

ORDINANCE NUMBER O- 18666 (NEW SERIES)

ADOPTED ON JUL 26 1999

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER II, ARTICLE 7, BY RENUMBERING DIVISION 32 TO DIVISION 3, TITLED "WRITE-IN CANDIDATES"; BY AMENDING AND RENUMBERING SECTION 27.3201 TO SECTION 27.0301; BY REPEALING SECTION 27.3202; BY ADDING NEW SECTION 27.0302; BY AMENDING AND RENUMBERING SECTIONS 27.3203 AND 27.3204 TO SECTIONS 27.0303 AND 27.0304; BY REPEALING SECTIONS 27.3205, 27.3206, 27.3207 AND 27.3208; BY ADDING NEW SECTIONS 27.0305, 27.0306, 27.0307, 27.0308, 27.0309, 27.0310, 27.0311, 27.0312, 27.0313, 27.0314, 27.0315, 27.0316, 27.0317, 27.0318, 27.0319, 27.0320, 27.0321, 27.0322; BY REPEALING SECTION 27.3209; BY AMENDING AND RENUMBERING SECTIONS 27.3210 AND 27.3211 TO SECTIONS 27.0323 AND 27.0324, ALL RELATING TO WRITE-IN CANDIDATES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter II, Article 7, of the San Diego Municipal Code is hereby amended by renumbering Division 32 to Division 3.

Section 2. That Chapter II, Article 7, Division 3, of the San Diego Municipal Code is hereby amended by amending and renumbering Section 27.3201 to Section 27.0301, to read as follows:

27.0301 General Provisions for Write-In Candidates

Write-in *candidates* are permitted in municipal *elections* including *special elections* called by the *City Council* pursuant to Section 27.0107 of this article.

Section 3. That Chapter II, Article 7, Division 3, of the San Diego Municipal Code be and is hereby amended by adding new Section 27.0302, to read as follows:

27.0302 Nomination Papers for Write-in Candidates

Nomination papers required of write-in *candidates* seeking nomination to municipal *elective office* are the Statement and Affidavit of Write-in Nominee and the nominating *petition*.

Section 4. That Chapter II, Article 7, of the San Diego Municipal Code is hereby amended by repealing Section 27.3202.

Section 5. That Chapter II, Article 7, Division 3, of the San Diego Municipal Code is hereby amended by amending and renumbering Sections 27.3203 and 27.3204 to Sections 27.0303 and 27.0304, to read as follows:

27.0303 Personal Appearance of Write-in Candidates

Candidates seeking nomination and election by write-in ballot shall appear personally before the City *Clerk* to obtain the nomination papers for filing, unless service with the United States Armed Forces or a physical disability prevents such an appearance.

27.0304 Residency Requirements for Write-in Candidates

Candidates seeking nomination and election by write-in ballot shall comply with the residency requirements of Section 27.0119 of this article.

Section 6. That Chapter II, Article 7, Division 3, of the San Diego Municipal Code is hereby amended by repealing Sections 27.3205, 27.3206, 27.3207 and 27.3208.

Section 7. That Chapter II, Article 7, Division 3, of the San Diego Municipal Code is hereby amended by adding new Sections 27.0305, 27.0306, 27.0307, 27.0308, 27.0309, 27.0310, 27.0311, 27.0312, 27.0313, 27.0314, 27.0315, 27.0316, 27.0317, 27.0318, 27.0319, 27.0320, 27.0321, and 27.0322, to read as follows:

27.0305 Time to Obtain Nomination Papers for Write-in Candidates

(a) Nomination papers in connection with write-in candidacy in *District or City-wide Primary Elections* that are consolidated with statewide primary *elections*, or *special* or recall *elections*, may be obtained from the *City Clerk* not earlier than the first business day after the close of regular nominations for the *District or City-wide Primary, special* or recall *election*.

(b) Nomination papers in connection with write-in candidacy in *District or City-wide General Elections* may be obtained from the *City Clerk* not earlier than the business day following the *District or City-wide Primary Election*.

27.0306 Statement and Affidavit of Write-in Candidates

Candidates seeking nomination and election by write-in ballot shall complete and sign under California perjury laws a Statement and Affidavit of Write-in Nominee at the time of obtaining nomination papers from the *City Clerk*. The Statement and Affidavit of Write-in Nominee shall be countersigned by the

City Clerk or an authorized deputy of the City Clerk, and shall be considered filed at the time of signing.

