

2-2-02

ORDINANCE NO. 97-773

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR IMPOSING A VOLUNTARY EXPENDITURE CEILING ON CAMPAIGNS FOR MAYORAL AND CITY COUNCIL OFFICES

THE CITY COUNCIL OF THE CITY OF MONTCLAIR DOES ORDAIN AS FOLLOWS:

WHEREAS, Section 85400(c) of the Government Code allows municipalities to establish voluntary expenditure ceilings for candidates and controlled committees of such candidates for elective office in an amount not to exceed one dollar per resident for each election;

WHEREAS, the Montclair City Council wishes to establish such a ceiling for Montclair General Municipal elections.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTCLAIR DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. A voluntary expenditure ceiling of twenty-five cents per resident for each candidate at a Montclair Municipal Election at which candidates for Mayor or City Council are on the ballot is hereby imposed.

SECTION 2. Each candidate for the office of Mayor or City Council shall file a statement of acceptance or rejection of the voluntary expenditure ceiling before accepting any contributions.

SECTION 3. Contribution limitations depend on whether or not the expenditure limit is accepted, and are pursuant to Chapter 5 of Title 9 of the Government Code.

SECTION 4. This ordinance is enacted pursuant to California Government Code Section 85400(c)

SECTION 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SECTION 6. The City Clerk shall certify to the passage of this Ordinance and cause the same to be posted pursuant to Government Code Section 36933.

APPROVED AND ADOPTED this 6th day of October, 1997.

(d)(5)

Mayor

(d)(5)

City Clerk

ATTEST:

I, Margaret A. Crawford, City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 97-773 of said City which was introduced at a regular meeting of the City Council held

on the 15th day of September, 1997, and finally passed not less than five (5) days thereafter on the 6th day of October, 1997, by the following vote, to-wit:

AYES: Dutrey, Paulitz, Eaton  
NOES: Raft  
ABSTAIN: None  
ABSENT: Lewman

(d)(5)

*Margaret A. Crawford*  
City Clerk