

ORDINANCE NO. 16-2008

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
REPEALING ORDINANCE NO. 03-2001 AND ADDING CHAPTER 1.02 MUNICIPAL
ELECTIONS TO THE ELK GROVE MUNICIPAL CODE CONSOLIDATING GENERAL
MUNICIPAL ELECTIONS WITH STATEWIDE GENERAL ELECTIONS AND
ESTABLISHING A CANDIDATE'S FILING FEE**

The City Council of the City of Elk Grove does ordain as follows:

Section 1: Purpose and Authority

The City Council passes this ordinance pursuant to the authority granted cities by Article XI, Section 7, of the California Constitution.

The purpose of this ordinance is to repeal Ordinance No. 03-2001 and to amend the Elk Grove Municipal Code by adding Chapter 1.02 Municipal Elections:

Section 2: The City Council hereby adds Chapter 1.02, entitled "Municipal Elections" to read as follows:

Sections:

- | | |
|----------|------------------------------------|
| 1.02.010 | Date of General Municipal Election |
| 1.02.020 | Candidate's Filing Fee |
| 1.02.030 | Term of Office |

1.02.010 Date of General Municipal Election

General Municipal Elections of the City of Elk Grove are to be consolidated with the statewide general elections to be held on the first Tuesday after the first Monday in November of each even-numbered year, in accordance with provisions of the California Elections Code.

1.02.020 Candidate's Filing Fee

Pursuant to California Elections Code §10228 there is imposed a filing fee proportionate to the costs of processing a candidate's nomination papers in the amount of twenty-five dollars (\$25.00) to be paid upon the filing of such nomination papers.

1.02.030 Term of Office

The term of an elected officer is four years unless otherwise designated at nomination. Elected officers shall continue in office until the election results are certified by the Sacramento County Registrar of Voters and submitted to the City Council for adoption.

Section 3:

Said ordinance shall be in effect for all citywide elections subsequent to the passage, approval, and effect of said ordinance until such time that it is amended or repealed by ordinance.

Section 4:

All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 6: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 7: Effective Date and Publication

This Ordinance shall become effective immediately pursuant to Government Code §36937. In lieu of publication of the full text of the ordinance, a summary of the ordinance may be published within fifteen (15) days after adoption by the City Council.

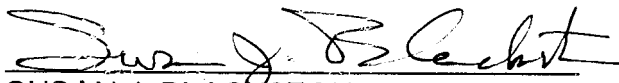
ADOPTED: May 14, 2008

EFFECTIVE: May 14, 2008




GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON
ASSISTANT CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

Date signed: May 20, 2008

CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 16-2008

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Susan J. Blackston, Assistant City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on May 14, 2008 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 14, 2008 by the following vote:

AYES : **COUNCILMEMBERS:** *Hume, Scherman, Davis, Leary*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Cooper*

A summary of the ordinance was published pursuant to GC 36933(c) (1).



**Susan J. Blackston, Assistant City Clerk
City of Elk Grove, California**