27.0307 Form of Statement and Affidavit of Write-in Candidates

The Statement and Affidavit of Write-in Nominee shall state the name of the write-in *candidate*, the write-in *candidate's* current residence, past residences for a period of four years, date and place of birth, the office for which he or she seeks nomination, the term for which he or she is running, occupation, and a written acceptance of the nomination. The completed and signed Statement and Affidavit of Write-in Nominee shall be substantially in the following form:

STATEMENT AND AFFIDAVIT OF WRITE-IN NOMINEE

STATE OF CALIFORNIA)

COUNTY OF SAN DIEGO) ss.

Under penalty of perjury, I, _____ (printed name of *candidate*), say that I reside at _____ in the City of San Diego, County of San Diego, State of California; that I am a resident and registered voter of the political district for which I seek nomination and shall have been such for at least thirty calendar days immediately preceding the submittal of my nominating petition for filing; that I am a write-in candidate for the office of _____ (include district designation, if appropriate) to be voted upon at the municipal election to be held _____ (insert date); that I will accept

such nomination; and that I will serve in such office if elected. I am a write-in candidate for the
___ full/ ___ unexpired term.

Date of Birth _____ Place of Birth _____

My occupation is _____.

All other places where I have resided in the past four years:

(Signature)

Subscribed on: _____

(Date)

(SEAL)

(Signature of Clerk or Deputy)

(Official Title)

27.0308 Contents of Nominating Petition for Write-in Candidates

(a) Nominating *petition* pages for write-in *candidates* shall be furnished by the Office of the City *Clerk*.

(b) Nominating *petition* pages for write-in *candidates* shall be printed on white paper, 8 ½ by 11 inches in size.

(c) Each nominating *petition* page for write-in *candidates* shall contain items (1) through (3) in the order specified:

(1) A statement which includes the name of the write-in *candidate*, the office for which he or she seeks nomination, and the date of the pertinent *District* or *City-wide Primary Election*.

(2) Space for signing *voters'* information prepared in accordance with Sections 27.0309 and 27.0310.

(3) A *circulator's* affidavit of authenticity prepared and signed in accordance with Sections 27.0309 and 27.0313.

(d) The nominating *petition* for a write-in *candidate* may consist of any number of *petition* pages.

27.0309 Form of Nominating Petition Page for Write-in Candidates

(a) The following statement shall appear at the top of each nominating *petition* page for write-in *candidates* and be in substantially the following form:

NOMINATING PETITION AND SIGNATURES IN LIEU OF FILING FEE

STATE OF CALIFORNIA)

COUNTY OF SAN DIEGO) ss.

We, the undersigned voters of _____ (The City of San Diego, or City Council District, including district designation) hereby nominate _____ as a write-in

candidate for office of _____ to be voted for at the municipal election to be held _____.

(b) The following note shall appear on each nominating *petition* page for write-in *candidates*, immediately below the statement required by Section 27.0309(a): (NOTE: Nominating petitions for Mayor and City Attorney may be signed at large throughout the City and must contain the signatures of at least 200 qualified voters. Nominating petitions for members of the City Council may be signed only by voters residing within the home district of the candidate, and must contain the signatures of at least 100 qualified voters. Nominating petitions for appointment to City elective offices require the signatures of at least 50 qualified voters. It is unlawful for any voter to sign more than one nominating petition for any given office.)

(c) The *voter* signature portion of the nominating *petition* page for write-in *candidates* shall appear immediately below the note required by Section 27.0309(b). On the right hand side of the *voter* signature portion of the *petition* page, a space at least one inch wide shall be left blank for the City *Clerk's* use in verifying the validity or invalidity of the signatures. The *voter* signature portion of the *petition* page shall be arranged and lined to provide space for each *voter's* signature, each *voter's* printed name, place of each *voter's* residence, and date of each *voter's* signature.

(d) The *voter* signature portion of the nominating *petition* page for write-in *candidates* shall be in substantially the following form:

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Name	Residence	Date	Clerk's Use Only
1. Sign			
Print			
2. Sign			
Print			
3. Sign			
Print			

(e) The *circulator's* affidavit of authenticity shall appear immediately below the *voter* signature portion required by Section 27.0309(c), and shall be signed by the *circulator* under California perjury laws.

(f) The *circulator's* affidavit of authenticity shall be in substantially the following form:

AFFIDAVIT OF AUTHENTICITY

STATE OF CALIFORNIA)

COUNTY OF SAN DIEGO) ss.

