

ORDINANCE NO. 554

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADDING SECTION 2.04.160 TO THE TOWN OF APPLE VALLEY MUNICIPAL CODE ESTABLISHING CAMPAIGN CONTRIBUTION LIMITATIONS UNDER ASSEMBLY BILL 571

WHEREAS, the California State Legislature in 2019 passed Assembly Bill 571 (“AB 571”) which creates campaign contribution limits, identical to those imposed on State Assembly and Senate candidates, for all levels of government; and

WHEREAS, under existing law, cities, towns, and counties are empowered to impose their own contribution limits for elective officers; and

WHEREAS, while AB 571 sets forth default statewide limits on contributions, AB 571 also permits cities, towns and counties to impose contribution limits that differ from the default limits and that are more in tune with their own communities: and

WHEREAS, if a city, town, or county fails to impose its own contribution limits by January 1, 2020, then the default levels set by AB 571 will be imposed; and

WHEREAS, in addition to imposing contribution limits, AB 571 imposes a number of bureaucratic hurdles for candidates for elective office; and

WHEREAS, while the Town Council is comfortable with the State’s campaign contribution limits, it does not want to impose additional hurdles on candidates for elective office; and

WHEREAS, these bureaucratic hurdles may deter potential candidates from running for office, particularly those who do not have access to expensive campaign consultants; and

WHEREAS, therefore, the Town Council would like to adopt its own mandatory campaign contribution limits, which mirror the State’s limits, but eliminate the need for compliance with the additional bureaucratic rules imposed by AB 571; and

WHEREAS, with the beginning of the 2022 election cycle there is now a need to take action to prevent candidates unnecessarily having to take additional steps in order to run for office within the Town.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein.

SECTION 2. Addition of Section 2.04.160. Section 2.04.160 is hereby added to the Town of Apple Valley Municipal Code to read in its entirety as follows:

“2.04.160 – Campaign Contribution Limits for Town Elective Office Candidates.

A. A person shall not make to a candidate for elective town office, and a candidate for elective town office shall not accept from a person, a contribution totaling more than \$4,900.

B. On January 1, 2023, and every odd-numbered year thereafter, the limit set forth in subsection A shall be adjusted to reflect any increase or decrease in the Consumer Price Index in the same manner as the Fair Political Practices Commission adjusts the limits under Government Code section 85301(d) or any successor provision.

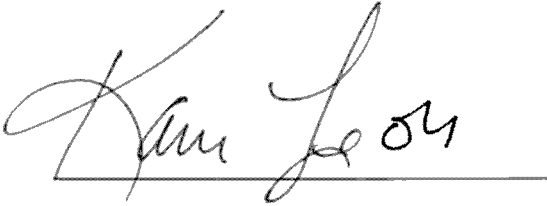
C. Nothing in this section shall be deemed to exempt any person from complying with applicable provisions of any other laws of this state.”

SECTION 3. Severability. If any section, subsection, subdivision, sentence, or clause or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, 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 Town Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 4. Effective Date. This Ordinance shall become effective 30 days upon adoption.

SECTION 5. Notice of Adoption. The Town Clerk of the Town of Apple Valley shall certify to the adoption of this Ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the Town in a manner permitted under section 36933 of the Government Code of the State of California.

APPROVED and **ADOPTED** by the Town Council of the Town of Apple Valley this 22nd day of March, 2022.

A handwritten signature in cursive script, appearing to read "Kari Leon", written above a horizontal line.

Kari Leon, Mayor

Attest:

A handwritten signature in cursive script, appearing to read "La Vonda M-Pearson", written above a horizontal line.

La Vonda M-Pearson, Town Clerk.

Approval as to Form:

A handwritten signature in cursive script, appearing to read "Thomas Rice", written above a horizontal line.

Thomas Rice, Town Attorney

Approval as to Content:

A handwritten signature in cursive script, appearing to read "Douglas Robertson", written above a horizontal line.

Douglas Robertson, Town Manager

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO
TOWN OF APPLE VALLEY

I, LA VONDA M-PEARSON, TOWN CLERK of the Town of Apple Valley, California, hereby certify that the foregoing Ordinance No. 554 was duly introduced on March 22, 2022 and adopted at the Town Council adjourned meeting on March 22, 2022, by the following vote:

AYES: Council Members, Cusack, Emick, Nassif, Mayor Pro Tem Bishop, Mayor Leon.
NOES: None.
ABSENT: None.
ABSTAIN: None.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Apple Valley, California, this 22nd day of March, 2022.

LA VONDA M-PEARSON, CMC
TOWN CLERK

by:



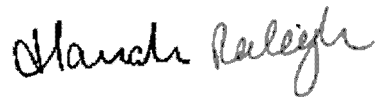
Hannah Raleigh, Deputy Clerk

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO
TOWN OF APPLE VALLEY

I, La Vonda M-Pearson, Town Clerk of the Town of Apple Valley, California, do hereby certify that the attached Ordinance No. 554 was adopted on March 22, 2022 by the Town Council of the Town of Apple Valley and has been published in a newspaper of general circulation, published and circulated in the Town in a manner permitted under Section 36933 of the Government Code.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Apple Valley, California, this 22nd day of March, 2022.

LA VONDA M-PEARSON, CMC
TOWN CLERK



Hannah Raleigh, Deputy Clerk