

TITLE 2
Government Organization

This title was most recently updated by the following ordinances:

Ordinance No.	Subject	Effective Date	Code Site
5512	Appointment of Youth Member to Parks and Recreation Commission	April 22, 2010	Section 2.08.020

TITLE 2

GOVERNMENT ORGANIZATION

Chapter: 2.02	Mayor, City Council, City Administrator, City Attorney, City Clerk, City Treasurer	Chapter: 2.19	Emergency Services Department
Chapter: 2.03	Santa Barbara Municipal Election Campaign Disclosure Ordinance	Chapter: 2.23	Finance Department
Chapter: 2.04	Council Meetings	Chapter: 2.25	Fire Department
Chapter: 2.05	Ordinance Committee	Chapter: 2.26	Waterfront Department
Chapter: 2.08	Boards and Commissions	Chapter: 2.28	Library Department
Chapter: 2.11	City Departments - General	Chapter: 2.30	Parks Department
Chapter: 2.12	Airport Department	Chapter: 2.31	Personnel Department
Chapter: 2.13	Community Development Department	Chapter: 2.33	Police Department
		Chapter: 2.39	Public Works Department
		Chapter: 2.40	Recreation Department

Chapter 2.02

MAYOR, CITY COUNCIL, CITY ADMINISTRATOR, CITY ATTORNEY, CITY CLERK, CITY TREASURER

Sections:

2.02.010	Mayor; Powers and Duties.	2.02.040	City Attorney; Powers and Duties.
2.02.020	City Council; Powers and Duties.	2.02.050	City Clerk; Powers and Duties.
2.02.030	City Administrator; Powers and Duties.	2.02.060	City Treasurer; Powers and Duties.

2.02.010 Mayor; Powers and Duties.

The powers and duties of the Mayor are those delineated in Section 504 of Article V of the City Charter and other powers and duties consistent with the office and prescribed by the City Charter or imposed by the City Council. (Ord. 3769 §5, 1975.)

2.02.020 City Council; Powers and Duties.

The powers and duties of the City Council are delineated in Section 505 of Article V of the City Charter except as otherwise provided in the Charter. (Ord. 3769 §5, 1975.)

2.02.030 City Administrator; Powers and Duties.

The powers and duties of the City Administrator are those delineated in Section 604 of Article VI of the City Charter, other duties prescribed by the Charter, and such other duties consistent with the Charter as may be required of him by the City Council. (Ord. 3769 §5, 1975.)

2.02.040 City Attorney; Powers and Duties.

The powers and duties of the City Attorney are those delineated in Section 703 of Article VII of the City Charter, other duties prescribed by the Charter, and such other legal functions and duties as are consistent with the Charter. (Ord. 3769 §5, 1975.)

2.02.050 City Clerk; Powers and Duties.

The powers and duties of the City Clerk are those delineated in Section 704 of Article VII of the City Charter, other duties prescribed by the Charter, and such other duties consistent with the Charter as may be required by ordinance or resolution of the City Council. (Ord. 3769 §5, 1975.)

2.02.060 City Treasurer; Powers and Duties.

The powers and duties of the City Treasurer are those delineated in Section 705 of Article VII of the City Charter, other duties prescribed by the Charter, and such other duties consistent with the Charter as may be required by ordinance or resolution of the City Council. (Ord. 3769 §5, 1975.)

Chapter 2.03

SANTA BARBARA MUNICIPAL ELECTION CAMPAIGN DISCLOSURE ORDINANCE

Section:

2.03.001	Citation.	2.03.080	Transfers of Funds; Carryover of Contributions.
2.03.010	Election Campaigns, Voluntary Expenditure Ceiling.	2.03.090	Campaign and Candidate Accounting Methods.
2.03.020	Definitions.	2.03.100	Base Level of Campaign Disclosure Statements.
2.03.030	Candidate and Committee Status; Duration.	2.03.110	Online Electronic Disclosure of Campaign Statements and Late Contributions and Expenditures.
2.03.040	Duty to Have Campaign Treasurer; Authority of Treasurer.	2.03.120	Public Disclaimers on Campaign Communications.
2.03.050	Campaign Contribution Checking Account for Controlled Committees.	2.03.130	Duties of the City Clerk.
2.03.060	Lawful Use of Campaign Funds by a Committee.	2.03.140	Enforcement – Duties, Complaints, Legal Action, Investigatory Powers.
2.03.070	Campaign Disbursements by Check Only; Petty Cash Fund.		