Under penalty of perjury I, (printed name of *circulator*), say that I am a registered voter of the City of San Diego and that all the signatures on this petition page were made in my presence and were observed by me, and that to the best of my knowledge and belief, such signatures are the genuine signatures of the individuals who signed the petition.

(Circulator's Residence)

(Circulator's Signature)

**27.0310 Signing Voter's Information for Nominating
Petition for Write-in Candidates**

Signatures on the *voter* signature portion of a nominating *petition* for a write-in *candidate* shall be executed by *voters* in their own handwriting, and each signer shall also affix his or her printed name, date of his or her signature, and place of residence, including street and house number, or other designation from which the location of the place of residence may be readily ascertained.

**27.0311 Required Number of Signatures on Nominating
Petition for Write-in Candidates**

(a) Only *voters* may sign the *voter* signature portion of a nominating *petition* for a write-in *candidate*. Signatures of individuals who are not *voters* shall be invalid.

(b) Nominating *petitions* for write-in *candidates* for the office of City Councilmember shall be signed by at least one hundred individuals residing in the district and who at the time of signing shall have been registered *voters* for a period of at least thirty calendar days in the district from which the write-in *candidate* seeks nomination.

(c) Nominating *petitions* for write-in *candidates* for the offices of Mayor and City Attorney shall be signed by at least two hundred individuals residing in the City of San Diego and who at

the time of signing shall have been registered *voters* of the City for a period of at least thirty calendar days.

27.0312 Write-in Candidacy Limited to One Office

A write-in *candidate* may not submit for filing a nominating *petition* for more than one office at any *election*.

27.0313 Circulation of Nominating Petitions for Write-in Candidates

It is unlawful for any individual to circulate a nominating *petition* for a write-in *candidate* unless he or she is a *voter*.

27.0314 Signing of Nomination Petitions for Write-in Candidates

It is unlawful for any individual to sign a write-in *candidate's* nominating *petition* more than one time.

27.0315 Time for Submitting Nomination Papers of Write-in Candidates to Clerk

Except for the Statement and Affidavit of Nominee filed pursuant to Section 27.0306, nomination papers for write-in candidacy in *District* or *City-wide Primary* or *General Elections*, or *special* or recall *elections*, shall be submitted for filing in the Office of the City *Clerk* not later than fourteen calendar days prior to the date of the *election*.

Except for the Statement and Affidavit of Nominee filed pursuant to Section 27.0306, all nomination papers shall be

submitted for filing at the same time; no supplemental filings are allowed.

27.0316 Acceptability of Nominating Petitions for Write-in Candidates

To be acceptable for filing, a nominating *petition* for a write-in *candidate* must on its face purport to contain the signatures of the requisite number of *voters*.

27.0317 Acceptance or Rejection of Nomination Papers of Write-in Candidates as Filed

(a) If the City *Clerk* determines that a write-in *candidate's* nomination papers are in substantial compliance with this division and with the provisions of Division 6, as applicable, the City *Clerk* shall accept the nomination papers as filed.

(b) If the City *Clerk* determines that a write-in *candidate's* nomination papers are not in substantial compliance with this division and with the provisions of Division 6, as applicable, the City *Clerk* shall not accept the nomination papers as filed.

27.0318 Verification of Nominating Petition Signatures for Write-in Candidates; Time

(a) The City *Clerk* shall be allowed a period of twenty business days after a nominating *petition* for a write-in *candidate* has been accepted as filed to verify the validity or invalidity of signatures.

(b) To determine the sufficiency or insufficiency of a nominating *petition* for a write-in candidate, the City *Clerk* shall only count valid signatures.

(c) If the *circulator's* affidavit of authenticity for any given *petition* page has not been signed by the *circulator*, the signatures on that *petition* page shall be invalid.

27.0319 Notice of Sufficiency of Nominating Petition for Write-in Candidates

If the City *Clerk* finds a nominating *petition* for a write-in *candidate* to be sufficient and in proper form, he or she shall so certify and shall send a notice of sufficiency to the write-in *candidate* nominated.

27.0320 Notice of Insufficiency of Nominating Petition for Write-in Candidates

If the City *Clerk* finds a nominating *petition* for a write-in *candidate* to be in insufficient or improper form, he or she shall so certify and shall send a notice of insufficiency to the write-in *candidate* seeking nomination.

27.0321 Nominating Fee for Write-in Candidates

The *election* nominating fee for a write-in *candidate* shall be two hundred dollars (\$200) for the office of City Councilmember and five hundred dollars (\$500) for the offices of

Mayor and City Attorney. The nominating fee shall be paid when nomination papers are submitted for filing.

