit photo identification. The Canvassing Board shall otherwise verify that the conditional ballot was valid.

5. The City Clerk shall develop and provide instructions for election judges concerning the requirements of this section and a method of complaint and resolution for individuals who feel they have been discriminated against by election officials or the City Clerk's administration of this section.
6. Regarding the requirements of this section, knowingly executing a false statement constitutes perjury as provided in Section 30-25-1 NMSA 1978 and voting on the basis of a falsely executed statement constitutes false voting as provided in Sections 1-20-8, 1-20-8.1 and 3-8-75 NMSA 1978.
7. Voter photo identification cards shall be issued by the City Clerk without charge to any voter who presents any two of the following identification documents that show the name and address of the voter: a state-issued identification card, Social Security card, student identification card, library card, insurance card, selective service card, union card, professional association card, utility bill, bank statement, government check or a paycheck, upon confirmation with the County Clerk that such person is registered to vote. If the individual is unable to present any two of these documents to the City Clerk, then the voter shall swear or affirm in writing under penalty of perjury that she or he is the registered voter and shall be issued a voter photo identification card upon confirmation with the County Clerk that such person is registered to vote. The City Clerk issued photo identification card shall state on its face that it shall not be valid for identification other than for the purpose of voting in City of Hobbs municipal elections and shall not be valid if the voter is subsequently purged from the voter rolls.
8. This section shall take precedence over the State Municipal Election Code and any reference in this article to the State Municipal Election Code. The provisions of this section shall apply only to City of Hobbs municipal elections.
9. Changes to procedural matters only, as set forth in Paragraph C herein, shall be adopted by Ordinance by the City Commission.

2-2. Regular City Election. Regular City elections for the purpose of electing City officers and considering any other question placed on the ballot by the Commission shall be held on the first Tuesday in March of each even-numbered year.

2-3. Non-Partisan Elections. The names of candidates for City office shall be listed on the ballot without party or other designation. The name of the candidate shall appear on the ballot as it is shown on the candidate's declaration of candidacy. The listing of the names on the ballot of the candidates for the office to be filled shall be determined by lot.

2-4. Elective Offices. The elective offices of the City are six (6) Commissioners, a Mayor, and a Municipal Judge.

2-5. Term of Office. The term of office of a Commissioner and Mayor is four (4) years. The term of office for the Municipal Judge is four (4) years. The Municipal Judge in office at the time of adoption of this Charter shall continue to serve until the regular municipal election in 2002.

2-6. Runoff Elections.

A. If no candidate receives at least forty percent (40%) of the votes cast for a particular office, a runoff election shall be held within forty-five (45) days after certification of the results of the election. The two (2) qualified candidates who receive the highest number of votes cast for the office shall automatically become the candidates in a runoff election without filing a declaration of candidacy.

B. The Commission shall, by resolution, fix the day of the runoff election and specify the offices to be filled and the names of the candidates therefor. The resolution shall be published once, at least seven (7) days before the runoff election date. No other publications are required in connection with runoff elections. Eligibility to vote in a runoff election shall be the same as in the

original election for the particular office and only such voting precincts and procedures will be reactivated as are necessary to accommodate any runoff race.

SECTION 3

FORM OF GOVERNMENT

The form of government of the City of Hobbs is the Commissioner/Manager form of government with an elected Mayor having limited duties.

SECTION 4

CITY COMMISSION

4-1. Composition. The City Commission consists of six (6) members who shall be elected as provided in this Charter. One (1) Commissioner shall be elected from each district. Each district shall be compact and contiguous and composed of populations as nearly equal as practicable. Communities of interest, including those based on economic, geographic or ethnic characteristics shall be preserved within a single district to the extent reasonable and practical. Any member of the Commission representing a district shall be a resident of, and elected by, the registered qualified electors of that district.

4-2. At-Large Election – Mayor. The mayor shall be voted on at-large.

4-3. District Elections. The City of Hobbs shall be divided into six (6) districts after receipt of the official Year 2000 Federal Census, but until the regular municipal election in 2002, the City shall have only five (5) districts as now existing, and the

Commissioners now occupying these positions shall remain in office after the effective date of this Charter until their successors are elected as provided for in this Charter. The sixth Commissioner shall be elected for the first time in the regular municipal election in 2002. In addition, at that same regular municipal election in 2002, a Commissioner shall be elected for a full four (4) year term or a two (2) year term, as applicable, if such redistricting results in a district having two (2) incumbent Commissioners or no incumbent Commissioner residing therein. Commencing with the regular municipal election in 2002, the Municipal Judge and Commissioners for districts 4, 5, and 6 shall be elected for full 4-year terms. Commencing with the regular municipal election in 2004, the Mayor and Commissioners for districts 1, 2, and 3 shall be elected for full 4-year terms.

