

Chapter 2.24 ELECTIONS

Sections:

Article I. Campaign Financing

[2.24.010 Purpose and intent.](#)

[2.24.020 Campaign contributions – Limitations – Disclosures.](#)

[2.24.025 Officeholder expenses.](#)

[2.24.030 Campaign expenditures uncontrolled by candidates or committees.](#)

[2.24.040 Suppliers of goods and services – Disclosure of records required.](#)

[2.24.050 Enforcement authority.](#)

[2.24.060 Penalties.](#)

[2.24.070 Rules of construction.](#)

[2.24.080 Severability.](#)

Article II. Elections Generally

[2.24.100 Date held.](#)

Prior ordinance history: Ordinances 1022, 1081 and 1136.

Article I. Campaign Financing

2.24.010 Purpose and intent.

Incidental to the high cost of election campaigning is the problem of improper influence, real or potential, exercised by campaign contributors over elected officials.

It is the purpose and intent of the council in enacting this chapter to place realistic and enforceable limits on the amounts which may be contributed for political campaigning in municipal elections; to place realistic and enforceable limits on the amounts individuals may contribute to political campaigns in municipal elections; to insure and promote integrity, honesty, and fairness in the decisions of public policy; to insure that funds and services donated to a candidate or campaign committee are used solely for lawful campaign purposes; to insure a level of discussion of public issues adequate for a viable political campaign and to provide an opportunity for

all citizens to become candidates for public office unhindered by a need to meet exorbitant campaign costs; to require a full public disclosure of campaign contributions received, the names and addresses of contributors to such campaigns, and the purpose and amounts of expenditures in political campaigns in municipal elections; and to provide for the full and fair enforcement of all the provisions of this chapter.

In seeking to establish such realistic limitations on campaign costs, it is the intent of the council to promote a broader and more open participation by all citizens in the electoral process, and it is in no way intended that such limitations should act to deprive or restrict any citizen in the exercise of his rights guaranteed under the First and Fourteenth Amendments of the United States Constitution.

The council finds, in this regard, that municipal elections constitute municipal affairs and that the reasonable regulation thereof as set forth in this chapter is permitted by Section 22808 of the Elections Code of the state. Further, pursuant to Section 81013 of the Government Code of the state, it is determined that the Political Reform Act of 1974 shall apply to local elections and that the additional requirements imposed by this chapter do not preclude any person from complying with said Act. (Prior code § 4-16.01)

2.24.020 Campaign contributions – Limitations – Disclosures.

A. Definitions. For purposes of this chapter, the following definitions shall apply:

1. "Contribution" means a payment, a loan, an extension of credit, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, except to the extent that full and adequate consideration is received, unless it is clear from the surrounding circumstances that it is not made for political purposes. An expenditure made at the behest of a candidate, committee, or elected officer is a contribution to the candidate, committee, or elected officer, unless full and adequate consideration is received for making the expenditure.

The term "contribution" includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fund-raising events; the granting of discounts or rebates not extended to the public generally or the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; and the payment of compensation by any person for the personal services or expenses of any other person if such services are rendered or expenses incurred on behalf of a candidate or committee without the payment of full and adequate consideration.

The term "contribution" further includes any transfer of anything of value received by a committee from another committee.

The term "contribution" does not include amounts received pursuant to an enforceable promise to the extent such amounts have been previously reported as a contribution. However, the fact that such amounts have been received shall be indicated in the appropriate campaign statement.

Notwithstanding the foregoing definition of "contribution," the term does not include volunteer personal services or payments made by any individual for his own travel expenses if such payments are made voluntarily without any understanding or agreement that they shall be directly or indirectly repaid to him.

A loan or extension of credit shall be considered a contribution from the maker and guarantor of the loan and shall be subject to the contribution limitations of this chapter except that such limitations shall not apply to loans or extensions of credit made to the candidate by a commercial lending institution in the lender's regular course of business on terms available to members of the general public for which the candidate is personally liable.

2. "Election campaign" shall commence at the time a statement of intention to be a candidate is filed with the California Fair Political Practices Commission. A copy of the statement shall be filed with the city clerk at the time it is filed with the commission and all limitations on contributions shall apply from that date.

