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2010 City of Cocoa Beach Elections

Commission Candidate Guide

Provided by:
City of Cocoa Beach
City Clerk Department
www.cityofcocoabeach.com

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CITY CLERK'S MESSAGE

City of Cocoa Beach



Excellent Recreation and Quality Living
www.cityofcocoa.beach.com & www.golfcocoa.beach.com
P.O.Box 322430, Cocoa Beach, Florida 32932-2430

July 2010

Dear Commissioner Candidate,

Welcome to the City of Cocoa Beach election process.

This publication is being provided by the City to assist you, as you are seeking the Office of Commissioner in the 2010 City of Cocoa Beach Election. It is only a guide. Please do not hesitate to contact me for information. I look forward to working with you.

Enjoy your campaign.

Sincerely

Loredana Kalaghchy

Loredana Kalaghchy, MMC

City Clerk

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(321) 868-3235

FOREWORD

The information in this Guide is general in nature. Candidates, please refer to the State Statutes and City Codes for specific provisions and additional details. Election forms, links to the City Code and State Statutes can be found on the City's Website at:

http://www.cityofcocoabeach.com/citylife/election_history.htm

GENERAL INFORMATION FOR CANDIDATES

Qualifications

To run for a City Commissioner Seat, a Candidate must be:

- a registered voter of the City of Cocoa Beach
- a resident for one year immediately preceding qualifying
- and not hold any other elected public office.

(Note: If you currently hold an elected public office, you must submit a letter of resignation to the City Clerk 10 days prior to the first day of qualifying for the office of Commissioner. The resignation must be effective no later than the date the Commissioner would take office (November 4, 2010,) if elected (F.S.99.012). A Member of City Board need not resign in order to qualify as a candidate for the elected City office.

Term of Office/Salary

The Term of Office is three years, beginning with the first Commission meeting, following the election and ending on the General Election date, upon expiration of the Commissioner's term. A Commissioner's yearly salary is \$6,000.

Declared to Run for Office

Candidates may declare to run for office any time prior to the Qualifying Period. To declare, a candidate must:

- 1) complete the DS-DE9 Form - Appointment of Campaign Treasurer and Designation of Campaign Depository and submit form to the City Clerk (prior to opening bank account)
 - designate the Commission Seat being sought
 - open a bank account, and
 - submit required treasurer reports
- 2) complete DS-DE84 Form – Statement of Candidate within 10 days of filing the Appointment of Campaign Treasurer

Qualified to Run for Office

A candidate, who declares to run for office, must also qualify to be placed on the ballot. The Qualifying Period begins at:

Noon - Monday, August 16, 2010 and ends at Noon – Friday, August 20, 2010.

Qualifying papers need to be completed and submitted to the City Clerk during the qualifying period.

If you have not declared to run as a candidate prior to the qualifying period, you qualify by:

- Submitting to the City Clerk completed DS-DE9 Form - Appointment of Campaign Treasurer and Designation of Campaign Depository prior to opening your bank account
- Opening a bank account
- Submitting completed and signed qualifying papers (qualifying papers may be filed in person or delivered by an agent)
- Paying qualifying fees (City Qualifying Fee \$50, Election Assessment \$60 and, if desired, political sign permit \$50)

FINANCIAL RESPONSIBILITIES OF A CANDIDATE

Duties of a Candidate

The candidate is responsible for the following duties:

- ensure that a separate account at a financial institution is opened exclusively for the campaign's purposes, in the name of the candidate's election campaign
- deposit all contributions into the campaign account, including those made by the candidate and their spouse
- ensure that all campaign-related expenditures are paid from the campaign account
- valuing and recording contributions of goods and services within the required period
- maintain records of:
 - contributions – up to \$500 per contributor
 - the value of contributions
 - whether the contributions are in the form of money, goods or services
 - the contributor's names and addresses
 - if contributions are in excess of \$100, occupation needs to be reflected
 - expenses and receipt of each of the expenses
 - itemized funds and expenses incurred with fund-raising activities
 - any campaign account loan
- ensure that anonymous contribution are returned if possible, or that they be reflected in the treasurer reports and not spent until the account is closed and the funds are disposed per State Statutes requirements
- filing the treasurer reports with the City Clerk on the required due dates.

Campaign Period

The campaign period for candidates in the 2010 City elections begins when a DS-DE9 form is completed to appoint a campaign treasurer and designate a campaign depository.

