

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 7.5-21 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN BY DELETING CERTAIN DEFINITIONS ADDRESSED BY STATE LAW; ADDING DEFINITIONS OF A CAMPAIGN COMMITTEE, MUNICIPAL OFFICE, AND MUNICIPAL POLITICAL COMMITTEE TO CONFORM TO STATE LAW; AND RENUMBERING REMAINING DEFINITIONS; DELETING SECTIONS 7.5-22, 7.5-23, AND 7.5-24 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN REMOVING CAMPAIGN STATEMENT FILING REQUIREMENTS NOW GOVERNED BY STATE LAW; AMENDING SECTION 7.5-25 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN TO MODIFY THE DUTIES OF THE CITY CLERK TO BE CONSISTENT WITH APPLICABLE PROVISIONS OF STATE LAW; AMENDING SECTION 7.5-26 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN TO MODIFY AND RENUMBER THE DUTIES OF THE NORMAN ELECTION COMMISSION TO BE CONSISTENT WITH STATE LAW; AMENDING SECTION 7.5-27 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN TO PROVIDE A CITY OF NORMAN ELECTION COMMISSION COMPLAINT REFERRAL PROCEDURE THAT IS CONSISTENT WITH STATE LAW; DELETING SECTION 7.5-28 OF CHAPTER 7.5 OF THE CODE OF THE CITY OF NORMAN REGARDING PENALTIES TO BE CONSISTENT WITH STATE LAW; RENUMBERING SECTIONS NOT DELETED; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Chapter 7.5 of the Code of Ordinances of the City of Norman shall be amended to read as follows:

* * * * *

Sec. 7.5-1. Filing fee or nomination by petition required.

(a) A filing fee, in the form provided by state law, is hereby established for candidates for seats to the Norman City Council which fees shall be as follows:

Candidates for City Council\$50.00
Candidates for Office of Mayor\$75.00

(b) In the event a candidate receives at least fifteen (15) percent of the votes cast or is elected unopposed, the filing fee will be refunded to that candidate. If a candidate does not receive fifteen (15) percent of the votes cast, the filing fee will be forfeited to the City.

(c) In lieu of paying a filing fee as set forth above, the name of a candidate may be placed upon the ballot at the primary election by the filing of a petition for that purpose in the manner set forth in the Norman City Charter, Article II, Section 10(b).

Secs. 7.5-2—7.5-20. Reserved.

Sec. 7.5-21. Definitions.

(a) *Campaign committee* shall mean a committee which may be composed of one or more persons the purpose of which is to support the election of a specific candidate to municipal office, whose name as it will appear on the ballot shall appear in the name of the committee.

(b) *Candidate* shall mean any person who publicly seeks nomination or election to any elective municipal office in the City government.

(c) *Election* shall mean any municipal election, municipal runoff election, or special election held in the City at which candidates for public office are voted upon.

(d) *Municipal office* shall mean any elective municipal office for which Declarations of Candidacy are filed with the secretary of the county election board as required by Sections 16-109 and 16-110 of Title 11 of the Oklahoma Statutes.

(e) *Municipal political committee* shall mean any committee composed of one or more persons whose purpose includes the election or defeat of one or more candidates for municipal office but which is not required to register with the Ethics Commission or the Federal Election Commission.

(f) *Norman Election Commission* shall mean a five-member committee, appointed by the Mayor and approved by a majority of the City Council to serve three-year staggered terms. The terms of initial appointments shall be adjusted so as to provide that no more than two (2) terms shall expire in any one (1) year; subsequent appointments shall be for three-year terms.

Sec. 7.5-22. Duties of the City Clerk.

The City Clerk shall:

- (1) Supply appropriate forms for statements of organization, reports of contributions and expenditures, and statements of financial interest required by state law to all candidates, campaign committees, and municipal political committees required to file such statements and reports;
- (2) Furnish written instructions explaining the duties of candidates, campaign committees, and municipal political committees under state law including required closing and filing dates;
- (3) Examine all statements of organization, reports of contributions and expenditures, and statements of financial interest filed in the City Clerk's office pursuant to state law and check for irregularities that do not meet the requirements of state law (Acceptance of the statements and reports by the City Clerk shall not constitute approval of said statements and reports);
- (4) Notify promptly all persons known to have failed to file a statement or report in the form or at the time required;
- (5) Refer all apparent irregularities or failures to file required statements or reports to the Norman Election Commission for review;
- (6) Cooperate with the Norman Election Commission;
- (7) Maintain a current list of all statements and reports on file in the City Clerk's office;
- (8) Preserve each statement and report for at least four (4) years from the date upon which it was required to be filed;
- (9) Make statements and reports available for public inspection as soon as practicable during regular business hours;
- (10) Provide copies of filed statements and reports or parts of statements and reports at a normal charge;
- (11) Distribute without fees or charge to each candidate or campaign committee one (1) copy of the election code of the State, including, but not limited to, any relevant state Ethics rules, and one (1) copy of all city ordinances relating to election campaign matters and all blank forms required for statements of organization, reports of contributions and expenditures, and statements of financial interest.

Sec. 7.5-2326. Duties of the Norman Election Commission.

In addition to any other duties designated by the terms of this article, the Norman Election Commission shall:

- (1) Cooperate with the City Clerk in the preparation and publication of written instructions explaining the duties of candidates, campaign committees, and municipal political committees under state law;
- (2) To review, compare and examine for inconsistencies or other deficiencies, including but not limited to, timeliness, all statements and reports filed in the Office of the City Clerk;
- (3) Identify any substantial discrepancy, including, but not limited to, total contributions and expenditures listed in reports of contributions and expenditures filed before the election and contributions and expenditures listed in such reports filed after the election;
- (4) To report to the City Council within forty (40) days after the Municipal Election and ninety (90) days after the final election, information including, but not limited to, ongoing investigations regarding or determinations of substantial discrepancies in reports required to be filed by the election laws of the State of Oklahoma;
- (5) Recommend or advise the City Council on possible changes as needed to this article;
- (6) Make an effort to inform the public about the importance of reporting all contributions and expenditures by candidates for local offices as well as the political action committees (PACs) involved in a given campaign.

Sec. 7.5-24. Norman Election Commission procedure.

(a) Whenever the Norman Election Commission has reason to believe a willful violation of the State Election Laws has occurred, it may make a referral to, or file a formal complaint with, the state Ethics Commission in accordance with the procedures outlined in state law.

(b) The Norman Election Commission shall cause notice of its meetings to be mailed to each candidate required to file statements or reports with the City Clerk for the current municipal election. This notice shall be accomplished by mailing to the candidate, at the address of the candidate on file in the Office of the City Clerk, a copy of the agenda setting forth the date, time and place of the meeting of the Commission and the matters to be covered at the meeting.

§ 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day
of _____, 2014.

NOT ADOPTED this _____ day
of _____, 2014.

Cindy Rosenthal, Mayor

Cindy Rosenthal, Mayor

ATTEST:

Brenda Hall, City Clerk