3. Person Defined. For the purpose of this section, "person" shall mean an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert.

B. Limitation on Contributions by Persons.

1. For all election campaign accounts for elections through and including the March, 1999 election, no person shall make, and no candidate for elective office in the city, or campaign treasurer, shall solicit or accept any contribution or loan which would cause the total amount contributed or loaned by that person to that candidate, including contributions or loans to all committees controlled by that candidate, with respect to a single election to exceed five hundred dollars. For all election campaign accounts for elections commencing with the March, 2001 election, no person shall make, and no candidate for elective office in the city, or campaign treasurer, shall solicit or accept any contribution or loan which would cause the total amount contributed or loaned by that person to that candidate, including contributions or loans to all committees controlled by that candidate, with respect to a single election to exceed one thousand dollars.

2. The provisions of this section shall not apply to a candidate's contribution of his or her personal funds to his or her own campaign contribution account.

C. Anonymous Contributions by Individuals. No person shall make and no candidate or committee shall solicit or accept, any anonymous contribution which will cause the total amount of anonymous contributions by such person with respect to a single election to be fifty dollars or more.

Any anonymous contribution of fifty dollars or more shall not be kept by the intended recipient but instead shall be promptly paid to the treasurer of the city for deposit in the General Fund of the city to be used for the purpose of defraying the costs of elections borne by the city and shall not be used to benefit any candidate or committee.

D. Total Anonymous Contributions. Total anonymous contributions to a candidate or committee which exceed in the aggregate five hundred dollars with respect to a single election shall not be used by the candidate or the committee of the candidate for whom they were intended. Total anonymous contributions exceeding five hundred dollars shall be placed in the General Fund of the city within one business day after the reporting date, and shall be earmarked and used for the purpose of defraying the costs of elections borne by the city, and shall not be used to benefit any candidate or committee.

E. Contributions Made on Behalf of Another. No person shall make a contribution on behalf of another, or while acting as the intermediary or agent of another, without disclosing to the recipient of the contribution both the person's, intermediary's, or agent's own full name and street address, occupation and the name of the person's, intermediary's or agent's employer, if any, or the person's, intermediary's or agent's principal place of business if the person, intermediary, or agent is self-employed; the recipient of the contribution shall also be made aware of the full name and street address and occupation and the name of the employer, if any, or principal place of business, if self-employed, of the actual contributor.

F. Assumed Name Contributions. No contribution shall be made, directly or indirectly, by any person or combination of persons acting jointly in a name other than the name by which they are identified for legal purposes, nor in the name of another person or combination of persons. No person shall make a contribution in his or its name of anything belonging to another person or received from another person on the condition that it be used as a contribution. Upon discovery by a candidate, or his campaign treasurer or committee, that a contribution has been received in violation of this subsection, the amount received in violation of this subsection shall be promptly paid from available campaign funds to the treasurer of the city for deposit in the General Fund of the city, and shall be earmarked to be used for the purpose of defraying the costs of elections borne by the city, and shall not be used to benefit any candidate or committee.

G. Disclosure. The full name, complete mailing address, and occupation, if any, of any person who has made a campaign contribution of one hundred dollars or more shall be reported by the candidate, or treasurer if made to a committee on the campaign disclosure statement filed with city clerk.

H. Contributions by City Contractors.

1. No person who contracts with the city, either for the rendition of personal services or for the furnishing of any material, supplies, or equipment to the city, or for selling any land or building to the city, directly or indirectly, shall make any contribution to a candidate or committee at any time between the commencement of negotiations for and during (1) the completion of the performance under, or (2) the termination of negotiations for such contract or the furnishing of material, supplies, equipment, land, or building, whichever occurs later.

2. No candidate, agent for a candidate, committee, or agent for a committee shall knowingly solicit any contribution from any person prohibited by subdivision (1) of this subsection from making such a

contribution.

3. This subsection shall not apply to persons contracting with the city whose contracts do not require the approval of the city council.

I. Fund-raising Events. In the event a candidate or committee desires to have a campaign fund-raising event of any kind directly connected with a campaign for public office, then in that connection the candidate or committee shall file a statement showing the gross income from such event, and the costs of the event shall be deducted from the gross receipts, and the net figure shall apply to the sums which by this chapter are permitted to be expended.