27.0322 Signatures Used to Offset Nominating Fee for Write-in Candidates

(a) Notwithstanding any other provision of this division, a write-in *candidate* may submit signatures of registered *voters* above the number required pursuant to Section 27.0311 to fully or partially offset the nominating fee.

(b) If signatures of registered *voters* above the number required pursuant to Section 27.0311 are to be used to reduce the nominating fee, the write-in *candidate* shall give notice to the City *Clerk* at the time of submitting his or her nomination papers for filing pursuant to Section 27.0315.

(c) Signatures submitted for the purpose of reducing the nominating fee shall be executed by *voters* on the nominating *petition* for a write-in *candidate*, and are subject to the provisions of Section 27.0310 and Section 27.0311.

(d) No signature used to determine the sufficiency of the nominating *petition* for a write-in *candidate* may be used for the purpose of reducing the nominating fee.

(e) Each valid signature in excess of the number required pursuant to Section 27.0311 that is obtained and submitted for filing on the nominating *petition* for a write-in *candidate* within the

prescribed nomination period for the purpose of reducing the nominating fee shall be valued at \$0.25 toward reduction of the nominating fee.

(f) The write-in *candidate* shall be reimbursed at the rate prescribed in Section 27.0322(e) up to the deposited amount of the nominating fee.

Section 8. That Chapter II, Article 7, of the San Diego Municipal Code be and is hereby amended by repealing Section 27.3209.

Section 9. That Chapter II, Article 7, of the San Diego Municipal Code be and is hereby amended by amending and renumbering Sections 27.3210 and 27.3211 to Sections 27.0323 and 27.0324, to read as follows:

**27.0323 Inclusion of Write-In Candidate's Name
on Ballot and in Sample Ballot for District
or City-Wide General Election**

If a write-in *candidate* in the *District* or *City-wide Primary Election* is chosen by the electors as one of the two *candidates* to have their name appear on the *District* or *City-wide General Election* ballot, the procedures contained in Division 6 regarding designation of the *candidate's* title, inclusion of the *candidate's* name on the ballot and sample ballot, and the statement of the *candidate's* qualifications and photograph will be followed. The *City Clerk* shall set a reasonable time for the write-in *candidate* to submit those documents for filing.

27.0324 Additional Provisions for Write-in Candidates

Other requirements of this article not in conflict with the provisions of this division shall apply to write-in *candidates*.

Section 10. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 11. Pursuant to Charter sections 16 and 17, because this ordinance relates to elections, it shall take effect and be in force on the day of its introduction.

APPROVED: CASEY GWINN, City Attorney

By *Cristie C. McGuire*
Cristie C. McGuire
Deputy City Attorney

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ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER II, ARTICLE 7, BY RENUMBERING DIVISION 32 TO DIVISION 3, TITLED "WRITE-IN CANDIDATES"; BY AMENDING AND RENUMBERING SECTION 27.3201 TO SECTION 27.0301; BY REPEALING SECTION 27.3202; BY ADDING NEW SECTION 27.0302; BY AMENDING AND RENUMBERING SECTIONS 27.3203 AND 27.3204 TO SECTIONS 27.0303 AND 27.0304; BY REPEALING SECTIONS 27.3205, 27.3206, 27.3207 AND 27.3208; BY ADDING NEW SECTIONS 27.0305, 27.0306, 27.0307, 27.0308, 27.0309, 27.0310, 27.0311, 27.0312, 27.0313, 27.0314, 27.0315, 27.0316, 27.0317, 27.0318, 27.0319, 27.0320, 27.0321, 27.0322; BY REPEALING SECTION 27.3209; BY AMENDING AND RENUMBERING SECTIONS 27.3210 AND 27.3211 TO SECTIONS 27.0323 AND 27.0324, ALL RELATING TO WRITE-IN CANDIDATES.

DIVISION ~~32~~ 3
Write-in Candidates

SEC. ~~27.3201~~ 27.0301 General Provisions for Write-in Candidates

Write-in candidates candidates are permitted in municipal elections ~~elections~~ including ~~special elections~~ special elections called by the City ~~Council~~; Council pursuant to Section ~~27.2005~~ 27.0107 of this ~~Article~~ article.

SEC. 27.0302 Nomination Papers for Write-in Candidates

Nomination papers required of write-in candidates seeking

nomination to municipal *elective office* are the Statement and Affidavit of Write-in Nominee and the nominating *petition*.

