

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING CHAPTER 1.22 OF THE
LONG BEACH MUNICIPAL CODE REGARDING
REFERENDA AND INITIATIVES

The City Council of the City of Long Beach ordains as follows:

Section 1. Chapter 1.22 of the Long Beach Municipal Code is hereby
amended to read as follows:

Chapter 1.22

REFERENDA AND INITIATIVES

1.22.010 Definitions.

For the purposes of this Chapter, the following terms shall have the
following meanings:

A. "Campaign statement" means an itemized report which is
prepared on a form prescribed by the City Clerk and which provides the
information required by Section 1.22.040.

B. "Committee" means any person or combination of persons that
directly or indirectly receives contributions which total more than two
hundred fifty dollars (\$250.00) in a calendar year or makes expenditures
exceeding more than two hundred fifty dollars (\$250.00) in a calendar
year for the purpose of influencing or attempting to influence the action of
voters for or against the passage or defeat of any measure.

C. "Contribution" shall have the same meaning as set forth in
California Government Code Section 82015, and any regulations
promulgated thereunder.

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1 D. "Election " means any primary, general, special or runoff
2 election held in the City, including an initiative, referendum or recall
3 election.

4 E. "Expenditure" means a payment, pledge or promise of payment
5 of money or anything of value or other obligation, whether or not legally
6 enforceable, for goods, materials, services or facilities in aid of or in
7 opposition to the qualification for the ballot or adoption of one or more
8 measures. The term "expenditure" includes any transfer, payment, gift,
9 loan, advance, deposit, pledge, contract, agreement or promise of money
10 or anything of value or other obligation, whether or not legally enforceable,
11 made directly or indirectly by one committee to another committee.
12 "Expenditure" also includes the forgiving of a loan or the repayment of a
13 loan by a third party.

14 F. "Measure" means any City Charter amendment, ordinance or
15 other City proposition submitted to a popular vote at an election, whether
16 by initiative, referendum or recall procedure or otherwise, or circulated for
17 the purposes of submission to a popular vote at any election, whether or
18 not the proposition qualifies for the ballot.

19 G. "Period covered" by a statement or report required to be filed by
20 this Chapter means, unless a different period is specified, the period
21 beginning with the day after the closing date of the most recent statement
22 or report in question.

23
24 1.22.020 Statement of organization.

25 A. Every committee shall file with the City Clerk a statement of
26 organization on a form established by the City Clerk within three (3) days
27 after it is formed as a committee.

28 B. The date which a committee formed, and not the date on which

1 the committee filed its statement or organization, shall determine the
2 committee's obligation to file the campaign statements required by this
3 Chapter.

4
5 1.22.030 Campaign statement—Filing requirements.

6 Subsequent to the filing of the Statement of Organization, each
7 committee shall file campaign statements on the following dates:

8 A. On January 31 (for the period October 1 to December 31),
9 April 30 (for the period January 1 to March 31), July 31 (for the period April 1 to
10 June 30) and October 31 (for the period July 1 to September 30) each year.

11 B. Within ninety (90) days of the election:

12 1. Ninety (90) days prior to the election (for the period from
13 the last reporting period set forth in Subsection A above to ninety-seven
14 (97) days prior to the election);

15 2. Seventy-five (75) days prior to the election (for the period
16 from ninety-eight (98) to eighty-two (82) days prior to the election);

17 3. Sixty (60) days prior to the election (for the period from
18 eighty-three (83) to sixty-five (65) days prior to the election);

19 4. Forty-five (45) days prior to the election (for the period
20 from sixty-six (66) to fifty-two (52) days prior to the election);

21 5. Thirty (30) days prior to the election (for the period fifty-
22 three (53) to thirty-seven (37) days prior to the election);

23 6. Fifteen (15) days prior to the election (for the period
24 thirty-six (36) to twenty-two (22) days prior to the election);

25 7. Five (5) days prior to the election (for the period twenty-
26 one (21) to twelve (12) days prior to the election);

27 8. Seven (7) days after the election (for the period thirteen
28 (13) days prior to the election through the election date).

