

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMMERCE,
CALIFORNIA, AMENDING SECTIONS 2.10.040 AND 2.10.045 OF CHAPTER 2.10
["LIMITATIONS ON CAMPAIGN CONTRIBUTIONS IN CITY ELECTIONS"] OF
THE COMMERCE MUNICIPAL CODE

WHEREAS, Chapter 2.10 of the Commerce Municipal Code places limitations on campaign contributions in City elections; and

WHEREAS, Government Code Section 36937 provides that ordinances "relating to elections" shall take effect immediately; and

WHEREAS, this Ordinance, which will have the effect of amending Sections 2.10.040 and 2.10.045 of Chapter 2.10 ["Limitations on Campaign Contributions in City Elections"] of the Commerce Municipal Code and is intended to be effective in connection with the March 2013 City of Commerce General Municipal Election, "relates to an election"; and

WHEREAS, at its meeting of June 19, 2012, the City Council took action to direct staff to prepare an amendment to Sections 2.10.040 and 2.10.045 of Chapter 2.10 ["Limitations on Campaign Contributions in City Elections"] of the Commerce Municipal Code, raising the campaign contribution limitation to one thousand dollars [\$1,000.00]; and

WHEREAS, additional language in Sections 2.10.040 and 2.10.045 of Chapter 2.10 is obsolete and/or confusing and requires amendment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 2.10.040 of the Commerce Municipal Code is hereby amended in its entirety to read as follows:

"2.10.040 Campaign contribution limitations.

(a) No person other than a candidate shall make, and no person or candidate shall solicit or accept, any contribution which will cause the total amount contributed by such person with respect to a single election in support of or opposition to a single candidate or measure, including contributions to all committees supporting or opposing such candidate or measure, to exceed one thousand dollars. For purposes of this chapter, contributions from husband and wife are considered separate and distinct contributions and may not exceed one thousand dollars each. However, contributions purported to be from minor children under eighteen years of age shall be considered one in the same as those made by their respective parent(s) and/or guardian(s).

(b) Loans for use in connection with an election for a period of more than thirty days are prohibited. Loans of more than five hundred dollars for use in connection with an election are prohibited. Loans to a candidate or his or her controlled committees shall be counted against the contribution limitations applicable to that candidate. Provided, however, a candidate is not prohibited from obtaining a personal loan of any amount from a duly licensed financial lending institution in the regular course of business or loaning his or her personal funds in any amount to his or her own campaign or controlled committee.

(c) Any contributions solicited or accepted pursuant to this section shall be expended only in connection with the candidacy for the office specified in the candidate's declaration of intent to solicit and receive contributions, or the measure for which it is solicited, unless otherwise permitted by applicable State laws or regulations."

Section 2. Section 2.10.045 of the Commerce Municipal Code is hereby amended in its entirety to read as follows:

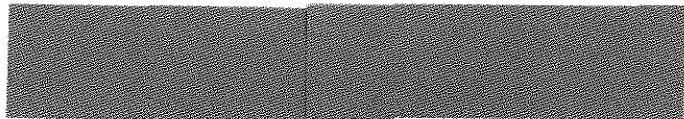
"2.10.045 Campaign contribution limitations – Nonelection years.

Notwithstanding the provisions set forth in Section 2.10.040, no person other than a councilmember shall make, and no person or councilmember shall solicit or accept, any contribution which will cause the total amount contributed by such person with respect to any calendar year at which said councilmember has not declared his or her candidacy, including contributions to all committees associated with said councilmember in any way, to exceed one thousand dollars. For purposes of this chapter, contributions from husband and wife are considered separate and distinct contributions and may not exceed one thousand dollars each. However, contributions purported to be from minor children under eighteen years of age shall be considered one in the same as those made by their respective parent(s) and/or guardian(s)."

Section 3. Pursuant to the provisions of Section 36937 of the Government Code, this Ordinance shall take effect immediately upon adoption.

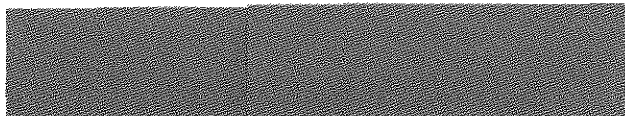
Section 4. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one (1) or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

PASSED, APPROVED AND ADOPTED this 6th day of August,
2012.



Lilia R. Leon
Mayor

ATTEST:



Linda Kay Olivieri/MMC
City Clerk

Ordinance No. 645

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF COMMERCE)

I, Victoria M. Alexander, Deputy City Clerk of the City of Commerce, California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 645 of said City which was introduced at a regular meeting of said Council, held the 17th day of July, 2012, and, thereafter, said Ordinance was duly adopted and passed not less than five days thereafter at a Special meeting of said Council on the 6th day of August, 2012, by the following vote, to wit:

AYES: Councilmembers: Aguilar, Robles
 Mayor Pro Tempore Baca Del Rio
 Mayor Aguilar

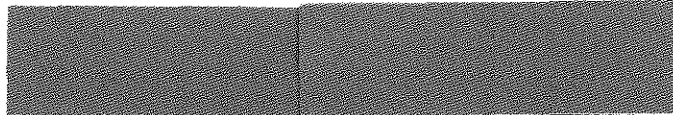
NOES: Councilmembers: None.

ABSENT: Altamirano.

ABSTAIN: Councilmembers: None.

I, further certify that said Ordinance was thereupon signed by the Mayor of the City of Commerce.

Posted: 8/7/2012



Victoria M. Alexander
Deputy City Clerk