2.03.001 Citation.

This Chapter shall be cited and known as the Santa Barbara Municipal Election Disclosure Ordinance. (Ord. 5423, 2007.)

2.03.010 Election Campaigns, Voluntary Expenditure Ceiling.

A. Pursuant to Government Code Section 85400(c), a voluntary expenditure ceiling is established for each candidate for each election to City elective office in the amount of fifty thousand (\$50,000) dollars.

B. Prior to accepting any contributions, each candidate for City elective office shall file with the City Clerk a statement of acceptance or rejection of the voluntary expenditure ceiling established herein.

C. No candidate for City elective office who accepts the voluntary expenditure ceiling established herein and no controlled campaign committee of such a candidate shall make campaign expenditures in excess of the voluntary expenditure ceiling established herein.

D. Each candidate who rejects the voluntary expenditure ceiling established by this Chapter shall be subject to the contribution limit set forth in Government Code Section 85301, as the same may be amended from time to time.

E. Each candidate who accepts the voluntary expenditure ceiling established in this section shall be subject to the contribution limit set forth in Government Code Section 85402, and not the contribution limit set forth in Government Code Section 85301, as either section may be amended from time to time. In addition, as to each such candidate, the City Clerk shall provide notification to voters that the candidate has accepted the voluntary expenditure ceiling established herein, as required by Government Code Section 85602 and applicable regulations adopted pursuant to that Section.

F. Except as provided herein, the provisions of the California Political Reform Act of 1974, the California Political Reform Act of 1996, Government Code Sections 81000, et seq., and applicable regulations adopted pursuant to such acts, as the same may be amended from time to time, shall govern the interpretation and application of this Chapter.

G. The penalties and remedies for violations of this Section shall be those set forth in the provisions of the California Political Reform Act of 1974, the California Political Reform Act of 1996, Government Code Sections 81000, et seq., and applicable regulations adopted pursuant to such acts. (Ord. 5006, 1997.)

2.03.020 Definitions.

Unless otherwise defined in this section, or the contrary is stated or clearly appears from the context, the definitions of the Political Reform Act of 1974 (Government Code sections 81000 et seq.) and the definitions contained in the regulations adopted by the Fair Political Practices Commission shall govern the interpretation of this Chapter.

A. Agent. A person who acts on behalf or at the behest of any other person.

B. Assistant Treasurer. An individual designated by a committee to have the duties, responsibilities, and obligations of a treasurer as described in title 2, section 118426.1 of the California Code of Regulations.

C. Candidate. An individual who:

1. is listed on the ballot for elective City office, or

2. a person who has begun to circulate nominating petitions or authorized others to do so on his or her behalf for nomination for or election to a City office; or

3. has received a contribution or made an expenditure or authorized another person to receive a contribution or make an expenditure, with the intent to bring about his or her nomination for or election to any elective City office; or

4. is a City officeholder who becomes the subject of a recall election. A City officeholder “becomes the subject of a recall election” when the earlier of the following occurs:

a. the date a notice of intention to circulate a recall petition is published pursuant to the recall provisions of the state Elections Code; or

b. the date a statement of organization for a committee to recall the officeholder is filed with the City Clerk or the Secretary of State pursuant to state and local law.

D. Citywide General Election Date. As established in the City Charter.

E. Committee. A person acting (or any combination of two or more persons acting jointly) to raise \$1,000 or more, or to make independent expenditures of \$1,000 or more, within a single calendar year, on behalf of or in opposition to a candidate. Committees include the following forms: 1. controlled committees, 2. primarily formed recipient committees, and 3. general purpose recipient committees.

