



# CANDIDATE *Handbook* 2024 Election

Town Clerk's Office  
50 E. Civic Center Dr.  
Gilbert, AZ 85296  
(480) 503-6861





# Letter from the Town Clerk

Thank you for your interest in becoming a candidate for the 2024 Town of Gilbert Election. This information packet is an important first step in the election process and has been prepared to provide you with information and candidate requirements for the 2024 Town of Gilbert Election.

While every effort is made to provide a comprehensive overview of the election process for the Town of Gilbert, this candidate information packet and the noted resources are provided with the understanding that Town Clerk staff cannot render legal or financial advice. It is the candidate's responsibility to ensure that all legal requirements have been met.

The Town of Gilbert appreciates your interest in our election process. If you need assistance throughout the process, please contact the Gilbert Town Clerk at (480) 503-6861 or by email at [Chaveli.Herrera@gilbertaz.gov](mailto:Chaveli.Herrera@gilbertaz.gov).

Sincerely,

Chaveli Herrera, CPM, MMC  
Town Clerk

Please note that the Town Clerk serves as the filing officer for all local election forms. All forms must be filed with the Gilbert Town Clerk's Office within the deadlines noted in statute. Candidates are encouraged to refer to the Arizona State Constitution, the Arizona Revised Statutes and the Gilbert Town Code for legal requirements pertaining to candidates for elective office.



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# General Information



The Council consists of a Mayor and six Councilmembers elected from the town at-large to serve four-year terms. Elections are held every two years in the fall of even-numbered years.

## OFFICES TO BE FILLED, INDUCTION, SALARIES

- One Mayor and two Council seats will be filled in 2024. The incumbents are Mayor Brigette Peterson and Councilmembers Scott Anderson and Kathy Tilque.
- Newly elected Councilmembers will be inducted at a Council meeting in January 2025.
- The annual salary of the Mayor and Council is set at \$43,631 and \$21,012, respectively.



## QUALIFICATIONS OF CANDIDATES

[A.R.S §16-311(B), CODE OF GILBERT 26-1]

All candidates for elected office in the town shall be qualified electors of the town and should have been registered no later than the date of the first signature on their nomination petitions. Candidates shall have resided in the town for at least one year preceding the election in which are running, except that a person living in an area that has been annexed into the town during the year preceding the election shall be qualified if the person has resided in that annexed area at least one year prior to the election.



# Primary Election

## July 30, 2024

[A.R.S §§16-201, 9-821.01; Code of Gilbert 26-6]

At the Primary Election, the candidates receiving the highest number of majority votes equal to the number of seats to be filled are declared elected to the office.

No further election is held unless no candidate receives a majority of votes cast or an insufficient number of candidates receive a majority of votes cast.

# General Election

## November 5, 2024

[A.R.S §9-821.01; Code of Gilbert 26-7]

If there is any office where no candidate was elected in the primary, a second general election is held.

The candidates not elected at the primary election equal in number to twice the number of offices (seats) to be filled, or less, who receive the highest number of votes for the offices, at the primary election, shall be the only candidates at the general election.

The Councilmembers shall assume the duties of office at a regular or special council meeting held on or after the second Tuesday in January in the year following the election at which they were elected, but in no event later than the twentieth day of January of that year.

[Code of Gilbert 26-9]

To Determine Majority of Votes Cast:

1. Add the total number of votes cast for all candidates for an office.
2. Divide the sum by the number of seats filled at the election.
3. Divide the result of the calculation by two and round the number to the highest whole number.

[A.R.S. §9-821.01, Code of Gilbert 26-6(b)]

# Nomination Process



## Statement of Interest

[A.R.S. §16-311(H)] [A.R.S. §16-341(I)]

Prior to collection of any signatures on a candidate nomination petition form, a candidate must declare their interest in running for a particular office by filing a Statement of Interest with the Town of Gilbert Clerk's Office. Any petition signatures collected prior to this being filed will not be counted.



## Statement of Organization for Campaign Committees

If a candidate receives contributions or makes expenditures, in any combination, of at least \$500 in connection with their candidacy, they must register as a candidate committee by filing a Statement of Organization.



