

EMERGENCY ORDINANCE NO. 11091 JUL 3 1973  
(New Series)

AN ORDINANCE AMENDING CHAPTER II,  
ARTICLE 7 OF THE SAN DIEGO  
MUNICIPAL CODE.

WHEREAS, the Council desires to permit the use of  
photographs accompanying a statement of the qualifications  
of a candidate in a municipal election; and

WHEREAS, statements of qualifications of candidates  
for the municipal primary of September 1973 are presently  
being accepted; and

WHEREAS, any amendment to the Municipal Code which  
would permit the use of photographs for said September  
primary will have to be adopted by the Council forthwith;  
and

WHEREAS, an emergency exists in that if said ordinance  
amending the Municipal Code to provide for use of photographs  
by candidates is not adopted immediately, candidates for the  
municipal primary election in September will not be able to  
avail themselves of this right; and

WHEREAS, the Council deems that this ordinance is  
necessary for the immediate preservation of the public peace  
in order that the primary election in September 1973 may be  
conducted in the same manner and under the same provisions  
as the November general municipal election; NOW, THEREFORE,

MICROFILMED  
MAY 1 1978  
02961

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Section 27.2204 of the San Diego Municipal Code be, and the same is hereby amended to read as follows:

SEC. 27.2204 STATEMENT OF CANDIDATES' QUALIFICATIONS

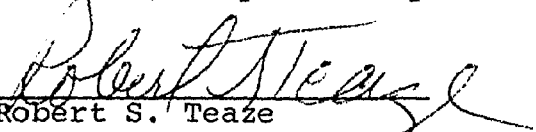
Candidates for elective office may prepare a statement of qualifications on a form provided by the Clerk. Such statement may include the name, age, occupation and education of a candidate and a brief description of the candidate's qualifications expressed by the candidate himself and may be accompanied by a photograph of the candidate. Such statement shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations. Such statement, which shall not exceed one hundred fifty words, shall be filed in the office of the Clerk when nominating petitions are returned for filing and may be withdrawn but not changed during the period for filing the nominating petitions and for five days thereafter. The Clerk shall send to each voter, together with the sample ballot, a voter's pamphlet which contains the written statements of each candidate's qualifications and photograph that is prepared pursuant to this section. The Clerk shall bill in advance each candidate availing himself of this service a sum not greater than

the actual prorated cost of reproducing and handling incurred by the City as a result of providing this service. The Clerk shall reject any statement which contains any obscene, vulgar, profane, scandalous, libelous or defamatory matter or any language which in any way incites, counsels, promotes or advocates hatred, abuse, violence or hostility toward, or which tends to cast ridicule or shame upon any person or group of persons by reason of race, color, religion or manner of worship, or any language or matter the circulation of which through the mails is prohibited by Congress or any mention of party affiliation of the candidate or membership or activity in partisan political organizations. Nothing contained in this section shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the voter's pamphlet.

Section 2. This ordinance shall take effect and be in force immediately upon its adoption.

APPROVED: JOHN W. WITT, City Attorney

BY

  
Robert S. Teaze  
Assistant City Attorney

RST:rb  
7-2-73

-3-

11091  
MICROFILMED  
MAY 1 1978  
02963

Passed and adopted by the Council of The City of San Diego on JUL 3 1973,  
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN  
 City Clerk of The City of San Diego, California.

By Mary Anne Dease, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on JUL 3 1973, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

EDWARD NIELSEN  
 City Clerk of The City of San Diego, California.

By Mary Anne Dease, Deputy.