SEC. 27.3202 -- Nominating Papers

~~Nominations of write-in candidates for elective offices shall be made by filing nominating papers including a declaration and affidavit of write-in candidacy in the office of the City Clerk on forms provided by the City Clerk. The form of the papers shall be substantially in the same form as set forth in Section 27.2103 of this Article except for a designation as a write-in candidate where appropriate and removal of the reference to a request that the candidate's name be printed upon the official ballot~~

~~Nominating papers for district or City-wide primary or recall elections may be obtained from the City Clerk no earlier than the first business day after the close of regular nominations for the district or City-wide primary, special or recall election.~~

~~Nominating papers for district or City-wide general elections may be obtained from the City Clerk no earlier than the day following the district or City-wide primary election.~~

SEC. 27.3203 -- Appearance In Person of Candidate 27.0303 Personal Appearance of Write-in Candidates

~~Candidates *Candidates* seeking nomination and election by write-in ballots ballot shall appear personally before the City Clerk~~

Clerk to sign the statement of write-in candidacy obtain the nomination papers for filing, unless service with the United States Armed Forces or a physical disability prevents such an appearance.

SEC. 27.3204 - 27.0304 Residency Requirements for Write-in Candidates

~~A person seeking nomination and election as a write-in candidate must~~ Candidates seeking nomination and election by write-in ballot shall comply with the residency requirements of Section ~~27.2023~~ 27.0119 of this ~~Article~~ article.

SEC. 27.3205 - Filing Requirements

~~Every person who desires to be a write-in candidate and have his or her name written on the ballot of an election counted for a particular office shall:~~

~~(a) File, on a form provided by the City Clerk a declaration and affidavit of write-in candidacy containing:~~

- ~~(1) the name of the candidate~~
- ~~(2) his or her current residence address~~
- ~~(3) a declaration stating that he or she is a write-in candidate~~
- ~~(4) the date of the election~~
- ~~(5) the office for which he or she is running~~
- ~~(6) his or her past residences for a period of four years~~
- ~~(7) date and place of birth~~

~~(8) his or her occupation, and~~

~~(9) a list of any previous public positions held in the City.~~

~~(b) Write-in candidates for the office of City~~

~~Councilmember or member of the Board of Education must file a nomination paper petition containing not less than 200 valid signatures from voters within the district from which the candidate seeks election. All other candidates must submit not less than 300 valid signatures obtained from registered voters within the City. A signer of the nomination paper shall have been, at the time of signing, a registered voter for a period of not less than thirty (30) days in the district from which the candidate seeks nomination or election. No voter may sign more than one nomination paper for the same office, and in the event a voter does so, that voter's signature shall count only on the first nomination paper filed which contains the voter's signature. Nomination papers subsequently filed which contain that voter's signature shall be considered as though the voter's signature does not appear thereon.~~

~~Each seat on the governing body is a separate office. Any person registered to vote at the election may circulate a nomination paper.~~

~~(c) The signatures to each nomination paper shall be appended on the same sheet of paper, and each signer shall add the signer's place of residence, giving the street and number, if any,~~

~~otherwise, such designation of the signer's place of residence as will enable its location to be readily ascertained.~~

~~(d) Every nomination paper shall have annexed an affidavit of the person who circulated it to the effect that the circulator saw written all the signatures appended thereto and knows that they are the signatures of the persons whose names they purport to be. The affidavit of authenticity shall be substantially the same as that contained in Municipal Code Section 27.2127.~~

~~SEC. 27.3206 Filing Fee~~

~~Write-in candidates for member of the City Council or Board of Education shall pay a \$200.00 nominating fee to the City at the time the nominating papers are filed with the City Clerk.~~

~~Write-in candidates for all other offices shall pay a \$300.00 nominating fee. This fee must be paid for each election in which the person desires to be a write-in candidate.~~

~~SEC. 27.3207 Petition In Lieu Of Nominating and Filing Fee~~

~~(a) Notwithstanding any other provision of this Division, a write-in candidate may submit a petition containing signatures of registered voters in lieu of the nominating fee.~~

~~(b) During the nomination periods set forth in SEC. 27.3209, the City Clerk shall furnish to each write-in candidate, upon request, petition forms for securing signatures.~~

~~(c) Each valid signature on an authorized petition in lieu of nomination fee form that is obtained and filed within the prescribed nomination period shall be valued at \$0.25 toward reduction of the nominating fee.~~