4-4. Staggered Terms. The terms of the Commissioners shall be staggered so that three (3) Commissioners are elected every two (2) years.

4-5. Vacancy. A vacancy in the office of Commissioner, Mayor, or Municipal Judge occurs upon the officer's death, disability, resignation or termination of residency in the City or the district represented. If the office is vacated, the remaining members of the Commission shall appoint a registered qualified elector to fill the vacancy within thirty (30) days of the vacancy. Any registered qualified elector appointed to fill a vacancy shall serve until the next regular City election, at which time a registered qualified elector shall be elected to fill the remaining unexpired term, if any.

4-6. Meetings. The Commission shall meet at least twice each month. Meetings of the Commission shall be open to the public and the official records of the

City shall be open to inspection during regular business hours as provided in State statute.

4-7. Powers and Duties. The Commission is the governing body of the City of Hobbs and may exercise all legislative powers not expressly denied by general law.

The Commission shall:

- A. Pass all ordinances and other measures conducive to the health, safety and welfare of the City;
- B. Carry out the provisions of this Charter;
- C. Perform all acts required for the general welfare of the City;
- D. Create all offices and departments necessary for proper carrying on of the work of the City; and
- E. Appoint a City Manager and hold him responsible for the proper and efficient administration of City government.

SECTION 5

MAYOR

5-1. Organizational Meeting – Mayor Pro-Tem – Selection. At its organizational meeting to be held on the first Monday following the regular City election or as soon thereafter as practical, the Commission shall elect one (1) of its members to serve as Mayor Pro-Tem. The term of office of Mayor Pro-Tem is until the next organizational meeting of the Commission, or until a successor is selected and qualified, unless sooner removed by death, resignation or removal from office.

5-2. Mayor – Duties.

The Mayor:

- A. Shall preside at all meetings of the Commission and perform other duties, consistent with his/her office, as imposed by the Commission;
- B. Has the same right to vote as a Commissioner;
- C. Has the right to place any item on a Commission meeting agenda;
- D. Shall lead, guide and develop (in conjunction with the City Commission and others) short and long range plans and goals for the City concerning its growth and development (economic, industrial and otherwise);
- E. Shall represent the City and promote its interests at the local, county, state and national levels and in economic and industrial development activities;
- F. Is the official head of the City for all ceremonial and spokesperson purposes;
- G. In the event of an emergency or natural disaster, with a support of a majority of the City Commission, call upon or request relief or aid from any local, county, state or national governmental entity.

The Mayor shall be elected for the first time in a special election to be held at least ten (10) days before the effective date of this Charter and shall serve until the regular municipal election in 2004.

The terms of Commissioners shall be unaffected and continue in the manner provided by state statute.

SECTION 6

MANAGER

6-1. Qualifications - Appointment. A City Manager shall be appointed solely on the basis of his administrative qualifications for an indefinite term. His selection shall not be limited by reason of his former residence.

His salary shall be fixed by the City Commission. A vacancy in the office of the City Manager occurs upon his death, resignation or removal from office.

6-2. Manager – Duties. The City Manager is the Chief Executive Officer of the City. He shall have a seat, but not vote, at every meeting of the City Commission. The City Manager shall:

- A. Enforce and carry out all ordinances, rules and regulations adopted by the Commission;
- B. Employ, discipline and discharge employees of the City;
- C. Prepare and submit an annual budget to the City Commission;
- D. Make recommendations to the City Commission concerning the welfare of the City;
- E. Be the person, or his designated agent, for the purposes of civil process;
- F. Continue to be the administrative officer of the City in the event of any local, county, state or national emergency or disaster.

SECTION 7

CHARTER REVIEW

7-1. Charter – Amendments – Revision. This Charter may be amended or repealed in the manner provided by law. The City Commission shall appoint a Charter Commission at least every ten (10) years to review the Charter. The Charter Commission shall consist of two (2) Commissioners, the Mayor, and one (1) member appointed by each Commissioner. After conducting at least one (1) public hearing to obtain public opinion and input, the Charter Commission shall submit recommendations to the City Commission. The City Commission shall act on the recommendations of the Committee by an affirmative vote of the majority.

7-2. Saving Clause. This Charter does not apply to pending litigation. All ordinances, resolutions, regulations and orders shall continue in effect until amended or repealed.