Campaign Account

Opening an account is a required step to accept contributions and make expenditures. The checks for such an account shall contain, at a minimum, the statement "Campaign Account of _____ name of candidate", account number and name of the bank. The campaign account can be opened any time, following the filing of the DS-DE9 Form with the City Clerk. The account needs to be closed 90 days following the election. (Note: A Candidate's Treasurer Reports and Supporting Documents are public records. As the reports are submitted, they are posted on the City's website.

Campaign Staff

A candidate may recruit staff to work on their campaign. The ultimate responsibility to comply with City and State Election Codes, rests with the Candidate.

Record Keeping

- Records must be kept of all amounts received and expended. The treasurer is to keep detailed accounts, current within not more than 2 days after the date of receiving a contribution or making an expenditure.
- Accounts kept by a candidate's campaign treasurer shall be kept for the number of years equal to the term of office of which the Candidate seeks election (3 years.)

CAMPAIGN CONTRIBUTIONS AND FUND-RAISING

The candidate and treasurer should read and be familiar with [Chapter 106 of the Florida Statutes](#).

What is a contribution?

A contribution is a gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication.

What is the contribution limit? (F.S. 106.08)

Persons seeking the office of Commissioner must not contribute to their account or expend funds for their own campaign until they have become a candidate. No person can accept contributions in excess of \$500 from one source, per election. There is no limit to the amount a candidate may contribute to their campaign. If the donation is logged as a loan, in the treasurer report, any funds that are in excess of expenditures, may be returned to the candidate, upon closing the campaign account.

How can contributions be made? (F.S. 106.09)

No person shall make or accept a cash contribution or contribution by means of a cashier's check in excess of \$100.

How are anonymous contributions handled? (F.S. 106.141)

An anonymous contribution cannot be accepted. If an anonymous contribution cannot be returned, the candidate is required to dispose of the funds per State Statutes guidelines, when they close the bank account.

Fund-Raising functions (F.S. 106.025)

All moneys and contributions received with respect to such campaign fundraiser shall be deemed to be campaign contributions, shall be accounted for, and subject to the same restrictions, as other campaign contributions. Same shall apply for expenditures. Any ticket or advertising for the fund raiser shall contain the following statement: "The purchase of a ticket for, or a contribution to, the campaign fund raiser is a contribution to the campaign of name of candidate for whose benefit the campaign funds raiser is held."

When is the last day to accept a contribution?

Any contribution received by a candidate on the day of the election or less than five days prior to the election, must be returned. Division of Election opinion DE 00-01 states that if the election is on Tuesday, the last day to accept contribution is midnight the immediately-preceding Thursday.

CAMPAIGN EXPENSES

General

The candidate and treasurer should become familiar with the provisions spelled out in the State Statutes, in reference to campaign expenditures.

What is a campaign expense? (F.S. 106.011)

Expenditure means a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication.

Authorized expenditures (F.S. 106.11(5))

A candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office may expend funds from the campaign account to:

- Purchase "thank you" advertising for up to 75 days after he or she withdraws, becomes unopposed, or is eliminated or elected.
- Pay for items which were obligated before he or she withdrew, became unopposed, or was eliminated or elected.
- Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports.
- Dispose of surplus funds. (F.S. 106.141).

Campaign Treasurers

Each person who seeks office for Commissioner shall appoint a campaign treasurer. A candidate may appoint himself or herself as a campaign treasurer. The treasurer shall be a registered voter of the State of Florida.

Filing Financial Statements

Each campaign treasurer shall file regular reports of all contributions and expenditures.

Reports shall be filed with the City Clerk on:

- the 46th day prior to election
- the 32nd day prior to election
- the 18th day prior to election
- the 4th day prior to election, and
- 90 days following the election

Unopposed candidates need only file a report 90 days after the candidate becomes unopposed.

Financial Statement Forms

Treasurer Reports

DS-DE -12 - Campaign Treasurer's Report Summary

DS-DE -13 - Campaign Treasurer's Report - Itemized Contributions

DS-DE- 14 - Campaign Treasurer's Report - Itemized Expenditures

Each submitted Treasurer Report shall include the DS-DE 12 form and the DS-DE 13 and DS-DE-14 forms, if applicable.