~~(d) A write-in candidate who submits an in lieu of nomination fee petition shall file all signatures at the same time. No supplemental petition shall be filed. Petitions in lieu of the nominating fee shall not be accepted for filing after the close of the nomination period.~~

~~(e) A write-in candidate who has paid the nominating fee at the time of taking out nomination papers may also obtain and submit an in lieu of nomination petition to offset, in part or in whole, the nominating fee by reimbursement at the rate prescribed in subsection (c). The write-in candidate shall be reimbursed at the rate prescribed in subsection (c) up to the deposited amount of the nominating fee.~~

~~SEC. 27.3208 Petition In Lieu Of Nominating and Filing Fee Procedures~~

~~The procedures, except for the required number of petitions, contained in Sections 27.2121 through 27.2127 of this Article shall be followed, including the affidavit of authenticity.~~

SEC. 27.0305 Time to Obtain Nomination Papers for Write-in Candidates

(a) Nomination papers in connection with write-in

candidacy in District or City-wide Primary Elections that are consolidated with statewide primary elections, or special or recall elections, may be obtained from the City Clerk not earlier than the first business day after the close of regular nominations for the District or City-wide Primary, special or recall election.

(b) Nomination papers in connection with write-in candidacy in District or City-wide General Elections may be obtained from the City Clerk not earlier than the business day following the District or City-wide Primary Election.

SEC. 27.0306 Statement and Affidavit of Write-in Candidates

Candidates seeking nomination and election by write-in ballot shall complete and sign under California perjury laws a Statement and Affidavit of Write-in Nominee at the time of obtaining nomination papers from the City Clerk. The Statement and Affidavit of Write-in Nominee shall be countersigned by the City Clerk or an authorized deputy of the City Clerk, and shall be considered filed at the time of signing.

SEC. 27.0307 Form of Statement and Affidavit of Write-in Candidates

The Statement and Affidavit of Write-in Nominee shall state the name of the write-in candidate, the write-in candidate's current residence, past residences for a period of four years, date and place of birth, the office for which he or she seeks nomination,

the term for which he or she is running, occupation, and a written acceptance of the nomination. The completed and signed Statement and Affidavit of Write-in Nominee shall be substantially in the following form:

STATEMENT AND AFFIDAVIT OF WRITE-IN NOMINEE

STATE OF CALIFORNIA)

COUNTY OF SAN DIEGO) ss.

Under penalty of perjury, I, _____ (printed name of candidate), say that I reside at _____ in the City of San Diego, County of San Diego, State of California; that I am a resident and registered voter of the political district for which I seek nomination and shall have been such for at least thirty calendar days immediately preceding the submittal of my nominating petition for filing; that I am a write-in candidate for the office of _____ (include district designation, if appropriate) to be voted upon at the municipal election to be held _____ (insert date); that I will accept such nomination; and that I will serve in such office if elected. I am a write-in candidate for the full/ unexpired term.

Date of Birth _____ Place of Birth _____

My occupation is _____.

All other places where I have resided in the past four years:

(Signature)

Subscribed on: _____

(Date)

(SEAL)

(Signature of Clerk or Deputy)

(Official Title)

SEC. 27.0308 Contents of Nominating Petition for Write-in Candidates

(a) Nominating *petition* pages for write-in candidates shall be furnished by the Office of the City Clerk.

(b) Nominating *petition* pages for write-in candidates shall be printed on white paper, 8 ½ by 11 inches in size.

(c) Each nominating *petition* page for write-in candidates shall contain items (1) through (3) in the order specified:

(1) A statement which includes the name of the write-in *candidate*, the office for which he or she seeks nomination, and the date of the pertinent *District* or City-wide Primary Election.

(2) Space for signing *voters*' information prepared in accordance with Sections 27.0309 and 27.0310.

(3) A circulator's affidavit of authenticity prepared and signed in accordance with Sections 27.0309 and 27.0313.

(d) The nominating *petition* for a write-in *candidate* may consist of any number of *petition* pages.

SEC. 27.0309 Form of Nominating Petition Page for Write-in Candidates

(a) The following statement shall appear at the top of each nominating *petition* page for write-in *candidates* and be in substantially the following form:

NOMINATING PETITION AND SIGNATURES IN LIEU OF FILING FEE

STATE OF CALIFORNIA)

COUNTY OF SAN DIEGO) ss.

We, the undersigned voters of _____ (The City of San Diego, or City Council District, including district designation) hereby nominate _____ as a write-in candidate for the office of _____ to be voted for at the municipal election to be held _____.