SECTION 8

COMPENSATION

8-1. Compensation. Compensation for the Mayor, Mayor Pro-Tem, and Commissioners shall be determined by Ordinance and until at least the election in March, 2004, shall be as follows:

- A. Mayor: \$18,000.00 per year.
- B. Mayor Pro-Tem: \$ 4,800.00 per year.
- C. Commissioner: \$ 4,800.00 per year.

SECTION 9

EFFECTIVE DATE

This Charter shall become effective at 12:01 a.m. on April 1, 2001.

SECTION 10

RECALL

10-1. Recall.

A. The Mayor and any City Commissioner are subject to a recall election. Upon petition seeking the recall of the Mayor and/or any City Commissioner, the Commission shall call a special election unless the regular municipal election occurs within sixty (60) days, in which case the qualified electors shall vote on the recall at the regular election.

B. In either case, there shall be a special ballot containing the name of the officer, the office he holds and the dates of the beginning and termination of his official term. Below the name of the officer shall be two (2) phrases:

“For the recall” and

“Against the recall,”

one (1) below the other with a space after each for placing a cross where desired. If a majority of the votes cast favor recall and this majority equals or exceeds the number of votes the officer received when elected, the office shall be declared vacant, and the office shall be filled as are other vacancies.

C. For the Mayor, the petition must be signed by no less than ten percent (10%) of the total number of registered qualified electors in the municipality at the last regular municipal election.

D. For a City Commissioner elected from a district, the petition shall be signed by no less than ten percent (10%) of the total number of registered qualified electors in that Commissioner's district at the last regular municipal election. The special recall election shall be held only in that district.

E. If the Mayor or Commissioner is recalled, he or she shall not be eligible for re-election until the term for which he or she was originally elected has expired.

F. If the recall election results in a failure to secure the votes necessary to recall, the Mayor or City Commissioner who is the subject of the election shall not be subject again to recall until six (6) months have elapsed from the date the previous recall election was held.

**CITY OF HOBBS
GOVERNMENTAL CONDUCT ACT AND
FINANCIAL DISCLOSURE ACT
PUBLIC OFFICER DISCLOSURE FORM – 2017**

Effective July 1, 2011, the State of New Mexico amended the Governmental Conduct Act, NMSA 1978, § 10-16-1, et seq., to apply to officers of local governments. Public Officers are defined as any elected or appointed official of a local government who is eligible for per diem or mileage. The Per Diem and Mileage Act defines a public officer as every elected or appointed officer of the local public body including member of advisory boards appointed by a local public body. The Governmental Conduct Act states that public officers shall use the powers and resources of public office only to advance the public interest and not to obtain personal benefits or pursue private interests. It also states, "Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office in public service." NMSA 1978, § 10-16-3.

Pursuant to NMSA 1978, §10-16-4.2, "A public officer or employee shall disclose in writing to the officer's or employee's respective office or employer all employment engaged in the by the officer or employee other than the employment with or service to a state agency or local government agency." The Act defines employment as meaning the "rendering of services for compensation in the form of salary as an employee." This includes being self-employed. It does not include being an unpaid volunteer for an organization.

I. Please provide a list of all employment you hold other than with the City of Hobbs:

A. _____
(Name of Employer) (Employer Address)

(Type of Business) (Position held with Employer) (Part Time/Full Time)

B. _____
(Name of Employer) (Employer Address)

(Type of Business) (Position held with Employer) (Part Time/Full Time)

C. _____
(Name of Employer) (Employer Address)

(Type of Business) (Position held with Employer) (Part Time/Full Time)

☐ I have no employment other than my employment with the City of Hobbs.

The State of New Mexico has adopted the Financial Disclosure Act, NMSA 1978, §10-16A-1, et seq., which requires disclosure of financial interests by state officials and employees, particularly when they may influence official actions. The City of Hobbs seeks to require the following additional information.

2. Spouse of Reporting Individual:

Last Name	First Name	Middle
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Name of Spouse's Employer

Address of Spouse's Employer

City	State	Zip
------	-------	-----

Spouses Title or Position Held	Nature of Business or Occupation
--------------------------------	----------------------------------

3. Real estate interest owned in Lea County, New Mexico: (other than personal residence)

Name	Address	General Description
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4. Any other business interests not previously disclosed herein in Lea County, New Mexico of \$10,000 or more:

Name of Business	Position Held	By Whom (individual or spouse)	Business Purpose
------------------	---------------	--------------------------------	------------------

5. Memberships held by reporting individual (or his/her spouse) on boards for **for-profit** businesses in Lea County, New Mexico:

Name of Business

Board Member (individual or spouse)

6. Provide whatever other financial interest or additional information you believe should be noted to describe potential areas of interest that should be disclosed, or (as applicable) you believe or have reason to believe, may be affected by your official acts:

PLEASE ATTACH ADDITIONAL SHEETS OF PAPER IF MORE SPACE IS NEEDED.