Waiver of Reports

DS-DE-87

If the campaign account did not incur activity within a reporting period, a waiver of report form needs to be submitted to the City Clerk by the Treasurer Report due date.

Campaign Loans

DS-DE 73

If a Candidate loans themselves funds for campaign purposes a Campaign Loans Report form needs to be submitted with the Treasurer Report for that period.

Electronic Forms are available on the State of Florida Election Division website:

[Forms - Division of Elections - Department of State](#)

(Note: Forms that are completed on this webpage can be printed and not saved.)

Political Advertisement circulated prior to election (F.S. 106.143)

Any political advertisement and any campaign literature published, displayed, or circulated prior to, or on the day of the election shall:

- be marked "Political advertisement paid for and approved by _____ (name of candidate) for Cocoa Beach Commissioner Seat # _____"
- Identify the persons or organizations sponsoring the advertisement
- state
 - whether the advertisement and the cost of production is paid for or provided in-kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement; or
 - state who provided or paid for the advertisement and cost of production, if different from the source of sponsorship.
- This paragraph shall not apply if the source of the sponsorship is patently clear from the content or format of the political advertisement or campaign literature.

This subsection does not apply to campaign messages used by a candidate and the candidate's supporters if those messages are designed to be worn by a person.

- It is unlawful for any candidate or person on behalf of a candidate to represent that any person or organization supports such candidate, unless the person or organization so represented has given specific approval in writing to the candidate to make such representation. However, this subsection does not apply to:
 - Editorial endorsement by any newspaper, radio or television station, or other recognized news medium.
 - Any political advertisement, including those paid for by a political party, other than an independent expenditure, offered by or on behalf of a candidate must be approved in advance by the candidate. Such political advertisement must expressly state that the content of the advertisement was approved by the candidate and must state who paid for the advertisement. The candidate shall provide a written statement of authorization to the newspaper, radio station, television station, or other medium for each such advertisement submitted for publication, display, broadcast, or other distribution.
 - Any person who makes an independent expenditure for a political advertisement shall provide a written statement that no candidate has approved the advertisement to the newspaper, radio station, television station, or other medium for each such advertisement submitted for publication, display, broadcast, or other distribution. The advertisement must also contain a statement that no candidate has approved the advertisement.
 - This subsection does not apply to campaign messages used by a candidate and his or her supporters if those messages are designed to be worn by a person.
- No political advertisement of a candidate who is not an incumbent of the office for which the candidate is running shall use the word "re-elect." Additionally, such advertisement must include the word "**for**" between the candidate's name and the office for which the candidate is running, in order that incumbency is not implied.
- This subsection does not apply to bumper stickers or items designed to be worn by a person. This section does not apply to novelty items having a retail value of \$10 or less which support, but do not oppose, a candidate or issue.

Section 6-06 Permit Fee Schedule

- (f) Political sign fees: The candidate whose sign is erected or placed, or the campaign manager or other person responsible for such erection or placing of any political sign, shall deposit the sum of fifty dollars (\$50.00) with the city clerk. Ten dollars (\$10.00) of this sum shall be non-returnable and used for the purpose of defraying the cost of enforcing the provisions of this section and forty dollars (\$40.00) shall be used to fund the cost of removal of the candidates' signs by city employees in the event they are not removed within three (3) days of the date of the election. A single fifty dollar (\$50.00) deposit shall be required for each candidate or political cause being advertised.

Section 6-07 Permit Exemptions and Exceptions

The following signs are exempt from the permit requirements of this chapter, but must comply with appropriate construction, erection, maintenance and inspection standards and setback/location requirements

- (h) Political signs or posters not exceeding six (6) square feet in area

Section 6-17 Special Criteria and Standards

The following criteria and standards apply to those signs as specified depending on their function/use or character and zone requirements. The class of sign as used, determines height, setback and location measurements.

- (e) Political signs: No political sign shall be erected or placed on city-owned property, and any political sign, whether or not it is exempt from the permit requirements of this chapter, that is erected or placed at any other location in the city shall be removed within three (3) days after an election or campaign to which such sign pertains; provided, however, that a sign may remain through any secondary, primary, or run-off election as to any candidate who is subject thereto. The candidate shall be deemed responsible for the erection or placing of any political sign bearing the candidates name and the candidate responsible for the erection or placing of any political sign shall be legally responsible for the removal of any political sign erected or placed as herein set forth. Fees for political signs shall be as set forth in Section 6-06.