F. Contribution. Generally as that term is defined in California Government Code section 82015 and subject to the inclusions and exceptions contained in Title 2, section 18215 of the California Code of Regulations, except as modified by the following provisions:

1. In the event of any conflict between the state law definition and the following provisions, the following provisions shall control:

a. A contribution includes any forgiveness of a debt or other obligation to pay for goods or services rendered, or reduction of the amount of a debt or other obligation to pay for goods or services rendered, unless it is clear from the circumstances that the amount of the reduction was reasonably based on a good faith dispute. A good faith dispute shall be presumed if the candidate or committee produces:

i. evidence that the candidate or committee protested the payment of a bill no later than 30 calendar days after the last calendar day of the month in which the goods were delivered or the services were rendered; and

ii. evidence that the protest was based on the quality or quantity of goods delivered or services rendered.

b. A contribution does not include an independent expenditure.

c. A contribution does not include a payment made for internal communications.

G. Controlled Committee. A committee controlled directly or indirectly by a candidate or that acts jointly with a candidate or controlled committee in connection with the making of expenditures. A candidate controls a committee if the candidate, the candidate’s agent or any other committee controlled by the candidate has a significant influence on the actions or decisions of the committee.

H. Elective City Office. The office of the Mayor or City Councilmember of the City of Santa Barbara.

I. Expenditure. A payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, unless it is clear from the circumstances that it is not made for political purposes. An expenditure is made on the date the payment is made or on the date consideration, if any, is received, whichever is earlier. An expenditure does not include a payment for internal communications, nor does it include costs incurred for communications advocating the nomination, election, or defeat of a candidate or the qualification, passage, or defeat of a measure by a federally regulated broadcast outlet or by a regularly published newspaper, magazine, or periodical of general circulation that routinely carries news, articles, or commentary of general interest.

J. General Purpose Recipient Committee. A person who receives contributions totaling \$1,000 or more during a calendar year to support or oppose more than one candidate for any public elective office. This type of committee is not controlled by a candidate.

K. Independent Expenditure. An expenditure made by any person in connection with a communication that does any of the following:

1. expressly supports or opposes the nomination, election, defeat, or recall of a clearly identified candidate; or

2. taken as a whole and in context, urges a particular result in an election for the office of Mayor or the office of City Council.

An expenditure that is made to or at the behest of a candidate or a controlled committee is not an independent expenditure.

L. Internal Communication. Any communication directed solely to members, employees, or shareholders of an organization, including communications to members of any political party, for the purpose of supporting or opposing a candidate or candidates for elective City office, specifically not to include communication activities used in connection with broadcasting, newspaper, billboard or similar type of general public communication. The meaning of internal communication is intended to be consistent with the definitions contained in California Government Code section 85312 and title 2, section 18531.7 of the California Code of Regulations. Any amendments made to these authorities shall be deemed to be an amendment to the language of this definition.

M. Payment. A payment, reimbursement, distribution, transfer, loan, advance, deposit, gift, or other rendering of money, property, services or any other thing of value, whether tangible or intangible.

N. Person. An individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, labor union, or any other organization or group of persons acting in concert.

O. "Political Purpose." The purpose of influencing or attempting to influence the action of the voters for or against the nomination, election, defeat, or recall of any candidate or elected City officer.

P. Primarily Formed Recipient Committee. A person, entity, or organization that receives contributions totaling \$1,000 or more during a calendar year to support or oppose a single candidate for a City election. This type of committee is not controlled by a Candidate.

Q. Shared Management. An organizational structure in which there is common management and control of two or more general purpose recipient committees. In determining whether there is common management and control, consideration shall be given to the following factors:

1. The same person or substantially the same person manages the operation of the different general purpose recipient committees;

2. There are common or commingled funds or assets;

3. The general purpose recipient committees share the use of the same offices or employees, or otherwise share activities, resources, or personnel on a regular basis;

4. There is otherwise a regular and close working relationship between the general purpose recipient committees.

R. Sponsor of a Committee. A person, except a candidate, to whom any of the following applies:

1. The committee receives 80 percent or more of its contributions either from the person or from the person's members, officers, employees or shareholders;

2. The person collects contributions for the committee by use of payroll deductions or dues from its members, officers, or employees;

3. The person provides, alone or in combination with other organizations, all or nearly all of the administrative services for the committee; or

4. The person sets, alone or in combination with other organizations, the policies for soliciting contributions or making expenditures of committee funds.

S. Sponsored Committee. A committee, other than a controlled committee, which has one or more sponsors. (Ord. 5423, 2007.)