I understand that (Please initial):

_____ Missing, incomplete, misleading, or false information may be grounds for disciplinary action, including, but not limited to suspension, demotion, and/or dismissal.

_____ I must inform the City in writing any time there are changes to the information I have given above.

_____ The Governmental Conduct Act imposes civil and criminal penalties for its violation.

I hereby swear or affirm under penalty of perjury that the foregoing information is true, correct and complete to the best of my knowledge.

Printed Name

Public Officer's Signature

Job Title / Classification

Date



CITY OF HOBBS FINANCIAL DISCLOSURE FORM

New Mexico Governmental Conduct Act Official/Officer Financial Interest and Employment Disclosures

I. FINANCIAL INTEREST IN BUSINESS(ES)

As a public officer or employee of the City of Hobbs and for the purpose of complying with the New Mexico Governmental Conduct Act, I wish to disclose that I may have a "substantial" interest in the following business(es) which do or may do business with the City of Hobbs:

(Note: For the purpose of this disclosure I am using the definition of "substantial interest" as the term is used in the Governmental Conduct Act, which is an ownership interest exceeding twenty percent.)

A. First Business

Name of Business: _____

Type of Business: _____

☐ The ownership interest is in my name.

☐ The ownership interest is in the name of a family member, whose name is

_____.

B. Second Business

Name of Business: _____

Type of Business: _____

☐ The ownership interest is in my name.

☐ The ownership interest is in the name of a family member, whose name is

_____.

C. Other Businesses

☐ I have attached a sheet listing additional businesses in which I may have a substantial interest.

II. EMPLOYMENT

____ I am not engaged in any employment outside of the City of Hobbs.

____ I am engaged in the following employment outside of the City of Hobbs.

Name of Employer: _____

Position Title: _____

Name of Second Employer: _____

Position Title: _____

III. SIGNATURE:

I declare that I have fully read this Disclosure form and that the information I have provided in this form is true, correct and complete to the best of my knowledge and belief.

I understand that I must inform the City in writing at any time there are changes to the above information.

Name: _____ Title: _____
(Please Type or Print)

Signature: _____ Date: _____



CITY OF HOBBS

200 E. Broadway
Hobbs, NM 88240

575-397-9200 bus
575-397-9334 fax

November 21, 2017

MEMORANDUM

TO: ALL CANDIDATES

FROM: RAYMOND BONILLA, COMMUNITY SERVICES DIRECTOR
TODD RANDALL, CITY ENGINEER
MIKE STONE, CITY ATTORNEY

RE: **PLACEMENT OF ELECTION SIGNS WITHIN THE CITY OF HOBBS**

This letter is to acquaint all candidates of the City of Hobbs policy with regard to placement of election signs for upcoming elections and sign ordinance (MC15.32).

All signs are required to be placed on private property. It is recommended that permission be obtained from the private property owner prior to placement of election signs at private locations. A sign permit is not required by the City of Hobbs for temporary signs, which includes political / election signs.

Chapter 15.32 of the Municipal Code does not allow any type of election signs or banners to be placed on public property or within public street or alley rights-of-way. The distances from the back of curb of a City street to the outside edge of the right-of-way line vary from nine and a half (9.5) to forty (40) feet. Please contact the Engineering Department to verify the right-of-way line location before you place any signs along City streets.

If signs are found to be in the City right-of-way, the candidate will be notified and will be allowed 24 hours to relocate the sign to a proper location. Signs remaining in the right-of-way after the 24 hour notice will be removed by City employees and delivered to the Street Department Yard for retrieval by the candidate within 30 days; if not retrieved within 30 days, the signs will be disposed of as abandoned property.

Thank you for your help with this matter. Please contact me if you have any questions or need any further information. We will be happy to help you in any way we can.

15.32.070 - Exempted Signs and Portable Signs.

The following signs shall not require a sign permit. These exemptions shall not be construed as relieving the sign permittee, owner of the sign and owner or lessee of the property upon which the sign and structure is located from the sole responsibility for its erection and maintenance, and its compliance with the provisions of this chapter or any other law or ordinance regulating same.