MICROFILMED MAY 1 1978

Office of the City Clerk, San Diego, California	
Ordinance Number <u>11091</u>	Adopted <u>JUL 3 1973</u>
<u>02961</u>	

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1973 JUL 24 PM 11:43  
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ATTORNEY (S)

CITY OF SAN DIEGO  
202 C Street, 12th Floor  
San Diego, California 92101

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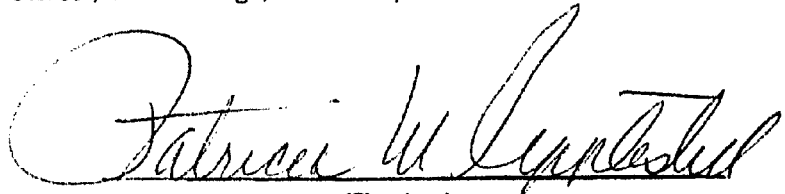
IN THE MATTER OF

STATEMENT OF CANDIDATES' QUALIFICATIONS

I, **Patricia M. Applestill** hereby certify that **San Diego Daily Transcript** is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the EMERGENCY ORDINANCE NO. 11091 (NEW SERIES)

is a true and correct copy of which this certificate is annexed and was published in said newspaper on July 12, 1973

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on July 17, 1973



(Signature)

15" #63<sup>00</sup>92965

**EMERGENCY ORDINANCE NO. 11091**  
(New Series)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 7 OF THE SAN DIEGO MUNICIPAL CODE.

WHEREAS, the Council desires to permit the use of photographs accompanying a statement of the qualifications of a candidate in a municipal election; and

WHEREAS, statements of qualifications of candidates for the municipal primary of September 1973 are presently being accepted; and

WHEREAS, any amendment to the Municipal Code which would permit the use of photographs for said September primary will have to be adopted by the Council forthwith; and

WHEREAS, an emergency exists in that if said ordinance amending the Municipal Code to provide for use of photographs by candidates is not adopted immediately, candidates for the municipal primary election in September will not be able to avail themselves of this right; and

WHEREAS, the Council deems that this ordinance is necessary for the immediate preservation of the public peace in order that the primary election in September 1973 may be conducted in the same manner and under the same provisions as the November general municipal election; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Section 27.2204 of the San Diego Municipal Code be, and the same is hereby amended to read as follows:

**SEC. 27.2204 STATEMENT OF CANDIDATES' QUALIFICATIONS**

Candidate for elective office may prepare a statement of qualifications on a form provided by the Clerk. Such statement may include the name, age, occupation and education of a candidate and a brief description of the candidate's qualifications expressed by the candidate himself and may be accompanied by a photograph of the candidate. Such statement shall not include the party affiliation of the candidate nor membership or activity in partisan political organizations. Such statement, which shall not exceed one hundred fifty words, shall be filed in the office of the Clerk when nominating petitions are returned for filing and may be withdrawn but not changed during the period for filing the nominating petitions and for five days thereafter. The Clerk shall send to each voter, together with the sample ballot, a voter's pamphlet which contains the written statements of each candidate's qualifications and photograph that is prepared pursuant to this section. The Clerk shall bill in advance each candidate availing himself of this service a sum not greater than the actual prorated cost of reproducing and handling incurred by the City as a result of providing this service. The Clerk shall reject any statement which contains any obscene, vulgar, profane, scandalous, libelous or defamatory matter or any language which in any way incites, counsels, promotes or advocates hatred, abuse, violence or hostility toward, or which tends to cast ridicule or shame upon any person or group of persons by reason of race, color, religion or manner of worship, or any language or matter the circulation of which through the mails is prohibited by Congress or any mention of party affiliation of the candidate or membership or activity in partisan political organizations. Nothing contained in this section shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the voter's pamphlet.

Section 2. This ordinance shall take effect and be in force immediately upon its adoption.

Passed and adopted by the Council of The City of San Diego on July 3, 1973, by the following vote:

YEAS: Johnson, Landt, Williams, Morrow, Martinet, Hitch, Wilson.

NAYS: None.

ABSENT: O'Connor, Bates.

AUTHENTICATED BY:

PETE WILSON,  
Mayor of The City of San Diego, California.  
EDWARD NIELSEN,  
City Clerk of The City of San Diego, California.  
By MARY ANNE MEASE, Deputy.

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on July 3, 1973, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN,  
City Clerk of The City of San Diego, California.  
By MARY ANNE MEASE, Deputy.

(Seal)

Published July 12, 1973

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