2.03.030 Candidate and Committee Status; Duration.

A. Candidate Status. For purposes of this Chapter, an individual who is a Candidate retains the status of Candidate until that status is terminated pursuant to California Government Code section 84214.

B. Committee Status. For purposes of this Chapter, a Committee retains the status of Committee until that status is terminated pursuant to California Government Code section 84214. (Ord. 5423, 2007.)

2.03.040 Duty to Have Campaign Treasurer; Authority of Treasurer.

A. Duty of Campaign Treasurer. Every Candidate and every Committee shall have a Treasurer. A Candidate may designate himself or herself as Treasurer. A Committee may designate an Assistant Treasurer to perform the duties and responsibilities of the Treasurer in the event of a temporary vacancy in the office of the Treasurer or in the event the Treasurer is unavailable. Only an individual may be designated as a Treasurer or Assistant Treasurer.

B. Authority of Campaign Treasurer. It is unlawful for any expenditure to be made by or on behalf of a Committee without the express authorization of the Treasurer of that Committee. It is unlawful for any contribution to be accepted by a Committee or any expenditure to be made on behalf of a Committee at a time when the office of the Treasurer is vacant. (Ord. 5423, 2007.)

2.03.050 Campaign Contribution Checking Account for Controlled Committees.

A. Checking Account. Every Controlled Committee that accepts contributions shall establish one Campaign Contribution checking account at an office of a bank or other financial institution providing checking account services located in the City of Santa Barbara. The Committee shall comply with the following in connection with the Campaign checking account:

1. Upon opening of an account, the name of the bank or other financial institution and account number thereof shall be filed with the City Clerk on the same forms and in the time and manner required by California Government Code section 81000 et seq.

2. All contributions of money or checks, or anything of value converted by such controlled committee to money or a check, shall be placed in the controlled committee's checking account within thirty business days, except that no contribution shall be deposited to a campaign contribution checking account without the receipt by the controlled committee of all information required by California Government Code section 84211. Any information that has not been provided shall be requested, in writing, by the campaign treasurer within ten business days of receipt of the money or check.

3. Any contribution not deposited within thirty business days shall be returned to the contributor as soon as possible after the thirtieth business day, but no later than thirty-five business days of receipt of the money or check. (Ord. 5423, 2007.)

2.03.060 Lawful Use of Campaign Funds by a Committee.

Uses of campaign funds held by any Committee formed in accordance with this Chapter shall be governed by title 9, chapter 9.5, article 4 of the California Government Code, commencing with section 89510. It is unlawful to use Campaign funds in any manner that would violate these provisions of the California Government Code. (Ord. 5423, 2007.)

2.03.070 Campaign Disbursements by Check Only; Petty Cash Fund.

A. Use of Checks. It is unlawful for any funds to be disbursed from a Controlled Committee's campaign contribution checking account unless such disbursement is done by check signed by the candidate, the candidate's campaign treasurer, assistant treasurer, or other designated agent of the campaign treasurer.

B. Petty Cash Fund. A petty cash fund may be established for each Controlled Committee checking account under the following conditions:

1. No more than \$100 may be held in the petty cash fund at any one time.
2. No expenditure that totals \$100 or more may be made from the petty cash fund.
3. Expenditures from a petty cash fund are deemed to be expenditures from the campaign checking account. (Ord. 5423, 2007.)

2.03.080 Transfers of Funds; Carryover of Contributions.

A. Transfers Generally. A candidate may transfer campaign funds from one controlled committee to a controlled committee for elective City office of the same candidate. Contributions transferred shall be attributed to specific contributors using a "last in, first out" or "first in, first out" accounting method.

B. Carryover of Contributions. Notwithstanding subsection A of this section, a candidate for elective City office may carry over contributions raised in connection with one election for elective City office to pay campaign expenditures incurred in connection with a subsequent election for the same elective City office.

C. Consistency with State Regulations. It is the intent of this section that transfers and carryovers of a candidate's campaign funds be consistent with the provisions of law set forth in title 2, sections 18536 and 18537.1 of the California Code of Regulations. (Ord. 5423, 2007.)