Section 6-20 Special District Regulations

- (a) RS-1 Single-Family Residential District.
(1) The following temporary signs are permitted:
a. Real estate signs not exceeding six (6) square feet in area of the total of all real estate signs located on the property offered.
b. Political signs.
c. Construction signs or future improvement signs in accordance with Section 6-17 and contractor signs in accordance with Section 6-07.
d. Other signs: Garage, yard sale, and household sale signs, and vehicle for sale signs, in accordance with Section 6-17(h), and/or other applicable provisions of these regulations.
(2) The following permanent signs are permitted:
a. Churches and similar places of worship, their attendant educational and recreational buildings, and other non-residential uses may have one (1) monument sign abutting each right-of-way frontage adjacent to the property providing:
1. The first monument sign has an area no greater than thirty-two (32) square feet and a height no greater than six (6) feet.
2. If the property has multiple frontages, a second monument sign may be installed on a second right-of-way frontage and said second sign may have an area no greater than sixteen (16) square feet and a height no greater than six (6) feet.
3. There shall be no more than two (2) monument signs per property.
4. There shall be no more than one (1) non-illuminated wall sign per property, up to sixteen (16) square feet.
b. Subdivision and project entrance signs are permitted at the entrance(s) of any residential development subject to the following provisions:
1. Each entrance shall be limited to a total sign area not to exceed thirty-two (32) square feet.
2. The entrance signage may be comprised of one (1) or two (2) monument signs with a maximum height of six (6) feet.
(3) The following classes of signs are prohibited in RS-1:
a. Marquee signs;
b. Projecting signs;
c. Roof signs;
d. Portable signs;
e. Wall signs, except as provided for in 6-20(a)(2)a.4. above;
f. Off-site signs; and,
g. Banner and spectacular signs.

- (b) RM-1 Multifamily Residential District.
 - (1) The following temporary signs are permitted:
 - a. Real estate signs not exceeding six (6) square feet in area of the total of all real estate signs located on the property offered.
 - b. Political signs not exceeding six (6) square feet in area of the total of all political signs on the property.
 - c. Construction signs or future improvement signs in accordance with Section 6-17 and contractor signs in accordance with Section 6-07.
 - d. Other signs: Garage, yard sale, and household sale signs, and vehicle for sale signs, in accordance with Section 6-17(h), and/or other applicable provisions of these regulations.
 - (2) The following permanent signs are permitted:
 - a. Churches and similar places of worship, their attendant educational and recreational buildings, and other non-residential uses may have one (1) monument sign abutting each right-of-way frontage adjacent to the property providing:
 - 1. The first monument sign has an area no greater than thirty-two (32) square feet and a height no greater than six (6) feet.
 - 2. If the property has multiple frontages, a second monument sign may be installed on a second right-of-way frontage and said second sign may have an area no greater than sixteen (16) square feet and a height no greater than six (6) feet.
 - 3. There shall be no more than two (2) monument signs per property.
 - 4. There shall be no more than one (1) non-illuminated wall sign per property, up to sixteen (16) square feet.
 - b. Subdivision, multi-family units, townhouses and project entrance signs are permitted at the entrance(s) of any residential development subject to the following provisions:
 - 1. Each entrance shall be limited to a total sign area not to exceed thirty-two (32) square feet.
 - 2. The entrance signage may be comprised of one (1) or two (2) monument signs with a maximum height of six (6) feet.
 - 3. In lieu of monument signs in accordance with 1 and 2 above, the project may display one (1) wall sign with a total sign area not to exceed one (1) square foot in area for every one (1) foot of the building frontage provided each wall sign area does not exceed thirty-two (32) square feet.
 - 4. The project may have no more than two (2) wall signs regardless of the number of frontages.
 - (3) The following classes of signs are prohibited in RM-1:
 - a. Marquee signs;
 - b. Projecting signs;
 - c. Roof signs;
 - d. Portable signs;
 - e. Wall signs, except as provided for in 6-20(b)(2)a.4. and b.3 above;
 - f. Off-site signs; and,
 - g. Banner and spectacular signs.
- (c) RM-2 Multifamily Professional District.
 - (1) The following temporary signs are permitted:
 - a. Real estate signs not exceeding thirty-two (32) square feet and limited to one (1) per lot or parcel.
 - b. Political signs not exceeding thirty-two (32) square feet in area of the total of all political signs on the property.
 - c. Construction signs or future improvement signs in accordance with Section 6-17 and contractor signs in accordance with Section 6-07.
 - d. Other signs: Garage, yard sale, and household sale signs, and vehicle for sale signs, in accordance with Section 6-17(h), and/or other applicable provisions of these regulations.
 - (2) The following permanent signs are permitted:
 - a. Churches and similar places of worship, their attendant educational and recreational buildings, and other non-residential uses may have one (1) monument sign abutting each right-of-way frontage adjacent to the property providing:
 - 1. The first monument sign has an area no greater than thirty-two (32) square feet and a height no greater than six (6) feet.
 - 2. If the property has multiple frontages, a second monument sign may be installed on a second right-of-way frontage and said second sign may have an area no greater than sixteen (16) square feet and a height no greater than six (6) feet.
 - 3. There shall be no more than two (2) monument signs per property.
 - 4. There shall be no more than one (1) non-illuminated wall sign per property, up to sixteen (16) square feet.