## Number of Petition Signatures Required

At least 1,000 signatures, with no more than 7,043 signatures for Mayor and no more than 4,039 for Council.

Qualified electors of the Town of Gilbert may sign one candidates' nomination petition for the office of Mayor, and up to two candidates' nomination petitions for Council.

## Official Filing Period

Monday, March 2, 2024  
through  
5:00 p.m. on Monday,  
April 1, 2024

[A.R.S. §16-311(B)]

To become an official candidate for Mayor or Town Council file the following with the Town Clerk during the nomination petition filing period.

- Nomination Petitions
- Financial Disclosure Statement
- Nomination Paper including Declaration of Qualification

Nominating petitions must contain at least 1,000 signatures at the time of the initial filing of candidate papers. During the filing period, candidates may make one supplemental filing of additional petition sheets prior to the filing deadline.

# Circulating Nomination Petitions

[A.R.S. §§16-314, 16-315, and 16-321]

Petition forms in English and in Spanish are available on the Town website. Additional blank petitions may be obtained from the Clerk's Office during normal business hours.

A nomination petition is signed by qualified electors and supports the candidacy for nomination of the individual whose name appears at the top of the nomination petition in the certificate portion. Qualified electors entitled to sign nomination petitions are those who are qualified to vote for the candidate whose nomination petition they are signing and must reside in the electoral district in which the candidate is running. A signature may be withdrawn by the person who signed a nomination petition no later than 5:00 p.m. on the date the petition is filed with the Town Clerk.

## Petition Circulators

- Each circulator must complete and sign the back of each signature sheet.
- A circulator is not required to be a resident of this state, but otherwise must be qualified to register to vote in this state, and if not a resident of this state shall register as a circulator with the Secretary of State.
- A candidate may circulate his or her own petition.
- Only one person may circulate a petition sheet, and their name must be typed or printed under the circulator's signature, and their residence address must also be included.

[A.R.S. §16-321(D)]

Candidates may collect 100% of the 1,000 minimum required nomination petition signatures through [E-Qual Online Petition Signature System](#) from the Arizona Secretary of State's Office. It is recommended that candidates also obtain supplemental paper petitions, as the E-Equal system will close once 1,000 signatures are obtained. As a candidate, you must first set up an account [HERE](#). Refer to the E-Equal Candidate Guides for more information.

E-QUAL



# Challenging Nomination Petitions



It is the duty of the courts and not the Town Clerk to determine the legal sufficiency of nomination petitions. The Town Clerk has neither the right nor the duty to determine whether signers of the nominating petitions are qualified electors.



In the event that a challenge is filed, it will be the person who submitted the petition, and not the Town, who will be required to defend the legal sufficiency of the petition. The Town Clerk is the designated agent for the person filing a nomination petition and will immediately notify the person of any challenge action.



In addition to petition signature challenges, a candidate may also be challenged on grounds related to qualifications of office.

## Nomination Petition Challenge Period

[A.R.S. § 16-351]

Court action challenging a candidate's nomination must be no later than 5:00 p.m. of the tenth day, excluding Saturday, Sunday, and legal holidays, after the last day of the nomination petition filing deadline.

All challenges are required to specify the petition number, line number, and basis for dispute for each signature in question. Superior Court will hear the action and render a decision within ten days after the filing of the challenge.

An appeal of the Superior Court decision must be filed within five days to the Arizona Supreme Court.



# Write-In Candidates

[A.R.S. §16-312]

Any person desiring to become a Write-In candidate shall file the Nomination paper including Declaration of Qualification and Financial Disclosure Statement with the Town Clerk. The earliest a Write-In Candidate can file is 150 days prior to the Election.

## Primary Election Write-In Candidate Filing Deadline is 5:00 p.m. on June 20, 2024

A person cannot be a write-in candidate at a primary election if the person filed a nomination petition for the current primary election for the office sought and failed to provide a sufficient number of valid petition signatures, withdrew from the primary election after a challenge was filed, or was removed from or otherwise determined by court order to be ineligible for the primary election ballot.

## General Election Write-In Candidate Filing Deadline is 5:00 p.m. on September 26, 2024

A person cannot be a write-in candidate at a general election if the person ran in the immediately preceding primary election for that office and failed to be nominated or filed a nomination petition without enough valid signatures to be placed on the ballot for that year's primary election.

