



## OFFICE OF THE CITY ATTORNEY

# MEMORANDUM

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**To:** City of Vero Beach Canvassing Board  
**From:** Kira C. Honse, Assistant City Attorney *KCH*  
**Subject:** Qualifying Paper Signatures Required  
**Date:** September 11, 2018

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Section 30-3 of the Code of the City of Vero Beach, Florida, lists the requirements for candidates to qualify for office. One of the requirements is the timely filing of Qualifying Papers. Qualifying Papers must be received by the city clerk by the close of Qualifying Period. As defined in Section 30-2, the Qualifying Period ends at 5:00 p.m. on the 60<sup>th</sup> day before the election, which for the 2018 election was September 7. Subsection 30-3.(b)(7) lists the Qualifying Papers required to be filed which includes the "oath of candidate," the "appointment of campaign treasurer and designation of campaign depository for candidates and "the notice of candidacy and affidavit of "candidate." All documents must contain the signature of the candidate.

Section 30-6 states that "a person shall not be qualified as a candidate for election if the city clerk, with the approval of the city canvassing board, finds that [3] the qualifying papers of any candidate, on their face, are incomplete or defective, and are incomplete or defective at the end of the qualifying period."

Failure to sign all the required documents by the close of the Qualifying Period would cause the Qualifying Papers to be incomplete by the end of the Qualifying Period.

The Code does not provide a grace period after the close of the Qualifying Period to remedy any incomplete or defective Qualifying Papers.

Therefore, Linda Hillman and Brian Heady did not qualify for the election.

Attached for your convenience is Chapter 30 from the Code of the City of Vero Beach, Florida.