- b. Subdivision, multi-family units, townhouses and residential project entrance signs are permitted at the entrance(s) of any residential development subject to the following provisions:
 1. Each entrance shall be limited to a total sign area not to exceed thirty-two (32) square feet.
 2. The entrance signage may be comprised of one (1) or two (2) monument signs with a maximum height of six (6) feet.
 3. In lieu of monument signs in accordance with 1 and 2 above, the project may display one (1) wall sign with a total sign area not to exceed one (1) square foot in area for every one (1) foot of the building frontage provided each wall sign area does not exceed thirty-two (32) square feet.
 4. The project may have no more than two (2) wall signs regardless of the number of frontages.
 - c. Office, professional, business, and other non-residential uses:
 1. Ground and monument signs:
 - i. One (1) sign per parcel with said sign not to exceed thirty-two (32) square feet in area and a maximum height of fifteen (15) feet.
 - ii. If the property or parcel has multiple frontages, one (1) additional monument sign may be installed on a second right-of-way frontage and said sign may have an area no greater than sixteen (16) square feet and a height no greater than six (6) feet.
 2. Wall signs:
 - i. Attached sign on the front of the establishment with a total sign area not to exceed one (1) square foot in area for every one (1) foot of the establishment's building frontage with said sign not to exceed sixty-four (64) square feet.
 - ii. Two (2) additional wall signs may be allowed on sides or the rear other than the front. The total area of these additional signs shall not exceed fifty percent (50%) of the permitted area of the front wall sign.
 - iii. Within shopping centers, multi-tenant projects, or when the overall land mass of the project exceeds two (2) acres and the establishment's building frontage exceeds one-hundred (100) feet, an attached sign per tenant/establishment with a total sign area not to exceed one and one-half (1.5) square foot in area for every front foot of building frontage to a maximum of one-hundred (100) square feet shall be allowed. One additional side or rear wall signs are allowed for these establishments provided the second wall sign does not exceed fifty percent (50%) of the permitted area of the front wall sign.
- (3) The following classes of signs are prohibited in RM-2:
- a. Portable signs;
 - b. Off-site signs; and,
 - c. Banner and spectacular signs.
- (d) CT-1 Oceanfront Residential and Transient District, CG General Commercial District, CN Neighborhood Commercial District, and PS-1 Public and Semi-Public District.
- (1) The following temporary signs are permitted:
- a. Real estate signs not exceeding thirty-two (32) square feet and limited to one (1) per lot or parcel. For lots or parcels in excess of two-hundred fifty (250) foot frontage, two (2) signs a maximum of thirty-two (32) square feet each may be used.
 - b. Political signs not exceeding thirty-two (32) square feet in area of the total of all political signs on the property.
 - c. Construction signs or future improvement signs in accordance with Section 6-17 and contractor signs in accordance with Section 6-07.
 - d. Other signs: Garage, yard sale, and household sale signs, and vehicle for sale signs, in accordance with Section 6-17(h), and/or other applicable provisions of these regulations.
 - e. Temporary signs, including portable signs, in accordance with Section 6-17(j).
 - f. In the CG General Commercial District and CN Neighborhood Commercial District only, sidewalk or sandwich signs/menu boards in accordance with Section 6-17(i).