# Resignation of Office

[Code of Gilbert 26-3]

Except during the final year of the term being served, an incumbent of a salaried elective office, whether holding by election or appointment, shall resign his position upon filing a nomination paper for election.

A non-salaried member of a committee, commission or administrative board of the town, whether elected or appointed, shall resign his position upon being elected to the council. This provision shall not apply to members of the council who, by law, are required to act as members of other committees, commissions or administrative boards.

A town employee shall resign his position upon filing a nomination paper for election to the council or upon publicly declaring his candidacy for election, whichever occurs first.

## Requests for Information

Requests for public information are processed through the Town Clerk. Until you become a Council candidate (valid petitions and required paperwork have been filed with the Town Clerk), a request for public information will be processed the same as all other public records requests. Recognizing the Town's responsibility to provide accurate information and equal treatment to all Council candidates, the following procedures will be used to provide information to candidates:

1. All candidates will be treated equally.
2. Requests for public information must be submitted in writing or through our [JustFOIA public records request portal](#).
3. Information given to one candidate will be made available to all candidates.
4. Documents and reports provided to the Council on a regular basis (excluding Council agendas, packets and minutes, which are available online) will be provided to official candidates at no cost.
5. A copying charge will be assessed for copies of documents that are not routinely provided to the Council.



# Campaign Finance

A candidate for Mayor or Council must comply with all State campaign finance laws. Campaign finance laws are specific and detailed. They establish, among other things, when a candidate is required to form a committee, how a candidate's committee must be constituted, contribution limits, and when campaign finance reports are required and their content. The importance of strict compliance with campaign finance laws cannot be overstated. Timely, accurate compliance with campaign laws is essential to avoid monetary penalties, possible criminal violations, and other consequences. Failure to comply with campaign finance laws may lead to enforcement actions, as well as civil and criminal penalties.

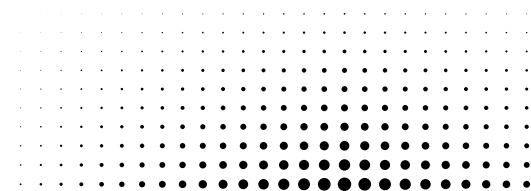
To ensure compliance with all State campaign finance laws, candidates are strongly encouraged to seek the assistance of an attorney and/or other professionals with knowledge of election laws from the beginning of their involvement in the campaign process.

## Statement of Organization

[A.R.S. §16-905 (B)][A.R.S. §16-906]

Candidates who receive contributions or make expenditures, in any combination, of \$500 or more in connection with their candidacy must register as a candidate committee and account for all monies or things of value received and explained by filing a Statement of Organization with the Town Clerk (filing officer).

A candidate may have only one committee in existence for the same office during the same election cycle. Committees are required to file an amended Statement of Organization within ten days after any change in committee information.

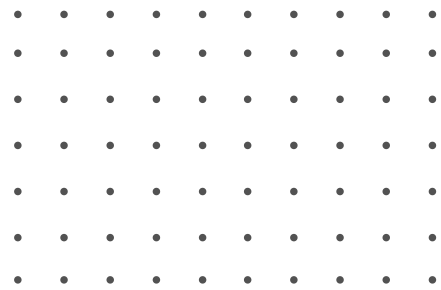


# Campaign Finance Filing Dates

[A.R.S. §16-927]

Campaign finance reports must be filed with the Town Clerk throughout the election period. Electronic filing via email to [electionreports@gilbertaz.gov](mailto:electionreports@gilbertaz.gov) is permissible, as long as the report is legible. Political Action Committees (PACs) are required to file annually; Candidate Committees are required to file during their election cycle. Candidate Committees are required during the 12 month period prior to the scheduled runoff in their election year. The required reports and respective filing dates for the 2024 elections are as follows:

FILING DEADLINE	TYPE OF REPORT	REPORTING PERIOD
January 16, 2024	Quarterly Cumulative	October 1, 2023 to December 31, 2023
April 15, 2024	Quarterly	January 1, 2024 to March 31, 2024
July 15, 2024	Quarterly	April 1, 2024 to June 30, 2024
July 27, 2024	Pre-Primary	July 1, 2024 to July 20, 2024
October 15, 2024	Quarterly Post-Primary	July 21, 2024 to September 30, 2024
October 26, 2024	Pre-General	October 1, 2024 to October 19, 2024
January 15, 2025	Quarterly Post-General	October 20, 2024 to December 31, 2024



# Campaign Contribution Limits and Failure to File

[\[A.R.S. § 16-912\]](#)[\[A.R.S. § 16-937\]](#)



Campaign contribution limits are listed on the Secretary of State's Campaign Contribution Limits for the 2023-2024 Election Cycle Chart, a link to which is on the Town's website. In summary, the limits are:

1. \$6,650 per election cycle from an individual or a political action committee (PAC) without Mega Pac status.
2. \$13,300 per election cycle from a PAC with Mega PAC status.

The current election cycle is January 1, 2023 to December 31, 2024.

## Failure to File

A committee failing to file any of the required campaign finance reports is subject to a penalty of \$10 for each day that the filing is late during the first fifteen days after the filing deadline, and \$25 for each subsequent day that the filing is late. Penalties accrue until the late report is filed. If the committee fails to file a report within 30 days after the filing deadline, the filing officer (Town Clerk) may, after providing written notice by email to the committee within five days after the filing deadline, refer the matter to the enforcement officer (Town Attorney).

## Producing Records

Upon request from the filing officer or the enforcement officer, a committee that has filed a Statement of Organization shall produce any of the records required to be kept pursuant to [A.R.S. §16-907](#) to the filing officer or enforcement officer.

A person who qualifies as a committee as prescribed by [A.R.S. §16-905](#) shall report all contributions, expenditures and disbursements that occurred before qualifying as a committee and shall maintain and produce records as prescribed by [A.R.S. §16-907](#).

# Termination of a Candidate Committee

[A.R.S. § 16-934]

A committee may terminate only when the committee treasurer files a termination statement certifying under penalty of perjury that:

- The committee will no longer receive any contributions or make any disbursements.
- The committee has either no outstanding debts or obligations.
- The committee has no outstanding debts or obligations (or both) that are all more than five years old, and that the committee's creditors have agreed to discharge the debts and obligations and have agreed to the termination of the committee.
- All surplus monies have been disposed of and that the committee has no cash on hand.
- All contributions and expenditures have been reported, including any disposal of surplus monies.



## Methods of Disposing of Monies

Return surplus monies to the contributor.

Contribute surplus monies pursuant to [A.R.S. §§16-911](#) through [16-918](#).

Donate surplus monies to a nonprofit organization that has tax exempt status under section 501(c)(3) of the internal revenue code.

Contribute surplus monies to a candidate committee for another candidate under the following conditions:

- The candidate committee makes the contribution after the time period for filing a nomination paper pursuant to section [A.R.S. §16-311](#), subsection A.
- The candidate associated with the candidate committee that makes the contribution did not file a nomination paper to run for election in the current election cycle.
- For a candidate committee for legislative office, the candidate committee makes the contribution when the legislature is not in regular legislative session.
- The candidate committee makes the contribution within the limits prescribed for individuals in section [A.R.S. §16-912](#).



Surplus monies shall not be used for or converted to personal use.



## Special Provisions related to Town Special

### Events [Code of Gilbert 15-53]

Candidates must abide by the Town code when campaigning at Town Special Events. Campaigning, including the collection of signatures, is not allowed in Town Hall or any other public building or at any Town posted public meeting. The Parks and Recreation Department will host various events throughout the year and will post notice for event that will contain a public forum location for candidates. For the full Code regarding candidates and Special Events click the link above.



### Use of Town Resources [A.R.S §9-500.14]

State Statute restricts Arizona cities and towns from using their resources and their employees to influence elections. A memo is sent out to all employees and Town Council prior to the election regarding this restriction. For a full understanding of the parameters surrounding use of Town resources visit the link above.