2.03.090 Campaign and Candidate Accounting Methods.

A. Required Accounting Records. In addition to any other requirements of this Chapter, every candidate or committee that accepts contributions for a City election shall maintain a record of each of the following:

1. any contribution received by the candidate or committee and deposited into the campaign contribution checking account; and
2. any disbursement made from the campaign contribution checking account.

B. Specific Records Required. The records required by subsection A above shall include, but not be limited to, all of the following:

1. the name and address of the contributor; and
2. the amount of the contribution, and the date on which it was received or offered; and
3. if the contribution is made by check, a legible photocopy of the check; and
4. if the contribution offered or received consists of cash, an indication that cash was offered or received, and a legible photocopy of the bank deposit slip indicating that the cash contribution was deposited into the campaign contribution checking account; and
5. legible photocopies or originals of all bank records pertaining to the campaign contribution checking account; and
6. if a contribution is made by the candidate to his or her own campaign, a statement disclosing the source of the funds; and
7. if a contribution is of something other than money, a description of what was contributed, a reasonable good faith estimate of the monetary value of the contribution, and the basis for the estimate; and
8. for each disbursement made from or check drawn on the campaign contribution checking account, the canceled check, the bank statement showing the disbursement, the name of the payee of each check, itemized record of the goods or services for which each check is issued or disbursement made, and legible photocopies or originals of any invoices, bills, or other supporting document for which funds were disbursed.

C. Records Retention Period. The records required by this section shall be kept by the candidate or committee treasurer for a period of four years following the date that the campaign statement to which they relate is filed.

D. Official Access to Records. Each candidate and committee shall deliver, on demand, to any public officer having authority to enforce this Chapter, a written authorization permitting the officer to have access to all records pertaining to the campaign contribution checking account.

E. Delivery of Records. Each candidate and committee shall, on demand, make available to any public officer having authority to enforce this Chapter all records required by this Chapter to be maintained by the candidate or committee. (Ord. 5423, 2007.)

2.03.100 Base Level of Campaign Disclosure Statements.

Each candidate and committee shall file campaign statements at the time and in the manner required by California Government Code section 81000 et seq. and Title 2 of the California Code of Regulations, and shall comply with the following additional local disclosure and disclosure filing requirements:

A. Additional Pre-Election Campaign Statements. In addition to the campaign statements to be filed pursuant to the Political Reform Act, as amended, candidates for City elective office, their controlled committees and committees primarily formed to support or oppose these candidates shall file a pre-election statement on the Friday before a City election, whether general or special. This statement shall have a closing date of midnight on the Wednesday before the election and shall cover activity and payments occurring through that day.

B. Contributors Listed in Alphabetical Order. All candidate and committee campaign disclosure statements that are generated from the output of a computer software program shall be generated with the names of all contributors listed in alphabetical order by last name. Treasurers for any committee that files handwritten campaign disclosure statements shall make reasonable good faith efforts to list the names of all contributors in alphabetical order by last name.

C. Attribution to Contributor After the Fact. A general purpose recipient committee attributing contributions totaling \$100 or more to the same individual for purposes of supporting or opposing a candidate in an election shall, within three months of the attribution, separately disclose such contributions on a campaign statement filed with the City Clerk by supplying all identifying information regarding the contributor, reporting the date of the attribution as the "date received," showing the amount attributed to the individual at that time, identifying the applicable candidate and election for which the attribution was made, and indicating that the contribution is being re-reported per Santa Barbara Municipal Code section 2.03.090.

D. Supplemental Filing. A general purpose recipient committee that submits all of the information required by subsection (C) in a supplemental document attached to a campaign statement filed with the City Clerk will be deemed to have complied with the provisions of subsection (C).

E. Reporting of Internal Communications. Any payment made by a political party for internal communications to its members who are registered with that party, and that would otherwise qualify as a contribution or expenditure, shall be reported on that political party's campaign disclosure statement in a manner that identifies the payment as an "internal communication."

F. Manner of Reporting Contributions. Contributions shall be reported in a manner consistent with the provisions of Title 2, section 18421.1 of the California Code of Regulations, except that a monetary contribution is deemed to have been made or received only after a candidate or committee obtains:

1. possession or control of the check or other negotiable instrument by which the contribution is made, and
2. possession of all of the information required by California Government Code section 84211.