(b) The following note shall appear on each nominating *petition* page for write-in *candidates*, immediately below the statement required by Section 27.0309(a): (NOTE: Nominating petitions for Mayor and City Attorney may be signed at large throughout the City and must contain the signatures of at least 200 qualified voters. Nominating petitions for members of the City Council may be signed only by voters residing within the home district of the candidate, and must contain the signatures of at least 100 qualified voters. Nominating petitions for appointment to City elective offices require the signatures of at least 50 qualified voters. It is unlawful for any voter to sign more than one nominating petition for any given office.)

(c) The voter signature portion of the nominating *petition* page for write-in *candidates* shall appear immediately below the note required by Section 27.0309(b). On the right hand side of the voter signature portion of the *petition* page, a space at least one inch wide shall be left blank for the City Clerk's use in verifying the validity or invalidity of the signatures. The voter signature portion of the *petition* page shall be arranged and lined to provide space for each voter's signature, each voter's printed name, place of each voter's residence, and date of each voter's

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signature.

(d) The voter signature portion of the nominating petition page for write-in candidates shall be in substantially the following form:

<u>Name</u>	<u>Residence</u>	<u>Date</u>	<u>Clerk's Use Only</u>
1. Sign			
Print			
2. Sign			
Print			
3. Sign			
Print			

(e) The circulator's affidavit of authenticity shall appear immediately below the voter signature portion required by Section 27.0309(c), and shall be signed by the circulator under California perjury laws.

(f) The circulator's affidavit of authenticity shall be in substantially the following form:

AFFIDAVIT OF AUTHENTICITY

STATE OF CALIFORNIA)

COUNTY OF SAN DIEGO) ss.

Under penalty of perjury I, (printed name of circulator), say that I am a registered voter of the City of San Diego and that all the signatures on this petition page were made in my presence and were observed by me, and that to the best of my knowledge and belief, such signatures are the genuine signatures of the individuals who signed the petition.

(Circulator's Residence)

(Circulator's Signature)

**SEC. 27.0310 Signing Voter's Information for Nominating
Petition for Write-in Candidates**

Signatures on the voter signature portion of a nominating
petition for a write-in candidate shall be executed by voters in their
own handwriting, and each signer shall also affix his or her printed
name, date of his or her signature, and place of residence,
including street and house number, or other designation from
which the location of the place of residence may be readily
ascertained.

**SEC. 27.0311 Required Number of Signatures on Nominating
Petition for Write-in Candidates**

(a) Only voters may sign the voter signature portion of a
nominating petition for a write-in candidate. Signatures of
individuals who are not voters shall be invalid.

(b) Nominating petitions for write-in candidates for the
office of City Councilmember shall be signed by at least one
hundred individuals residing in the district and who at the time of
signing shall have been registered voters for a period of at least
thirty calendar days in the district from which the write-in
candidate seeks nomination.

(c) Nominating petitions for write-in candidates for the

offices of Mayor and City Attorney shall be signed by at least two hundred individuals residing in the City of San Diego and who at the time of signing shall have been registered voters of the City for a period of at least thirty calendar days.

SEC. 27.0312 Write-in Candidacy Limited to One Office

A write-in candidate may not submit for filing a nominating petition for more than one office at any election.

SEC. 27.0313 Circulation of Nominating Petitions for Write-in Candidates

It is unlawful for any individual to circulate a nominating petition for a write-in candidate unless he or she is a voter.

SEC. 27.0314 Signing Of Nominating Petitions for Write-in Candidates

It is unlawful for any individual to sign a write-in candidate's nominating petition more than one time.

SEC. 27.0315 Time for Submitting Nomination Papers of Write-in Candidates to Clerk

Except for the Statement and Affidavit of Nominee filed pursuant to Section 27.0306, nomination papers for write-in candidacy in District or City-wide Primary or General Elections, or special or recall elections, shall be submitted for filing in the Office of the City Clerk not later than fourteen calendar days prior to the date of the election.

Except for the Statement and Affidavit of Nominee filed

pursuant to Section 27.0306, all nomination papers shall be submitted for filing at the same time; no supplemental filings are allowed.

SEC. 27.0316 Acceptability of Nominating Petitions for Write-in Candidates

To be acceptable for filing, a nominating *petition* for a write-in *candidate* must on its face purport to contain the signatures of the requisite number of voters.