### Promotional Material [A.R.S. §16-925]

A person that makes an expenditure for an advertisement or fundraising solicitation, other than an individual, shall include the following disclosure in the advertisement of solicitation:

1. The words “paid for by” followed by the name of the person making the expenditure for the advertisement or fundraising solicitation.
2. And, whether the expenditure was authorized by any candidate, followed by the identity of the authorizing candidate, if any.

Campaign advertisements or fundraising solicitations must include a disclaimer that indicates it was paid for and authorized by the candidate’s committee.

If a disclosure contains any acronym or nickname that is not commonly known, the disclosure shall also spell out the acronym or provide the full name.





# Promotional Materials Disclosures

[A.R.S. §16-925]



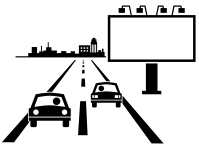
## Radio Broadcast

The disclosure is clearly spoken at the beginning or end of the advertisement.



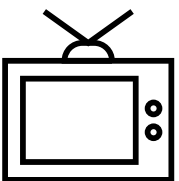
## Written Material

The disclosure is clearly readable.



## Sign or Billboard

The disclosure has a height that is at least 4% of the vertical height of the sign or billboard.



## TV or Video

The disclosure is written and spoken at the beginning or end of the advertisement. If the written disclosure is displayed for more than 1/6 of the broadcast duration or 4 seconds, a spoken disclosure is not required. The written disclosure statement must have a height that is at least 4% of the vertical picture.



# Disclosure Requirement Exemptions

[A.R.S. §16-925(E)]



Social media messages, text messages, or messages sent by a short message service.



Advertisements placed as a paid link on a website, if the message is not more than 200 characters in length, and the link directs the user to another website that complies with the disclosure requirements.



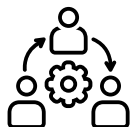
Advertisements that are placed as a graphic or picture link, if the disclosures cannot be conveniently printed due to the size of the graphic or picture, and the link directs the user to another website that complies with the disclosure requirements.



Bumper stickers, pins, buttons, pens and similar small items on which the required statements cannot be conveniently printed.



A solicitation of contributions by a separate segregated fund.



A communication by a tax-exempt organization solely to its members.



A published book or a documentary film or video.



# Political Signs

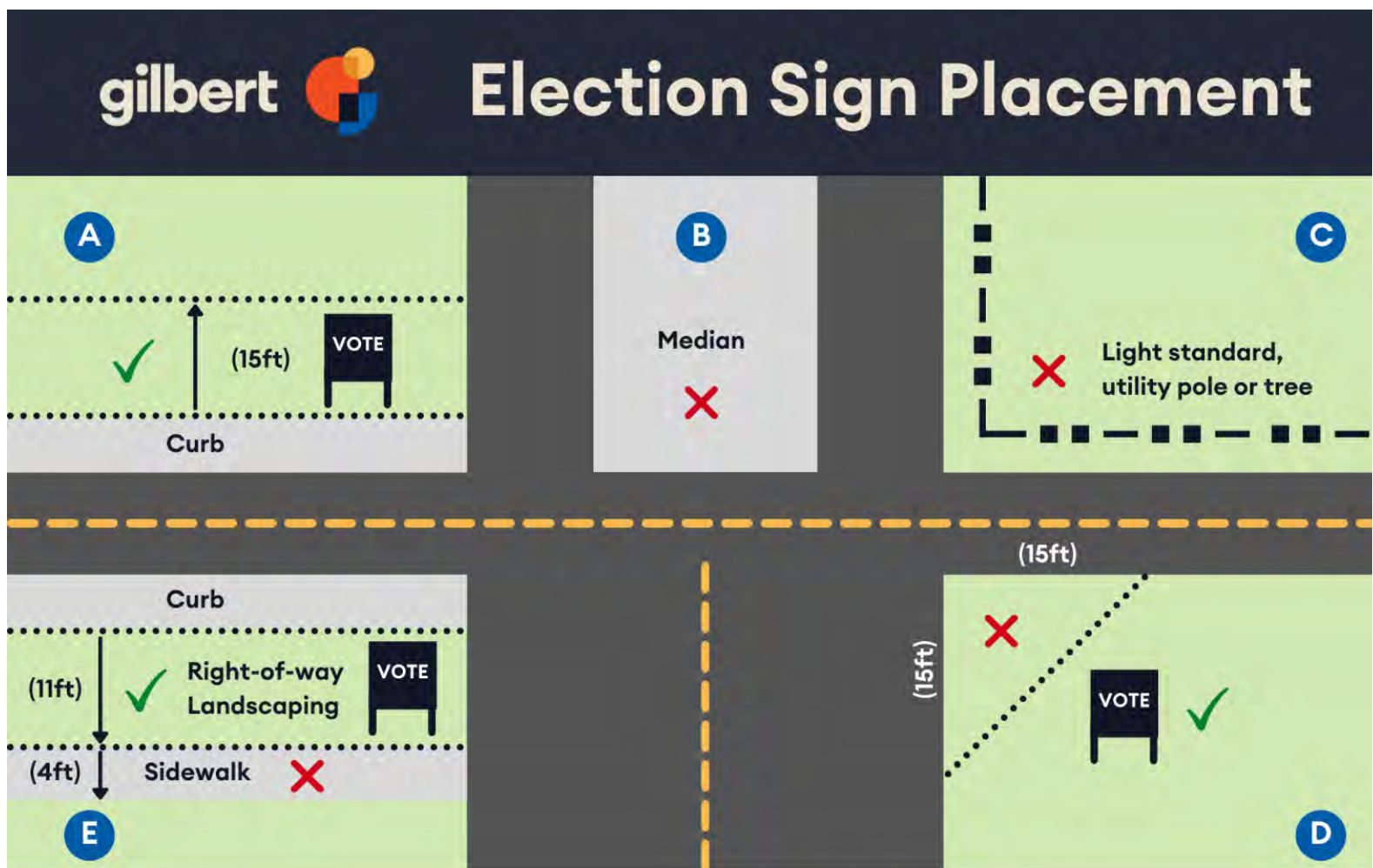
The first day a candidate may place signs in Gilbert is:

**beginning 12:01 a.m. on May 20, 2024**

Political and candidate signs may be placed along Gilbert roadways and intersections; so long as proper placement requirements are met.

A diagram explaining permissible placement locations along public right-of-way and intersections is shown below. Election sign regulations can be located at [A.R.S. §16-1019](#).

Questions on signage regulations should be directed to Code Compliance at (480) 503-6700.



## LEGEND:

- ✓ Permissible
- ✗ Not Allowed
- ..... Permissible Location(s)
- ■ ■ - Light Pole; Utility Pole

## FAQS PAGES 22-23:

- FAQ #4 - A, D
- FAQ #5 - B
- FAQ #6 - E
- FAQ #7 - C

# Frequently Asked Questions

## 1 What are the guidelines established for political sign placement during each election season?

Please refer to [A.R.S. §16-1019](#) as well as [Gilbert Website](#) for guidance on proper political and candidate sign placement.

## 2 What contact information must be present on my political sign?

According to [A.R.S. §16-1019; Sec C -5](#), each sign must contain:

The name and telephone number or website address of the candidate or campaign committee contact person.

(Though not required, it is also helpful for campaign signage to have a contact e-mail address on their signage to expedite contact should any issue arise.)

## 3 When can I or my campaign staff place signs out in Gilbert?

Per [A.R.S. §16-1019](#), Candidates for this election cycle can legally place signs beginning 12:01 a.m. on May 20, 2024 and candidates must remove their election signs by August 14, 2024, unless the candidate advances onto the General Election; If so, then signs must be removed by November 20, 2024.

Please note: Each candidate is responsible for removing their own individual signage as well as any structural poles placed in the ground used for support after the election conclusion.

## 4 Where can I place my candidate signs in the right-of way?

Political signs may be placed in the road right-of-way along Town-owned streets. The Town's right-of-way width depends upon the type of street or specific development. As a general rule and guide, signs may typically be placed within the first 15' behind the street curb, or edge of pavement if there is no curb, as long as signs do not impede on any pedestrian or vehicular traffic and visibility. Political signs are also not allowed to be located within the sight visibility triangle at intersections. Please see graphics on Page 19 for more information. For specific right-of-way widths, candidates are encouraged to utilize the Maricopa County Assessor's web page.