G. Sponsor Reporting. Sponsors and sponsored committees participating in City elections are subject to the reporting obligations set forth in title 2, section 18419 of the California Code of Regulations.

H. Mandatory Reporting Obligation. It is unlawful to fail to comply with the disclosure requirements of California Government Code section 81000 et seq., the disclosure requirements of Title 2 of the California Code of Regulations, and the additional local disclosure requirements of this Chapter. (Ord. 5423, 2007.)

2.03.110 Online Electronic Disclosure of Campaign Statements and Late Contributions and Expenditures.

A. Online Reporting of Campaign Statements. Each Candidate and Committee that has received contributions or made expenditures of \$5,000 or more in connection with a City election shall use the electronic filing and disclosure system established by the City Clerk's Office in order to file online copies of each campaign disclosure statement required by section 2.03.090 on the date such reports are due in accordance with the state Political Reform Act and, as to the additional local filing, by the local filing date. Once a Candidate or Committee is required to file campaign disclosure statements online, that Candidate or Committee shall continue to file statements online until the Committee has officially terminated in accordance with this Chapter. The information contained on a campaign statement filed online shall be the same as that contained on the paper copy of the same statement that is filed with the City Clerk.

Online filings shall be made in accordance with requirements (in the manner established) of regulations adopted by the City Clerk for the City's electronic campaign disclosure filing system created and maintained by the City Clerk for these purposes.

B. Voluntary Online Reporting. Any Candidate or Committee not required to file online pursuant to section (A) hereof may do so voluntarily.

C. Standard (Paper Copy) Reporting. All candidates and committees required to file their campaign statements online shall also continue to file a paper copy of each campaign statement, as required by the California Political Reform Act and this Chapter, until such candidates and committees are no longer required to file campaign statements with the City Clerk. The paper copy shall continue to be the original campaign statement for audit and other legal purposes.

D. Late Contribution Reporting – Online Disclosure. A contribution of five hundred dollars (\$500) or more in the aggregate received from one (1) source after the closing date for filing for the last pre-election disclosure reporting period provided for in the Political Reform Act (and Title 2 of the California Code of Regulations) shall be reported online to the City Clerk’s Office on the appropriate City form within twenty-four (24) hours of the receipt of the contribution by electronic filing with the Clerk’s Office.

The recipient of the contribution shall also report the full name of the contributor, his or her street address, city, state, zip code, occupation (or profession), and the name of his or her employer, or if self-employed, the name of the business employing the contributor. The contribution shall also be included on the next report required to be filed under the Political Reform Act.

E. Late Independent Expenditures Reports. A committee (other than a controlled committee) that makes an independent expenditure of five hundred dollars (\$500) or more after the closing date for filing for the last pre-election disclosure reporting period provided for in the Political Reform Act (and Title 2 of the California Code of Regulations) shall be reported online to the City Clerk’s Office on the appropriate City form within twenty-four (24) hours of the making of the expenditure by electronic filing with the Clerk’s Office.

The expenditure shall be itemized by name, street address, city, state, zip code, the political purpose, the candidate or ballot measure opposed or supported, and the amount of the expenditure. This information shall also be included on the next report filed under the Political Reform Act.

F. Late Filing Penalties. In addition to any late filing penalties that may be imposed for the late filing of a paper copy pursuant to the California Political Reform Act or to other provisions of this Chapter, the person who fails to comply with the online filing requirement of this Section shall be subject to an additional late filing penalty of \$25 per day per applicable contribution or expenditure after the deadline for the filing of the online copy. (Ord. 5423, 2007.)

2.03.120 Public Disclaimers on Campaign Communications.

A. Base Disclaimer. Any candidate or committee that pays for a campaign communication shall print, display or incorporate the following words anywhere within the communication:

“Paid for by” immediately followed by the name, address and city of that candidate or committee.

If the sender of a mass mailing campaign communication is a controlled committee, the name of the person controlling the committee shall also be included. If an acronym is used to specify a committee name, the full name of any sponsoring organization of the committee shall be included in the campaign communication disclaimer required by this section.