- A. Painting, repainting, maintenance or cleaning of an advertising structure thereon shall not be considered an erection or alteration;
- B. Temporary signs, including political, construction and real estate signs as defined;
- C. Temporary banner signs may be used; provided, however, that such use satisfies all other parts of this chapter applicable thereto and the requirements of all other ordinances. Banner signs shall not be installed for more than sixty (60) days. The owner/contractor shall not install, support, or anchor the banner to any City or utility owned poles, prior to obtaining a written consent from the City Manager or his or her designated representative.

Portable signs shall be permitted by the Building Official. Portable signs are intended to be displayed for a short period of time only. Portable signs shall not be installed for more than a sixty (60) day period at any one location. A single location is allowed to contain a single portable sign for a sixty (60) day period; thereafter the location shall not contain a portable sign for a thirty (30) day period. A portable sign shall be located a minimum of five (5) feet from the property line or fifteen (15) feet from the street curb or pavement edge or as directed by the Engineering Department to minimize visibility hindrances. All portable signs containing electrical wiring shall be subject to the provisions of the National Electrical Code and all other applicable codes and the electrical components used shall bear the label of an approved testing agency. Sign design, material and construction shall comply with the provision of this Code. All portable signs shall be stabilized and anchored to the ground to restrict displacement by the wind or other accidental force. If the portable sign is used for a period of sixty (60) days or more than, it must be permitted as a permanent sign for the location and meet all provisions of this Code as such.

(Ord. 885 (part), 2001: prior code § 7-26)

([Ord. No. 1094](#), 4-18-2016)

15.32.080 - Abandoned signs.

A sign is considered abandoned when the business, event or purpose the sign advertises no longer applies, no longer in business or when the face of the sign no longer contains advertising material and remains in such condition for a period of six (6) months and is constituting a hazard to life, safety and/or property. The Building Official shall issue a written notice to the sign or property owner, which notice shall state that

such sign shall be removed or repaired within thirty (30) days. If the property owner fails to comply with such notice to the Building Official is authorized to cause removal of such sign as defined under Section 15.32.100.

(Ord. 885 (part), 2001: prior code § 7-27)

([Ord. No. 1094](#), 4-18-2016)

15.32.090 - Notice period.

The notice period for removal of temporary signs and portable signs is forty-eight (48) hours. The notice period for removal of abandoned signs is thirty (30) days. Property owners will receive a written notice stating that their property does not meet the standards set forth in this chapter. A second notice may result in the issuance of a citation. If the sign permittee or owner of the premises upon which the sign is located has not demonstrated to the satisfaction of the Building Official that the sign has been removed or brought into compliance with the provisions of this chapter by the end of the notice period, the Building Official shall certify the violation to the City Attorney for proper action.

(Ord. 885 (part), 2001: prior code § 7-28)

([Ord. No. 1094](#), 4-18-2016)

15.32.100 - Removal of signs.

The Building Official is authorized to request removal of any illegal, nonconforming and abandoned sign as defined by this chapter.

Before requesting the removal of a sign, the Building Official shall give written notice to the sign owner or the owner of the premises on which such sign is located. The notice shall state the reasons and grounds for removal, specifying the deficiencies or defects in such sign with reasonable definiteness, and the violation charges. Such notice shall specify what repairs will make such an installation conform to the requirements of this chapter and specify that the sign must be removed or made to conform to the provisions of this chapter within the notice period provided herein. Service of notice may be made personally on the permittee and the property owner, or by certified mail addressed to the owner or permittee at the address specified in the permit or at such address as the owner or permittee may have given written notice or at the address shown on the property tax rolls.

(Ord. 885 (part), 2001: prior code § 7-29)

([Ord. No. 1094](#), 4-18-2016)

15.32.110 - Expense of removal.

If the owner, occupant or agent fails to remove or repair the nonconforming sign as required by this code and the City is forced to remove or repair such structures. All the actual cost and expense, including court costs and attorney fees, of any such removal or repairs incurred by the City shall be borne by the owner, occupant, agent of such sign and the owner of the premises on which the sign is located, shall be liable therefore, and an action for recovery thereof may be brought by the City Attorney upon proper certification thereof to him or her by the Building Official. The City shall have a lien against the property upon which such sign or structure is located which may be perfected and foreclosed in the same manner as other municipal liens.

(Ord. 885 (part), 2001: prior code § 7-30)

([Ord. No. 1094](#), 4-18-2016)