J. Violations. Any violation of the provisions of this section shall be subject to the same enforcement provisions set forth in Sections 91000 through 91014 of the Government Code of the state, which sections are incorporated by reference. (Ord. 1593 § 1, 2000; Ord. 1581 § 2, 1999; prior code § 4-16.02)

2.24.025 Officeholder expenses.

A. No person shall make, and no officeholder or treasurer shall solicit or accept any contribution or loan which would cause the total amount contributed or loaned by that person to that officeholder, including contributions and loans to all committees controlled by that officeholder, with respect to a single term of office, to exceed five hundred dollars. This amount is in addition to the one thousand dollars allowed per election pursuant to Section [2.24.020\(B\)](#).

B. Contributions may be made, solicited and accepted pursuant to this section from the time an officeholder is sworn in through and including the date that the officeholder leaves office.

C. Any contributions received pursuant to this section shall be kept in a separate fund within the officeholder's campaign account until such time as state law is amended by statute or court decision to allow or require separate officeholder accounts, in which case this section shall be deemed to require separate officeholder accounts.

D. Any funds received pursuant to this section may be used for any purpose authorized by the State Political Reform Act for campaign funds, with the exception that such funds may not be used as campaign funds for any future city election or to repay campaign debts of any prior city election, including the election for which the officeholder currently holds office.

E. Any funds which have been contributed pursuant to this section which remain in the account the day after the officeholder leaves office may be used for any purpose for which surplus campaign funds may be used under the State Political Reform Act, with the exception that such funds may not be used to repay the campaign debts of any prior city election, including the election for which the officeholder currently holds office.

F. The provisions of this section shall not apply to an officeholder's contribution of his or her personal funds to his or her own officeholder fund.

G. The definitions contained within Section [2.24.020\(A\)](#) and the provisions of Section [2.24.020](#), subsections C through J, shall apply to officeholder contributions as well as to campaign contributions and the term "candidate" used in such sections shall mean "officeholder" for purposes of this Section [2.24.025](#). (Ord. 1581 § 3, 1999)

2.24.030 Campaign expenditures uncontrolled by candidates or committees.

Persons or organizations not subject to the control of a candidate but who make expenditures for or against a candidate shall indicate clearly on any material published, displayed, or broadcast that it was not authorized by a candidate when such expenditures in whole or in part would have been covered by the provisions of this chapter if they were subject to the control of a candidate. Such persons or organizations shall comply with all the filing requirements imposed on candidates and committees by this chapter. (Prior code § 4-16.03)

2.24.040 Suppliers of goods and services – Disclosure of records required.

No person who supplies goods or services, or both goods and services, to a candidate or committee for use in connection with the campaign of the candidate or for or against a measure shall refuse knowingly to divulge or disclose to the enforcement authority his record of any expenditures made by the candidate or committee in payment for such goods or services, or both. (Prior code § 4-16.04)

2.24.050 Enforcement authority.

For the purposes of this chapter, "enforcement authority" means the district attorney of the county and/or the Attorney General of the state for all civil and criminal enforcement. (Prior code § 4-16.05)

2.24.060 Penalties.

All penalties prescribed by the Political Reform Act of 1974 shall apply to the provisions of this chapter. (Prior code § 4-16.06)

2.24.070 Rules of construction.

The provisions of this chapter shall be construed liberally in order to accomplish the purposes of this chapter. (Prior code § 4-16.07)

2.24.080 Severability.

If any provision of this chapter, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the chapter and applicability of such provisions to other persons and circumstances shall not be affected thereby. (Prior code § 4-16.08)

Article II. Elections Generally

2.24.100 Date held.

Pursuant to the California Elections Code, and commencing with the 2022 statewide primary election, the date of

the city's general municipal election is moved from the first Tuesday after the first Monday in March of even-numbered years to coincide with statewide primary elections. Said election shall be consolidated with the statewide primary election conducted by Los Angeles County upon the county's approval. (Ord. 1835 § 3, 2021; Ord. 1491 § 1, 1995)