B. Additional Requirements For Campaign Communications Funded By Independent Expenditures.

1. Independent Communications. Campaign communications funded by an independent expenditure supporting or opposing City candidates shall include the phrase “Not authorized by a City candidate,” and shall also include the name of any contributor of \$2,000 or more to a committee funding the independent expenditure in the six months prior to the date of that payment in the phrase “Major Funding Provided By [Name of Contributor(s)].” Payments of \$2,000 or more that are earmarked for any other candidate or ballot measure outside of the City of Santa Barbara need not be disclosed.

2. Disclosing Contributors. Campaign communications funded by an independent expenditure supporting or opposing City measures shall include the name of any contributor of \$2,000 or more to a committee funding the independent expenditure in the six months prior to the date of that payment in the phrase “Major Funding Provided by [Name of Contributor(s)].” Payments of \$2,000 or more that are earmarked for any other candidate or ballot measure outside of the City of Santa Barbara need not be disclosed.

C. Printing and Statement Requirements. The disclosures required by this section shall be presented in a clear and conspicuous manner to give the reader, observer or listener adequate notice, as specified below:

1. For printed campaign communications that measure no more than twenty-four inches by thirty-six inches, all disclosure statements required by this section shall be printed using a typeface that is easily legible to an average reader or viewer, but is not less than 12-point type in contrasting color to the background on which it appears. For oversize printed campaign communications, all disclosure statements shall constitute at least five percent of the height of the material and printed in contrasting color.

2. For video broadcasts including television, satellite and cable campaign communications, the information shall be both written and spoken either at the beginning or at the end of the communication, except that if the disclosure statement is written for at least five seconds of a broadcast of thirty seconds or less, or ten seconds of a sixty second broadcast, a spoken disclosure statement is not required. The written disclosure statement shall be of sufficient size to be readily legible to an average viewer and air for not less than four seconds.

3. For audio, telephone call, or radio advertisement campaign communications, the disclosures shall be spoken in a clearly audible manner at the same speed and volume as the rest of the telephone call or radio advertisement at the beginning or end of the communication and shall last at least three seconds. The requirement of Subsection A shall be satisfied by using the words “on behalf of” immediately followed by the name of the candidate or committee that pays for the communications.

D. Definition of Campaign Communications. For purposes of this section, “campaign communication” means any of the following items:

1. More than 200 substantially similar pieces of campaign literature distributed within a calendar month, including, but not limited to, mailers, flyers, facsimiles, pamphlets, door hangers, e-mails, campaign buttons 10 inches in diameter or larger, and bumper stickers 60 square inches or larger;
2. Posters, yard or street signs, billboards, supergraphic signs and similar items;
3. Television, cable, satellite and radio broadcasts;
4. Newspaper, magazine, internet website banners and similar advertisements;
5. 200 or more substantially similar live or recorded telephone calls made within a calendar month.

E. Exclusions. For purposes of this section, “campaign communication” does not include the following: small promotional items such as pens, pencils, clothing, mugs, potholders, skywriting or other items on which the statement required by this section cannot be reasonably printed or displayed in an easily legible typeface, or communications paid for by a newspaper, radio station, television station or other recognized news medium, and communications from an organization to its members, other than a communication from a political party to its members.

F. Requirement for Supplemental Information. Campaign communications must be amended when a new person qualifies as a disclosable contributor or when the committee's name changes. Broadcast advertisement disclosures must be amended within five calendar days after a new person qualifies as a disclosable contributor or a committee's name changes. A committee shall be deemed to have complied with this section if the amended advertisement is mailed, containing a request that the advertisement immediately be replaced, to all affected broadcast stations by overnight mail no later than the fifth day. For printed campaign communications and other material, disclosure information must be amended to reflect accurate disclosure information every time an order to reproduce the communication is placed.

G. Copies to City Clerk. Each candidate, and each committee making independent expenditures or member communications, who sends a mailing or distributes more than 200 substantially similar pieces of campaign literature, shall send a copy of the mailing or other literature to the City Clerk at the same time the mailing or other literature is given to the Post Office or otherwise distributed. During the election campaign, the Clerk’s Office shall merely serve as a repository for this literature and shall not judge or comment on the contents of the literature. (Ord. 5423, 2007.)