5

## Can I place my signs in medians here in Gilbert?

No, signage placed in center right-of-way medians presents an immediate safety and visibility issue and are prohibited.

Please see Diagram Section (B)

6

## Can Candidates place signs on streetlight poles, or street signs in Gilbert?

No, signs are not allowed to be taped or secured to any light pole or governmental signs including but not limited to: speed signs, stop signs or any other directional Governmental sign or utility structure.

Please see Diagram Section (C)

7

## Can I put my sign on a street corner?

Political signs may be placed on any public street corner so long as they do not present a traffic visibility issue, and they follow those guidelines provided by Gilbert and [A.R.S. §16-1019](#).

Please see Diagram Section (D) – Pertains to all intersection corner placement locations

8

## An opposing candidate/committee/group is placing signs that are stating false accusations about me, what can I do?

Even though we would all hope everyone would campaign in a positive manner, and refrain from negative and disparaging accusations, information displayed and contained within election signage may be protected by the First Amendment right. Please refer to [A.R.S. §16-1019](#) and [A.R.S. §16-925](#) to determine whether any sign or campaign finance violations have occurred.

**9 Can a private resident place political signs in their front yard?**

Yes, political signage is allowed during the designated election period. Any signs displayed on private property after the election and designated removal period, will be subject to normal sign code regulations pertaining to temporary signage in residential districts. Please see link: [Article 4.4 Sign Regulations](#)

**10 Who can I contact if one or more of my signs have been confiscated due to non-compliant placement?**

Please contact Code Compliance at 480-503-6879, to inquire if your signage has been retrieved by our staff due to a placement issue. Code Compliance will store the sign for a minimum of 10 business days to allow candidates or their staff to contact our offices to retrieve the sign(s). After 10 business days if not claimed, the sign may be disposed.

**11 Where can candidate staff be located at polling centers on election day to support their candidate?**

Candidate staff must be 75 feet away from the entrance to the polling place. No electioneering may occur within this area and the only people permitted within this limit are those who are in line to vote or polling place staff.

**12 Where can candidate signs be located at polling centers on election day?**

Candidates may not place their signs within 75-feet of any polling location. Please be aware of County signage installed which indicates these distance requirements on election day.

**13 Where can I place a complaint if a political sign contains inaccurate committee disclosure information?**

Any complaints shall be filed in writing to the Town Clerk to begin the investigation process.

# Candidate Checklist

## Candidate Statement of Interest

File with the Town Clerk before collecting nomination signatures.

## Statement of Organization for Political Committees

File within 10 days of receiving contributions or making expenditures of at least \$500, in any combination, in connection with your candidacy.

## Nomination Petition Filing Period

Monday, March 2, 2024 through Monday April 1, 2024 at 5:00 p.m.

## Official Filing Requirement

Schedule an appointment with the Town Clerk. The following items are required to be filed during the nomination petition filing period.

- Nomination Paper/ Declaration of Qualification Form.
- Financial Disclosure Statement for Local Public Officers.
- Nomination Petitions- containing not less than 1,000 valid signatures or more than 7,043 (Mayor) or 4,039 (Councilmember) signatures.

A receipt will be issued noting the number of signatures received. All documents are public record. Only one supplemental filing is allowed after the initial filing and before the filing period deadline.

## Primary Election

Last Day to Register to Vote:  
Monday, July 1, 2024

Early Voting Begins:  
Wednesday, July 3, 2024

Last Day to Request a Mailed Ballot:  
Friday, July 19, 2024

Last Day to Vote Early in Person:  
Friday, July 26, 2024

Last Day to Return Ballots:  
Tuesday, July 30, 2024 by 7:00 p.m.

Primary Election:  
Tuesday July 30, 2024

## General Election

Last Day to Register to Vote:  
Monday, October 7, 2024

Early Voting Begins:  
Wednesday October 9, 2024

Last Day to Request a Mailed Ballot:  
Friday, October 25, 2024

Last Day to Vote Early in Person:  
Friday, November 1, 2024

Last Day to Return Ballots:  
Tuesday, November 5, 2024 by 7:00 p.m.

General Election:  
Tuesday, November 5, 2024