Section 6-25 Prohibited Signs and Sign Features

The following signs are prohibited:

- (a) Signs on seawalls and retaining walls. No sign shall be attached to or painted on seawalls fronting the Atlantic Ocean or on seawalls or retaining walls bordering any watercourse, nor on any body of water, canal, or waterway, except on a commercial vessel underway or moored or tied up to commercially zoned CT-1, CN, CG, and PS-1 properties, or as exempted by Section 6-07(f).
- (b) Signs on public utility poles and trees. Signs, regardless of whether exempt from permanent requirements, including political signs, are prohibited on public utility poles and trees.
- (c) Signs on windows, doors and fire escapes. No sign, including structures connected thereto, shall be erected, placed or maintained so as to obstruct any fire escape, window, door, or opening used as a means of ingress or egress or ventilation or so as to prevent free passage from one (1) part of a roof to any other part thereof, and no sign shall be attached to or placed on a fire escape.

- (d) Sign over public property. No sign shall extend over public property or public right-of-way except:
 - (1) The projection signs that are over eight (8) feet high, measured from the bottom of the sign.
 - (2) A marquee sign on an awning or similar canopy which extends over the public sidewalk, or sandwich or sandwich signs (menu boards) in CG General Commercial and CN Neighborhood Commercial zoning districts within the area bounded by Brevard Avenue, 1st Street South, 2nd Street North, and the Seawall Line. Said marquee signs shall not be placed in, on or over the city right-of-way without permission from, and meeting the requirements of the city manager or designee.
 - (3) Household sales signs erected in conformance with Section 6-17(h) of these regulations.
- (e) Immoral display. No sign shall be erected which displays any statement, work, character or illustration of an obscene, indecent or immoral nature, and which shall violate accepted community standards.
- (f) Banner signs. Banner, balloons, pendants or streamers, except temporary signs in accordance with Section 6-17(j) and those of a temporary nature, which are incidental to a special promotion and are approved by the city manager or designee. Permitted banner signs may not be placed across any street or thoroughfare without the approval of the city manager or designee.
- (g) Illumination features. No sign will be permitted within fifty (50) feet of a street or highway paving which includes lighting which appears by approximate size and color to be a traffic signal or emergency vehicle light. No rotating or flashing signal lamp similar to those used on emergency vehicles is permitted regardless of location or color.
- (h) Off-site signs. Off-site advertising is prohibited in Cocoa Beach.
- (i) General. The following signs or sign features are prohibited:
 - (1) Bullseye, divergent, sequential or flashing lights designed to focus attention to a single point.
 - (2) Spectacular signs, including signs utilizing flashing or intermittent lighting, with the exception of changeable message boards showing time and/or temperature, or a single frame message displayed in any one (1) minute period.
 - (3) Rotating paddle signs.
 - (4) Paper signs are prohibited with the exception of bumper stickers, political signs and exempt signs specified in Section 6-07 "Permit Exemptions and Exceptions".
 - (5) No sign shall be erected or maintained by any location, where by reason of position, illumination, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic signal, sign or device. Nor shall it make use of the words "STOP", "LOOK", "DANGER", or any word, phrase, symbol or character in such manner as to interfere with or confuse traffic. No sign of any description shall be erected or placed in any location where its presence will interfere with clear sight distances of either motor vehicles or pedestrian traffic. The above standards shall be applied as determined by the city traffic engineer.
- (j) Signs on glass visible from a public right-of-way shall not exceed twenty-five percent (25%) of the total square footage of the glass area on which the sign is located.
- (k) Trailer signs when attached to, or placed on a vehicle or trailer that is parked on public or private property for the purpose of advertisement, except as a temporary advertising sign under the provisions of Section 6-17 "Special Criteria and Standards". Purpose of advertisement shall mean parking and/or storing a trailer sign in any front yard area. This provision does not apply to a firm or business identification sign permanently painted or magnetically attached to an operable motor vehicle so long as that vehicle is parked or situated on property owned or under the control of the business named on the vehicle or is parked temporarily while the operator of the vehicle is conducting business at that particular location.
- (l) No illuminated sign or display shall be located as to violate Cocoa Beach Code Section 15-44.
- (m) Signs not specifically identified as permitted are prohibited.

POLITICAL SIGNS ARE NOT ALLOWED ON CITY, COUNTY OR STATE RIGHT-OF-WAYS.