SEC. 27.0317 Acceptance or Rejection of Nomination Papers of Write-in Candidates as Filed

(a) If the City *Clerk* determines that a write-in *candidate's* nomination papers are in substantial compliance with this division and with the provisions of Division 6, as applicable, the City *Clerk* shall accept the nomination papers as filed.

(b) If the City *Clerk* determines that a write-in *candidate's* nomination papers are not in substantial compliance with this division and with the provisions of Division 6, as applicable, the City *Clerk* shall not accept the nomination papers as filed.

SEC. 27.0318 Verification of Nominating Petition Signatures for Write-in Candidates; Time

(a) The City *Clerk* shall be allowed a period of twenty business days after a nominating *petition* for a write-in *candidate* has been accepted as filed to verify the validity or invalidity of

signatures.

(b) To determine the sufficiency or insufficiency of a nominating petition for a write-in candidate, the City Clerk shall only count valid signatures.

(c) If the circulator's affidavit of authenticity for any given petition page has not been signed by the circulator, the signatures on that petition page shall be invalid.

SEC. 27.0319 Notice of Sufficiency of Nominating Petition for Write-in Candidates

If the City Clerk finds a nominating petition for a write-in candidate to be sufficient and in proper form, he or she shall so certify and shall send a notice of sufficiency to the write-in candidate nominated.

SEC. 27.0320 Notice of Insufficiency of Nominating Petition for Write-in Candidates

If the City Clerk finds a nominating petition for a write-in candidate to be in insufficient or improper form, he or she shall so certify and shall send a notice of insufficiency to the write-in candidate seeking nomination.

SEC. 27.0321 Nominating Fee for Write-in Candidates

The election nominating fee for a write-in candidate shall be two hundred dollars (\$200) for the office of City Councilmember and five hundred dollars (\$500) for the offices of

Mayor and City Attorney. The nominating fee shall be paid when nomination papers are submitted for filing.

SEC. 27.0322 Signatures Used to Offset Nominating Fee for Write-in Candidates

(a) Notwithstanding any other provision of this division, a write-in candidate may submit signatures of registered voters above the number required pursuant to Section 27.0311 to fully or partially offset the nominating fee.

(b) If signatures of registered voters above the number required pursuant to Section 27.0311 are to be used to reduce the nominating fee, the write-in candidate shall give notice to the City Clerk at the time of submitting his or her nomination papers for filing pursuant to Section 27.0315.

(b) Signatures submitted for the purpose of reducing the nominating fee shall be executed by voters on the nominating petition for a write-in candidate, and are subject to the provisions of Section 27.0310 and Section 27.0311.

(c) No signature used to determine the sufficiency of the nominating petition for a write-in candidate may be used for the purpose of reducing the nominating fee.

(d) Each valid signature in excess of the number required pursuant to Section 27.0311 that is obtained and submitted for

filing on the nominating *petition* for a write-in *candidate* within the prescribed nomination period for the purpose of reducing the nominating fee shall be valued at \$0.25 toward reduction of the nominating fee.

(e) The write-in *candidate* shall be reimbursed at the rate prescribed in Section 27.0322(d) up to the deposited amount of the nominating fee.

~~SEC. 27.3209 - Time of Filing Nominating Papers and Declaration of Write-In Candidacy~~

~~The nominating papers and declaration of write-in candidacy shall be delivered to the City Clerk no later than fourteen (14) days prior to the date of the election. All nominating papers, including any petition in lieu of nominating fee, shall be filed at the same time; no supplemental filings are allowed.~~

SEC. 27.3210 - 27.0323 Inclusion of Write-In Candidate's Name on the Ballot and in Sample Ballots for the District or City-Wide General Election

~~In the event if a write-in candidate *candidate* in the district or City-wide primary election District or City-wide Primary Election is chosen by the electors as one of the two candidates *candidates* to have their name appear on the district or City-wide primary election District or City-wide General Election ballot, the procedures contained in Section 27.2201 through 27.2204.1~~

Division 6 regarding designation of the ~~candidate's~~ candidate's title, inclusion of the ~~candidate's~~ candidate's name on the ballot and sample ballot, and the statement of ~~candidate's~~ the candidate's qualifications and photograph will be followed. The City Clerk shall set a reasonable time for the write-in candidate to submit those documents for filing.

SEC. ~~27.3211~~ - 27.0324 Additional Provisions for Write-in Candidates

Other requirements of this ~~Article~~ article not in conflict with the provisions of this ~~Division~~ division shall apply to write-in candidates candidates.

07/16/99