

ORDINANCE NUMBER O-15762 (New Series)

Adopted on JUN 14 1982

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 7,
DIVISION 22 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 27.2204, RELATING TO STATEMENT
OF CANDIDATES' QUALIFICATIONS.

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

Section 1. That Chapter II, Article 7, Division 22 of the San Diego Municipal Code be and it is hereby amended by amending Section 27.2204 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 the candidate and a brief description of the candidate's qualifications expressed by the candidate and limited to matter concerning only the candidate without reference to opponents or anyone else by name. 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 at the following times:

- (a) When nominating petitions are returned for filing.
- (b) Within three (3) days following the municipal primary election for candidates who will be on the general municipal election ballot in Council elections.

(c) No later than the day prior to the date after which the Registrar of Voters shall not accept nomination documents for statewide primary or general elections. The statement may be withdrawn but not changed during the period for filing the nominating petitions and until 5 p.m. of the next working day after the close of the nomination period or during other prescribed filing periods and until 5 p.m. of the next working day after the close of such periods. Statements received by the Clerk shall be kept confidential until the expiration of the filing period.

If the candidate desires to have his picture appear on his statement of qualifications, he shall submit a black and white, glossy photographic print, preferably 8 by 10 inches in size, but no smaller than 5 by 7 inches in size. Only the head and shoulders portion of the candidate's photograph shall be reproduced on the statement; other images appearing on the photograph submitted shall be excluded by cropping. All pictures in the leaflet containing candidate's statements of qualifications shall be as nearly uniform in size as possible, except for size reductions necessitated by the candidate's format for printed materials.

Printed material on the statements shall be of uniform type size. Boldface type or underscoring may be used for emphasis.

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 reject any statement which contains:

(1) any language or matter the circulation of which through the mails is prohibited by Congress, (2) any mention of party affiliation of the candidate or membership or activity in partisan political organizations, (3) any matter not relating to the candidate, or (4) any mention of opponents or other persons by name. The statement shall not contain 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. 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.

The City Clerk shall bill each candidate availing himself of these services for the municipal primary election a sum not greater than the actual prorated costs of printing, handling, and translating, if any, incurred by the agency as a result of providing this service. Only those charges may be levied and each candidate using these services shall be charged the same. Payment of the bill shall be deferred in any case where a person seeking

nomination or election claims indigency and signs an affidavit certifying under oath or under penalty of perjury to the following:

- (1) Candidate's name and address.
- (2) Name and address of all dependents.
- (3) Names and addresses of employers during past twelve (12) months and monthly salary.
- (4) Description of any other source of income.
- (5) Total income of past twelve (12) months.
- (6) Name and address of any bank where a checking or savings account is maintained and the current balances of all accounts.
- (7) Total amount of cash on hand.
- (8) List by address or legal description of all real property in which an interest is owned and the value of that interest.
- (9) List and value of personal property owned.
- (10) List of all current monthly expenses.
- (11) List of outstanding debts and current balance of each.
- (12) Statement that the person seeking nomination or election is indigent and desires therefore to defer payment of the bill and agrees the bill shall be paid out of campaign contributions received by the candidate or any campaign committee supporting the candidate if such contributions are in excess of three thousand dollars (\$3,000).

The indigent candidate shall pay to The City of San

Diego out of contributions received by the candidate or any committee supporting the candidate the amount of the bill or a portion thereof if such contributions are in excess of three thousand dollars (\$3,000). In the event the indigent candidate does not receive contributions in excess of three thousand dollars (\$3,000), the bill shall be waived by the City Treasurer on recommendation of the City Clerk and City Attorney.

To be effective, the indigency affidavit shall be filed at the same time that the candidate's statement of qualifications is filed.

These services shall be provided by the City at no cost to candidates for City elective offices for the municipal general election.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By Stuart H. Swett
Stuart H. Swett
Chief Deputy City Attorney

SHS:rc:930
3/25/82 REVISED 5/18/82
Or.Dept:Clerk
Form=r.none

Passed and adopted by the Council of The City of San Diego on JUN 14 1982
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Ellen Board, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JUN 1 1982, and on JUN 14 1982.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-15762 Adopted JUN 14 1982

RECEIVED
CITY CLERK'S OFFICE
1982 JUL -2 AM 10:24
SAN DIEGO, CALIF. *pb*

CERTIFICATE OF PUBLICATION

SAN DIEGO, CITY OF
202 C St., 12th Floor
San Diego, CA 92101

ATTN: BOVARD

IN THE MATTER OF

NO.

ORDINANCE NO. O-15762

Charlene Lance

I, _____, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. O-15762
(New Series)
AN ORDINANCE AMENDING CHAPTER II, ARTICLE 7, DIVISION 22 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 27.2204, RELATING TO STATEMENT OF CANDIDATES' QUALIFICATIONS.
Amends the Elections Code to provide that the Statement of Candidate's Qualifications will be provided by the City at no cost to the candidate for the municipal general election and that statements received by the Clerk shall be confidential until the expiration of the filing period. It further provides a definite filing time for statements submitted in connection with the general municipal elections, reduces the period in which a candidate may withdraw a statement, establishes definite guidelines for photographs submitted with statements and provides for deferment of payment or possible waiver of statement costs by indigent candidates. It also limits the statement to matter concerning only the candidate without reference to opponents or anyone else by name.
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Introduced on June 1, 1982.
Passed and adopted by the Council of The City of San Diego on June 14, 1982.
AUTHENTICATED BY:
PETE WILSON, Mayor of The City of San Diego, California.
CHARLES G. ABDELNOUR, City Clerk of The City of San Diego, California.
(SEAL)
By ELLEN BOVARD, Deputy
Publish June 28, 1982

ORDINANCE NO. O-15762
(New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

June 28, 1982

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 28th day of June, 19 82.

Charlene Lance

(Signature)

2-7/8" x 2 x 8.06 x 1 = 46.35

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