ORDINANCE NO. 98-106

AN ORDINANCE OF THE TOWN OF WINDSOR ADDING CHAPTER 7 OF TITLE 1 TO THE CODE OF THE TOWN OF WINDSOR, RELATING TO CAMPAIGN DISCLOSURE REQUIREMENTS

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WINDSOR:

SECTION 1. ORDINANCE. Chapter 7 is enacted to read as follows:

1-7-010. Findings and Purpose.

Under the authority granted to the Town Council by Government Code Section 81013, which permits the imposition of additional local requirements to the Political Reform Act of 1974, the Council finds that it is in the public's interest to amplify the campaign contribution and expenditure reporting requirements in municipal elections.

1-7-020. Definitions.

For the purpose of this Chapter, all of the definitions codified in the Political Reform Act, beginning at Government Code § 82000 shall apply, except that "municipal election" means any general election, special initiative, referendum or recall election that only affects the Town.

1-7-030. Reserved.

1-7-040. Filing of Disclosure Statements.

(A) All elected officers, candidates and committees, including independent committees, shall file, as a public record with the Town Clerk, all semiannual statements, preelection statements, supplemental preelection statements, late contribution reports, independent expenditure reports and late independent expenditure reports with respect to a municipal election as required by the

Political Reform Act of 1974, as amended. The statement or report may be completed on campaign statement forms that are required to be filed by State law, so long as such forms are completed in sufficient detail to comply with the requirements of this Chapter.

(B) All such statements or reports filed by independent committees shall, in addition to all other requirements, identify each candidate or measure for or against which each reported expenditure was made. Statements filed by independent committees shall be required to report only those expenditures in connection with communications that expressly advocate the election or defeat of a clearly identified candidate or ballot measure included in the municipal election.

1-7-050. Reporting Contributions.

Each campaign statement shall show the total cumulative amount of contributions received during the period covered by the statement from persons who have given fifty dollars ($50) or less. The statement shall also include the total cumulative amount of contributions received during the period covered by the statement from persons who have given a total of more than fifty dollars ($50). Each person who has contributed more than fifty dollars ($50) shall be listed by name, address, occupation, employer and amount contributed. The statement shall also include an appendix that lists the gross receipts, the date and location of every fundraising event.

1-7-060. Reporting Expenditures.

Each campaign statement shall show the total amount of expenditures made during the period covered by the statement to persons who have received fifty dollars ($50) or less. Each person who has received a total of more than fifty dollars($50) shall be listed by name and address, together with a brief description of the purpose of the expenditures. Any expenditure made on behalf of another person, whether as agent or intermediary or otherwise, shall be reported as such, including the true name of the individual on whose behalf the expenditure was made.

1-7-070. Reporting Threshold for Semiannual Statements.

A candidate or committee need not file a campaign statement if neither the cumulative receipts nor the cumulative expenditures exceed two hundred fifty dollars ($250).

1-7-080. Late Contributions and Expenditure Threshold.

The threshold for filing both late contribution reports and late expenditure reports shall be two hundred fifty dollars ($250).

1-7-090. Exemption.

Nothing in this section shall impose on any candidate or committee participating in elections outside of the Town's jurisdiction any filing requirements that are additional to or different from those set forth in Chapter 4 of the Political Reform Act of 1974, so long as Government Code § 81009.5(b) prohibits the imposition of such different or additional requirements on such committees.

1-7-100. Reserved.

1-7-110. Declaration.

To ensure full compliance with this Chapter, each filer, upon the filing of a campaign statement or report required under this Chapter, shall execute a declaration under penalty of perjury on a form provided by the Town Clerk stating that such candidate or committee did not omit any contribution, expenditure or any other item that must be included in the statement under this Chapter. Such statement shall also accompany any late contribution report or late expenditure report.

1-7-120. Late Filing of Campaign Statement.

If any person files a campaign statement after any deadline imposed by this Chapter, he or she shall be liable to the Town Clerk in amounts as set forth by State guidelines until the statement is filed. The Town Clerk shall deposit any funds received under this section into the general fund of the City to defray the cost of municipal elections.

SECTION 2. SEVERABILITY. If any provision of this ordinance, or any application thereof is held invalid, that provision or application shall be severable, and the remainder of this Chapter or enforcement thereof shall remain in full force and effect.

SECTION 3. FILING PURSUANT TO SECTION 81009.5. The Town Clerk shall cause of copy of this ordinance to be filed with the Fair Political Practices Commission pursuant to § 81009.5 of the Government Code.

SECTION 4. POSTING AND EFFECTIVE DATE. This Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The Town Clerk of the Town of Windsor shall cause this Ordinance to be posted in at least three (3) public places in the Town of Windsor in accordance with § 36933 of the Government Code of the State of California.

PASSED, APPROVED AND ADOPTED this 3rd day of June, 1998, by the following called vote:

AYES: MOREHOUSE\M, FUDGE\2ND, SCOTT, SMITH and MAYOR SALMON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

MAYOR

ATTEST:

TOWN CLERK

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