

## **ORDINANCE NO. 1165**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VERNON AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF VERNON, RELATING TO CITY COUNCIL ELECTIONS TO IMPLEMENT CAMPAIGN FINANCE REGULATIONS

The City Council of the City of Vernon hereby ordains:

**SECTION 1:** Article XIII of Chapter 2 of the Code of the City of Vernon is hereby renumbered as Article XV, with the section numbers of Article XIV and XV renumbered accordingly to include the sections added by this ordinance.

**SECTION 2:** Article XIII ("Limitations on Campaign Contributions in City Elections") is hereby added to Chapter 2 of the Code of the City of Vernon, to read as follows:

**"Article XIII. Limitations on Campaign Contributions in City Elections.**

**Sec. 2.91. Purpose.**

The purposes of this Article are:

(a) To eliminate the possibility of corruption or the appearance of corruption in local elections, arising as a result of disproportionately large political contributions, whether cash or in-kind, by adopting the least restrictive limits possible on the amounts of money any person may contribute or otherwise cause to be available to candidates for the city council and those who support or oppose such candidates;

(b) To inhibit improper or illegal campaign activity, and to ensure vigorous enforcement of this chapter; and

(c) Pursuant to California Government Code Section 81013 and Elections Code Section 10202, to impose contribution limitations and

other regulations in addition to those imposed by state law, but that do not prevent any person from complying with state law.

**Sec. 2.92. Definitions.**

The following terms used in this Article shall have the meanings set forth below. Except as otherwise provided here, the terms and provisions of this Article shall have the meanings and shall be interpreted in accordance with the applicable definitions and provisions of the Political Reform Act of 1974, as amended (Government Code Section 81000, et seq.) and the regulations of the California Fair Political Practices Commission, as amended.

(a) *Candidate* means any person who is a candidate for member of the City Council of the City of Vernon, or any elective City officer whether or not such officer is a candidate for reelection.

(b) *Committee* means any person or combination of persons who directly or indirectly does any of the following in connection with supporting or opposing a candidate or candidates for the City Council, or supporting, opposing or attempting to qualify the recall of a member of the City Council:

(i) Receives contributions totaling five hundred dollars (\$500.00) or more in a calendar year.

(ii) Makes independent expenditures totaling one thousand dollars (\$1000.00) or more in a calendar year.

(iii) Makes contributions totaling one thousand dollars (\$1,000.00) or more in a calendar year.

A person or combination of persons that becomes a committee shall file statements of organization with the City Clerk within forty eight (48) hours of qualifying as a committee in the City

and shall retain the status as a committee until such time as that status is terminated pursuant to California Government Code Section 84214 or a successor statute.

(c) *Election* means any general election, special election or recall election.

(d) *Elective City Officer* means any person who is a member of the City Council of the City of Vernon or any other elective City office, whether that person was appointed or elected to office.

(e) *Person* means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, committee, company, corporation, limited liability corporation, association, and any other organization or group of persons acting in concert.

**Sec. 2.93. Contribution Limitations.**

(a) No person or committee shall make to any candidate, including the controlled committee of such candidate, a contribution in excess of one hundred dollars (\$100.00) either cash or in-kind, for any single election at which the candidate is attempting to be, or is, on the ballot. Additionally, no candidate or candidate's controlled committee shall solicit or accept any contribution that will cause the amount contributed by the contributor to the candidate or the candidate's controlled committee to exceed one hundred dollars (\$100.00) for any single election at which the candidate is attempting to be, or is, on the ballot.

(b) The limitations of this Section shall not apply to contributions of a candidate's personal funds to his or her controlled campaign committee on behalf of his or her own candidacy, and shall apply to contributions from the candidate's spouse.

(c) No person shall make a contribution in the name of another.

(d) No person shall reimburse, pay in advance, or otherwise compensate another person for a contribution made.

(e) No person shall knowingly solicit or accept a contribution in violation of this Article.

(f) No person shall knowingly take any action with the intent of evading the contribution limits imposed by this Article or concealing violations of this Article.

(g) Candidates with existing campaign accounts from a prior election for any office, whether local, state or federal, shall open a new account for the next City election in which they are or will be a candidate. No person, committee or candidate shall contribute more than one hundred dollars (\$100.00) from the prior campaign account into the new campaign account.

(h) Any committee that makes contributions or independent expenditures to support or oppose a candidate for City elective office or to support, oppose or qualify the recall of any member of the City Council shall do so only from a segregated committee account established for that specific purpose and from funds that are raised in compliance with the limits set forth in this Article."

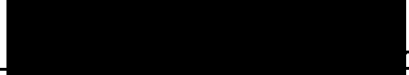
Section 3: Severability. If any chapter, article, section, subsection, subdivision, paragraph, sentence, clause, phrase, or word in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted

this Ordinance and each chapter, article, section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more chapters, articles, sections, subsections, subdivisions, paragraphs, sentences, clauses, phrases or words be declared unconstitutional, or invalid, or ineffective.

Section 4:      Book of Ordinances. The City Clerk shall attest and certify to the adoption of this Ordinance and shall cause this Ordinance and the City Clerk's certification to be entered in the Book of Ordinances of the Council of this City. The City Clerk shall cause this ordinance to be published or posted as required by law.

Section 5:      Immediate Effect. Pursuant to Section 4.3 of the Charter of the City of Vernon, the City Council finds and declares that this ordinance relates to an election and may be introduced and adopted at one meeting, and shall take effect immediately.

APPROVED and ADOPTED this 20<sup>th</sup> day of September, 2011.

  
Name: Hilario Gonzales

Title: Mayor / ~~Mayor Pro-Tem~~

ATTEST:

  
Willard G. Yamaguchi, City Clerk

[illegible]

I, Willard G. Yamaguchi, City Clerk of the City of Vernon, do hereby certify that the foregoing Ordinance, being Ordinance No. 1165, was duly and regularly introduced at a meeting of the City Council of the City of Vernon, held in the City of Vernon on Monday, January 4, 2010, and thereafter adopted at a meeting of said City Council held on Tuesday, September 20, 2011, by the following vote:

AYES: Councilmembers: Mayor Gonzales, Davis,  
Maisano, McCormick,  
Newmire

NOES: Councilmembers: None

ABSENT: Councilmembers: None

and thereafter was duly signed by the Mayor or Mayor Pro-Tem of the City of Vernon.

Executed this 22 day of September, 2011, at Vernon,  
California.

WILLARD G. YAMAGUCHI  
City Clerk

(SEAL)