1 C. Whenever any committee is required by this Chapter to file a
2 campaign statement with the City Clerk Department, the committee shall
3 file at the same time a copy of the statement in electronic format as
4 prescribed by the City Clerk.
5

6 1.22.040 Campaign statement—Contents.

7 Each campaign statement filed pursuant to this Chapter shall
8 contain the information set forth in California Government Code Section
9 84211, and shall be filed under penalty of perjury with the City Clerk
10 Department on a Form 460 (Recipient Committee Campaign Statement),
11 published by the California Fair Political Practices Commission.
12

13 1.22.050 Report of contributions in excess of one thousand dollars
14 (\$1,000.00).

15 Each committee shall report any contribution of one thousand
16 dollars (\$1,000.00) or more to the City Clerk within twenty-four (24) hours
17 of receipt. Such reports shall contain the full name, street address,
18 occupation and the name of employer, if any, or principal place of
19 business if self-employed, of the contributor. Such reports may be by any
20 written means of communication, and do not require an original signature.
21

22 1.22.060 Late filing penalties.

23 Each committee who files any report or campaign statement
24 required by this Chapter after the deadlines imposed by this Chapter, shall
25 be liable for the penalties enumerated in California Government Code
26 Section 91013.
27

1 1.22.070 Violation of Chapter.

2 Any person violating any of the provisions of this Chapter shall be
3 subject to the penalties imposed pursuant to Long Beach Municipal Code
4 Sections 2.01.1110 and 2.01.1120.

5
6 1.22.080 Procedure—Circulation of petitions.

7 Circulators of petitions for any measure shall be residents of the
8 City. If the petition relates to the board of education, they must be
9 residents of the Long Beach Unified School District. Any persons
10 circulating recall petitions shall be residents of the district in which such
11 petition is being circulated. Petitions circulated by circulators who do not
12 maintain the required residency shall not be valid and signatures thereto
13 shall not be counted.

14
15 1.22.090 Contents of petitions.

16 In addition to the requirements set forth in the California Elections
17 Code, any petition for a measure shall contain in twenty-four (24)-point
18 type, prior to that portion of the petition for voters' signatures, printed
19 names, and residence addresses, the following language:

20 A. If the petition is circulated by a paid circulator the phrase "PAID
21 CIRCULATOR" shall appear in twenty-four (24)-point type above the
22 following language which shall appear in twelve (12)-point type:

23 "NOTICE TO THE PUBLIC
24 THIS PETITION IS BEING CIRCULATED BY
25 A PERSON WHO IS BEING PAID TO
26 COLLECT SIGNATURES"

27 B. If the petition is being circulated by a volunteer the phrase
28 "VOLUNTEER CIRCULATOR" shall appear in twenty-four (24)-point type

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1 above the following language which shall appear in twelve (12)-point type:

2 "NOTICE TO THE PUBLIC

3 THIS PETITION IS BEING CIRCULATED BY

4 A VOLUNTEER."

5 C. "Paid circulator," for the purpose of circulating a petition, means
6 a person who is compensated in any manner for collecting petition
7 signatures to qualify a measure.

8 D. "Volunteer," for the purpose of circulating a petition, means a
9 person who is not a paid circulator.

10
11 1.22.100 General procedures.

12 The Council prescribes the same procedure for the submission by
13 it to the voters of any proposed ordinance, order or resolution, pursuant to
14 the City Charter, as is prescribed in Section 8 of Article XI of the State
15 Constitution with reference to the submission of proposed amendments to
16 a city charter submitted by a council on its own motion.

17
18 1.22.110 Filing Fee.

19 Any person submitting a request for ballot title and summary with
20 the City shall pay a filing fee of two hundred dollars (\$200.00).

21
22 Sec. 2. The City Clerk shall certify to the passage of this ordinance by the
23 City Council and cause it to be posted in three conspicuous places in the City of Long
24 Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

25
26 I hereby certify that the foregoing ordinance was adopted by the City
27 Council of the City of Long Beach at its meeting of _____, 2005, by the

28 ////

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following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

(Mayor)

HAM:fl
5/12/05; rev. 5/17/05; rev. 5/18/05; rev. 5/27/05; rev. 6/2/05
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