

ORDINANCE NO. 16-09

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF DUBLIN

AMENDING CHAPTER 2.28 OF THE DUBLIN MUNICIPAL CODE RELATING TO
CAMPAIGN CONTRIBUTIONS

The City Council of the City of Dublin does hereby ordain as follows:

Section 1. Chapter 2.28 of the Dublin Municipal Code is amended to read as follows:

Chapter 2.28
CAMPAIGN CONTRIBUTIONS

Sections:

- 2.28.010 Findings and purpose.
- 2.28.020 Definitions.
- 2.28.030 Limitations on contributions.
- 2.28.040 Declaration re: compliance.
- 2.28.060 Violation—Penalty.

2.28.010 Findings and purpose.

Pursuant to the authority granted to the City Council in Government Code Section 81013 permitting the imposition of additional local requirements to the Political Reform Act of 1974, the City Council finds that it is in the public interest to place realistic and enforceable limits on the amounts which may be contributed to political campaigns in municipal elections.

2.28.020 Definitions.

For the purpose of this chapter, definitions codified in the Political Reform Act, beginning at Government Code Section 82000, et seq., shall apply with the addition of the following:

"Election" means any municipal election, whether general or special, at which the offices of Councilmember and/or Mayor are to be filled.

"With respect to a single election" means:

1. In the case of a contribution designated in writing by the contributor for a particular election, the election so designated, provided that a contribution designated in writing for a particular election may be made after the election and prior to June 30th following the election only to the extent such contribution does not exceed net debts outstanding from the election.

2. In the case of a contribution not designated in writing by the contributor for a particular election, the next election for the office after the contribution is made.

2.28.030 Limitations on contributions.

A. No person shall make any contribution or contributions to a candidate or committee which exceeds the cumulative amount of five hundred dollars (\$500), nor shall any such contribution or contributions which exceed the cumulative amount of five hundred dollars (\$500) be accepted by any candidate or committee from any person with respect to a single election.

Section 4. The prohibitions stated in subsection A of this section shall not apply to contributions made or received in support of, or in opposition to, a ballot measure, nor shall said prohibitions apply to contributions made by a candidate to his or her campaign.

Section 4. The prohibition stated in subsection A of this section shall not apply transfers from one campaign committee fund controlled by a candidate to another campaign committee fund controlled by the same candidate.

2.28.040 Declaration re: compliance.

Section 4. To ensure full compliance with this chapter, each candidate shall execute a declaration under penalty of perjury on a form provided by the City Clerk stating that such candidate did not receive any contribution or contributions totaling more than five hundred dollars (\$500) from any person with respect to an election.

Section 4. The declaration required by subsection A of this section shall be filed with the City Clerk with each pre-election statement filed pursuant to state law and with the semi-annual statements required to be filed pursuant to state law.

2.28.060 Violation—Penalty.

Section 4. Violation of any provision of this chapter is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500) or imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

Section 4. Whether or not a violation is inadvertent, negligent, or deliberate in the presence or absence of good faith, shall be considered in applying the penalties of this chapter.

Section 2. Severability. The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall take effect and be enforced thirty (30) days following its adoption.

Section 4. Posting. The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three (3) public places in the City of Dublin in accordance with Section 36933 of the Government Code of the State of California.

PASSED, APPROVED AND ADOPTED this 1st day of December, 2009 by the following vote:

AYES: Councilmembers Biddle, Hart, Hildenbrand, Scholz, and Mayor Sbranti

NOES: None

ABSENT: None

ABSTAIN: None

(d)(5)

Mayor

ATTEST:

(d)(5)

City Clerk