LOCATION OF RIGHT-OF-WAYS:

- ✓ TEN FEET FROM THE STREET (APPROXIMATELY THREE GIANT STEPS)

For further clarification on right-of-way location, please call the City of Cocoa Beach Development Services Department - 868-3217 - prior to placement of sign.

ENFORCEMENT AND PENALTIES

Failure to file Treasurer Reports (F.S. 106.7(8a))

Any candidate or political committee failing to file a report on the designated due date shall be subject to a fine. Such fine shall be paid only from personal funds of the candidate. The fine shall be assessed by the filing officer and the moneys collected shall be deposited:

- in the general revenue fund of the political subdivision, in the case of a candidate for an office of a political subdivision or a political committee that registers with an officer of a political subdivision.

Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever if greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine, which is due and shall notify the candidate or chair.

Removal of Political Sign placed on Right-of-Ways - The City Staff will remove signs placed on the City and State right-of-ways. One courtesy call will be made to the candidate informing them that the signs were removed. The candidate may reclaim the signs by contacting the City Clerk at (321) 868-3286.

HELPFUL HINTS

Contributions

Anonymous contributions are not to be accepted. These could include: passing the "hat" and garage sales. Each contribution needs to be accounted for by the amount and person/firm donating. (F.S. 106.025)

Contributions and expenditures should not occur prior to filing the form Appointing the Campaign Treasurer and Designating a Depository form and opening a bank account.

Contributions must not exceed legal limits.

Contributions may not be accepted after the election.

Contributions should be reported as received.

A candidate must not give, expend or contribute any funds or anything of value to further the candidacy of any other candidate.

Disclaimers

Political disclaimers must appear on political advertisements, campaign literature and signs. This requirement is also placed on websites supporting/opposing the candidate.

Campaign Account Checks need to reflect name of the Candidate and Account number as reflected in the State Statutes. (F.S. 106.11)

Reporting

Campaign treasurer reports must be filed according to schedule. (F.S. 106.08)

Campaign treasurer reports must not show a deficit balance.

When closing the Campaign Account, donations may be made from surplus funds to charitable organizations, only after the candidate is elected, eliminated, withdrawn or running unopposed. (F.S. 106.141)

Signs

Do not place signs on any State or City road right-of-ways.

Place proper disclaimers on signs such as include the word "for" if candidate is an incumbent. On political signs, include the word "for" between the candidate's name and the position sought. Also include the sign disclaimer.

GENERAL ELECTION INFORMATION AND KEY DATES FOR THE 2010 ELECTION

GENERAL ELECTION INFORMATION November 2, 2010	
City Precincts	<p>22 - Cocoa Beach Community Church - 126 S. Atlantic Ave. changed in 2008 60 - Our Saviour Catholic School - 5301 N. Atlantic Ave. 87 - Riverside Presbyterian Church - 3400 N. Atlantic Ave. 88 - Recreation Center (Ramp Road) - 321 Ramp Road 197- Recreation Center (Ramp Road) - 321 Ramp Road</p>
Terms Expiring on 11-2010	<p>Seat 4 (Currently filled by Vice-Mayor Skip Williams) Seat 5 (Currently filled by Commissioner Don John)</p>
General Information	<ul style="list-style-type: none"> • Appointment of a Treasurer and Selection of a Campaign Depository can be done at anytime prior to the Qualifying Period. Forms required: <ol style="list-style-type: none"> 1)) Form DS-DE9 - <u>Prior to Opening a Bank Account</u>, Candidates <u>are required</u> to file the Appointment of Campaign Treasurer and Designation of Campaign Depository Form with the City Clerk. 2) Form DS-DE84 - Statement of Candidate must be filed within 10 days of filing the Appointment of Campaign Treasurer. • When a Candidate appoints a Treasurer and selects a Campaign Depository they become a "Declared Candidate." A "Declared Candidate" does not appear on the ballot unless they qualify during the qualifying period. When a Candidate completes the required forms during the qualifying period, they become a "Qualified Candidate."
Qualifying Period	<p>The Qualifying Period is: August 16 - August 20, 2010, <u>Noon to Noon.</u></p>

