

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING SECTION 1.22.030  
AND ADDING SECTIONS 1.21.025, 1.21.090, 1.24.140 AND  
1.24.150, RELATING TO ELECTION PROCEDURES

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

Section 1. Section 1.22.030 of the Long Beach Municipal Code is hereby  
amended to read as follows:

1.22.030 Campaign statement--filing requirements.

Subsequent to the filing of the statement of organization, each  
committee shall file campaign statements on the following dates:

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

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

1. Ninety (90) days prior to the election (for the period  
from the last reporting period set forth in subsection A of this section to 97  
days prior to the election);

2. Seventy five (75) days prior to the election (for the  
period from 96 to 82 days prior to the election);

3. Sixty (60) days prior to the election (for the period from  
81 to 65 days prior to the election);

4. Forty five (45) days prior to the election (for the period  
from 64 to 52 days prior to the election);

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1                   5.     Thirty (30) days prior to the election (for the period 51  
2 to 37 days prior to the election);

3                   6.     Fifteen (15) days prior to the election (for the period 36  
4 to 22 days prior to the election);

5                   7.     Five (5) days prior to the election (for the period 21 to  
6 12 days prior to the election);

7                   8.     Seven (7) days after the election (for the period 11  
8 days prior to the election through the election date).

9                   C.     Whenever any committee is required by this chapter to file a  
10 campaign statement with the city clerk department, the committee shall file  
11 at the same time a copy of the statement in electronic format as prescribed  
12 by the city clerk.

13                   D.     In the event that any campaign statement that a committee is  
14 required to file by this section falls within seven (7) calendar days of any  
15 campaign statement that a committee is required to file by Government  
16 Code section 84200 et seq., the City Clerk shall have the authority to move  
17 the City deadline in order to consolidate it with the State deadline and to  
18 adjust the periods covered by the City statement accordingly.

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20                   Section 2.    Section 1.21.025 is hereby added to the Long Beach  
21 Municipal Code to read as follows:

22                   1.21.025    Partial recounts.

23                   Notwithstanding any provision of the California Elections Code, any  
24 voter may request a partial recount in which the ballots for a selected  
25 number of precincts are examined. Notwithstanding the above, any recount  
26 which is not completed by counting the votes in each and every precinct in  
27 the jurisdiction within which votes were cast on the candidates for the office  
28 or on the measure in question shall be null and void.

1                   Section 3.    Section 1.21.090 is hereby added to the Long Beach  
2 Municipal Code to read as follows:

3           1.21.090       Minimum number of official ballots for election day.

4                   Notwithstanding any provision of the California Elections Code, the  
5 City Clerk shall provide a sufficient number of official ballots in each precinct  
6 to reasonably meet the needs of the voters in that precinct on election day  
7 using the precinct's voter turnout history as the criterion, but in no case shall  
8 this number be less than forty percent (40%) of registered voters in the  
9 precinct, and for absentee and emergency purposes shall provide the  
10 additional number of ballots that may be necessary.

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12                   Section 4.    Section 1.24.140 is hereby added to the Long Beach  
13 Municipal Code to read as follows:

14           1.24.140       Time limits on challenges to ballot materials--general  
15                           elections.

16                   Notwithstanding the provisions of any provision of the California  
17 Elections Code, for general elections the City Clerk shall make a copy of the  
18 material referred to in California Elections Code Sections 9223, 9280, 9281,  
19 9282, 9285, and 13307 available for public inspection in the City Clerk's  
20 office for a period of five (5) business days immediately following the filing  
21 deadline for submission of those materials. Any person may obtain a copy  
22 of the materials from the City Clerk during normal business hours for use  
23 outside of the City Clerk's office. The City Clerk may charge a fee to any  
24 person obtaining a copy of the material. The fee may not exceed the actual  
25 cost incurred by the City Clerk in providing the copy. During the five (5)  
26 business day public examination period provided by this Section, any voter  
27 of the jurisdiction in which the election is being held, or the elections official,  
28 himself or herself, may seek a writ of mandate or an injunction requiring any

1 or all of the materials to be amended or deleted. The writ of mandate or  
2 injunction request shall be filed no later than the end of the public  
3 examination period.

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5 Section 5. Section 1.24.150 is hereby added to the Long Beach  
6 Municipal Code to read as follows:

7 1.24.150 Time limits on challenges to ballot materials--primary and  
8 special elections.

9 A. Notwithstanding any provision of the California Elections  
10 Code, for primary and special elections the City Clerk shall make a copy of  
11 the material referred to in California Elections Code Sections 9223, 9280,  
12 9281, 9282, and 9285 available for public inspection in the City Clerk's  
13 office for a period of eight (8) business days immediately following the filing  
14 deadline for submission of those materials. Any person may obtain a copy  
15 of the materials from the city clerk during normal business hours for use  
16 outside of the City Clerk's office. The City Clerk may charge a fee to any  
17 person obtaining a copy of the material. The fee may not exceed the actual  
18 cost incurred by the City Clerk in providing the copy. During the eight (8)  
19 business day public examination period provided by this Section, any voter  
20 of the jurisdiction in which the election is being held, or the elections official,  
21 himself or herself, may seek a writ of mandate or an injunction requiring any  
22 or all of the materials to be amended or deleted. The writ of mandate or  
23 injunction request shall be filed no later than the end of the public  
24 examination period.

25 B. For primary and special elections the City Clerk shall make a  
26 copy of the material referred to in section 13307 available for public  
27 inspection in the City Clerk's office for a period of ten (10) calendar days  
28 immediately following the filing deadline for submission of those materials.

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Any person may obtain a copy of the materials from the City Clerk during normal business hours for use outside of the City Clerk's office. The City Clerk may charge a fee to any person obtaining a copy of the material. The fee may not exceed the actual cost incurred by the City Clerk in providing the copy. During the ten (10) business day public examination period provided by this section, any voter of the jurisdiction in which the election is being held, or the elections official, himself or herself, may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the public examination period.

Section 6. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2007, by the

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OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
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following vote:

Ayes: Councilmembers:

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Noes: Councilmembers:

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Absent: Councilmembers:

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City Clerk

Approved: \_\_\_\_\_  
(Date)

Mayor

HAM:fl  
10/29/07  
#07-05241

RED-LINED VERSION

1.22.030 Campaign statement--filing requirements.

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5. Thirty (30) days prior to the election (for the period 51 to 37 days prior to the election);
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7. Five (5) days prior to the election (for the period 21 to 12 days prior to the election);
8. Seven (7) days after the election (for the period 11 days prior to the election through the election date).

C. Whenever any committee is required by this chapter to file a

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2 at the same time a copy of the statement in electronic format as prescribed  
3 by the city clerk.

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7 Code section 84200 et seq., the City Clerk shall have the authority to move  
8 the City deadline in order to consolidate it with the State deadline and to  
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16 which is not completed by counting the votes in each and every precinct in  
17 the jurisdiction within which votes were cast on the candidates for the office  
18 or on the measure in question shall be null and void.

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21 1.21.090 Minimum number of official ballots for election day.

22 Notwithstanding any provision of the California Elections Code, the  
23 City Clerk shall provide a sufficient number of official ballots in each precinct  
24 to reasonably meet the needs of the voters in that precinct on election day  
25 using the precinct's voter turnout history as the criterion, but in no case shall  
26 this number be less than forty percent (40%) of registered voters in the  
27 precinct, and for absentee and emergency purposes shall provide the  
28 additional number of ballots that may be necessary.



1           1.24.140 Time limits on challenges to ballot materials--general  
2                                   elections.

3                   Notwithstanding the provisions of any provision of the California  
4           Elections Code, for general elections the City Clerk shall make a copy of the  
5           material referred to in California Elections Code Sections 9223, 9280, 9281,  
6           9282, 9285, and 13307 available for public inspection in the City Clerk's  
7           office for a period of five (5) business days immediately following the filing  
8           deadline for submission of those materials. Any person may obtain a copy  
9           of the materials from the City Clerk during normal business hours for use  
10          outside of the City Clerk's office. The City Clerk may charge a fee to any  
11          person obtaining a copy of the material. The fee may not exceed the actual  
12          cost incurred by the City Clerk in providing the copy. During the five (5)  
13          business day public examination period provided by this Section, any voter  
14          of the jurisdiction in which the election is being held, or the elections official,  
15          himself or herself, may seek a writ of mandate or an injunction requiring any  
16          or all of the materials to be amended or deleted. The writ of mandate or  
17          injunction request shall be filed no later than the end of the public  
18          examination period.

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21          1.24.150 Time limits on challenges to ballot materials--primary and  
22          special elections.

23                   E.   Notwithstanding any provision of the California Elections  
24          Code, for primary and special elections the City Clerk shall make a copy of  
25          the material referred to in California Elections Code Sections 9223, 9280,  
26          9281, 9282, and 9285 available for public inspection in the City Clerk's  
27          office for a period of eight (8) business days immediately following the filing  
28          deadline for submission of those materials. Any person may obtain a copy

1 of the materials from the city clerk during normal business hours for use  
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3 person obtaining a copy of the material. The fee may not exceed the actual  
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8 or all of the materials to be amended or deleted. The writ of mandate or  
9 injunction request shall be filed no later than the end of the public  
10 examination period.

11 F. For primary and special elections the City Clerk shall make a  
12 copy of the material referred to in section 13307 available for public  
13 inspection in the City Clerk's office for a period of ten (10) calendar days  
14 immediately following the filing deadline for submission of those materials.  
15 Any person may obtain a copy of the materials from the City Clerk during  
16 normal business hours for use outside of the City Clerk's office. The City  
17 Clerk may charge a fee to any person obtaining a copy of the material. The  
18 fee may not exceed the actual cost incurred by the City Clerk in providing  
19 the copy. During the ten (10) business day public examination period  
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22 mandate or an injunction requiring any or all of the materials to be amended  
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