2010 ELECTION CALENDAR		<u>Reference</u>
08-05-10	Adopt Resolution - Calling for a General Election	
07-23-10	Advertise 2 Legal Ads Calling for General Election twice during 30 days prior to qualifying -07-29-10 Print 1st Legal Ad and 08-12-10 Print 2nd Legal Ad	F.S. 100.021
08-16-10 - 08-20-10	<u>Qualifying Period</u> - File with City Clerk, Qualifying Paperwork - Noon Monday 08-16-10 - Noon Friday 08-20-10	City Code Section 7-1 (Ord. 1470)
08-20-10	City Clerk faxes complete ballot information and mails Candidate Financial Disclosure Forms to Brevard County Supervisor of Elections	
09-17-10	Treasurer Report Due (46 th Day prior to Election) - Covers Date Account Opened - September 10, 2010	F.S. 106.08
09-18-10*	County sends out Absentee Ballots - Mass Mailing for City Elections (Approximate Date)	
09-24-10	If Referendum to Appear on November Ballot , Advertise 2 Legal Ads Calling for General Election 3 rd and 5 th week prior to Election Print 09-30-10 and 10-14-10	F.S. 100.342
10-01-10	Treasurer Report Due (32 nd Day prior to Election) - Covers September 11 - September 24, 2010	F.S..106.08
10-04-10*	Registration Books Close for General Election - 5:00 P.M. (29 days prior to election)	F.S. 97.055
10-15-10	Treasurer Report Due (18 th Day Before Election) Cover Dates: September 25 - October 8, 2010	F.S. 106.08
10-27-10*	Logic & Accuracy Test (Test of Voting Equipment) - 10:00 A.M., Viera Government Center	
10-26-10	Advertise Election Ballot - Print 10-31-10 or when ads are placed by Brevard County municipalities - provides more coverage	F.S.101.20(2)
10-14-10	<u>Prior to Noon</u> - Deadline to appoint Poll Watchers in writing to City Clerk (the second Tuesday preceding the Election - Forms in City Clerk's Office) (Candidate preference to use Poll Watchers)	F.S.101.131
10-26-10*	Poll Watchers Approved By the County - Tuesday prior to Election	F.S.101.131
10-28-10	Midnight Deadline - last date for opposed Candidates to receive contributions for General Election (5 days prior to Election)	F.S.106.08(3)
10-29-10	Treasurer's Report Due (4 th Day Before Election) - Covers Dates: Date Candidate Opened Account (October 9 - October 28, 2010)	F.S. 106.08
10-31-10	Print Election Ballot - A Display Ad Prior to the Election	F.S.101.20
11-02-10	ELECTION DAY - 7:00 p.m. - Deadline for returning Absentee Ballots to Supervisor's Office - Viera Government Center	
11-04-10	Commission Meeting: Adopt Resolution Canvassing Election Results and Declaring Elected Candidates	
11-04-10	Organizational Meeting 7:00 P.M. (City Charter) -Administer Oath of Office for: Seat#4 and Seat#5 - Elect Vice-Mayor among Commission	
11-19-10	Final Treasurer's Report Due for <u>Unopposed Candidates</u> (90 days after Qualifying Period 106.07.1(c)) Covers Dates: October 29, 2010 to Close of Campaign Account	F.S.106.08(1)
01-31-11	Final Treasurer's Report Due Covers Dates: October 29, 2010 to Close of Campaign Account	F.S.106.08

*Indicates County Functions

GENERAL INFORMATION

Key Contact

By State Statute, Candidates running for City of Cocoa Beach Commission Seats report to the Municipal City Clerk.

The City Clerk may be contacted as follows:

Loredana Kalaghchy, MMC
City Clerk
City of Cocoa Beach
P.O.Box 322430
Cocoa Beach, Fl. 32932-2430
Tel (321) 868-3286
Fax: (321) 783-5849
E-mail: <mailto:lkalaghchy@cityofcocoa beach.com>

Helpful websites

City of Cocoa Beach Election History, from 1926 to current, may be viewed by visiting the City's website at

<http://www.cityofcocoa beach.com/> (Government/Election tabs)

Brevard County Supervisor of Election's website has information about:

- acquiring voter registration lists and labels
- voter registration statistics
- precinct and district statistics

Their website is [Brevard County Supervisor of Elections](http://www.brevardelections.org/) - <http://www.brevardelections.org/>

Forms required for filing for office are available on the State of Florida Election Division website:

<http://election.dos.state.fl.us/forms/index.shtml#can>