2.03.130 Duties of the City Clerk.

In addition to other duties required of the City Clerk under the terms of this Chapter, the City Clerk shall also be responsible for the following:

1. to supply appropriate forms and manuals prescribed by the state Fair Political Practices Commission. These forms and manuals shall be furnished to all candidates and committees, and to all other persons required to report.
2. to determine whether required documents have been filed and, if so, whether they conform on their face with the requirements of state law.
3. to report, at the City Clerk’s discretion, apparent violations of this Chapter and applicable state law to the Fair Political Practices Commission.
4. Compile and maintain a current list of all statements or parts of statements filed with the office pertaining to each candidate.
5. to develop a system of online campaign statement reporting, including regulations and public information necessary for its effectiveness and workability, and to make it accessible to those individuals obligated to utilize online reporting pursuant to this Chapter.
6. Cooperate and work with the City Attorney’s Office in the performance of the duties of the Clerk as prescribed in this Chapter and applicable state law. (Ord. 5423, 2007.)

2.03.140 Enforcement – Duties, Complaints, Legal Action, Investigatory Powers.

A. Filing of Complaints. Any person who believes that a violation of any portion of this Chapter has occurred may file a complaint with the City Clerk.

B. Investigatory Powers. The City Clerk, with the assistance of the City Attorney’s Office, shall have such investigative powers as are necessary for the performance of the duties prescribed in this Chapter. The Clerk may demand and shall be furnished records of campaign contributions and expenses at any time.

C. Administrative Enforcement. The City may elect to enforce the provisions of this Chapter administratively pursuant to Title One of the Municipal Code, or may otherwise recommend or refer enforcement actions to the City Attorney or other law enforcement agency with jurisdiction. (Ord. 5423, 2007.)

[This Chapter, as amended, became effective beginning with the election of November 4, 2008.]

Chapter 2.04

COUNCIL MEETINGS

Sections:

2.04.010	Regular Meeting Schedule.	2.04.070	Procedure.
2.04.020	Adjourned Meetings.	2.04.080	Ordinances, Resolutions and Contracts.
2.04.030	Special Meetings - Time - Mayor.	2.04.090	Charter Amendments - Preparation - Submission to Council.
2.04.040	Rules of Debate.		
2.04.050	Addressing the Council.		
2.04.060	Decorum.		

2.04.010 Regular Meeting Schedule.

Regular meetings of the City Council shall be held in the Council Chambers in the City Hall on each Tuesday of each week at a time set by resolution. (Ord. 4972, 1996; Ord. 3596 §1, 1973; Ord. 3368 §1, 1969; Ord. 3298 §1, 1968; Ord. 2755 §1, 1960; prior Code §2.1.)

2.04.020 Adjourned Meetings.

Any regular Council meeting may be adjourned to any day between the regular meetings commencing at such time as may be ordered, and such adjourned meetings shall be deemed as a continuance of the last preceding regular meeting. (Ord. 3899, 1977; prior Code §2.2.)

2.04.030 Special Meetings - Time - Mayor.

Special meetings may be held on any day, commencing at any hour and shall be called by the Mayor or four (4) members of the Council in the following manner:

When called by the Mayor or by four (4) members of the Council, the Mayor or four (4) members of the Council shall, by a written notice, require the City Clerk to issue under his hand and seal a written notice of the time of holding such meeting. Such notice must contain the subject to be discussed or acted upon at the special meeting. Such notices shall be personally served by the Police Department upon the Mayor, City Attorney, and each member of the Council, or left at the residence or place of business of such person not less than five (5) hours before such special meeting. (Ord. 3891 §1, 1977; Ord. 3248 §2, 1967; prior Code §2.3.)

2.04.040 Rules of Debate.

(a) Getting the floor. Every Councilmember desiring to speak shall first address the chair, gain recognition by the presiding officer, and shall confine himself to the question under debate, avoiding personalities and indecorous language.

(b) Questions to staff. Every Councilmember desiring to question the City staff shall, after recognition by the presiding officer, address his questions to the City Administrator, the City Clerk or the City Attorney, who shall be entitled to either answer the inquiry himself or to designate a member of his staff for that purpose.

(c) Interruptions. A Councilmember, once recognized, shall not be interrupted when speaking unless called to order by the presiding officer, unless a point of order or personal privilege is raised by another Councilmember, or unless the speaker chooses to yield to a question by Councilmember. If a Council-member, while speaking, is called to order, he shall cease speaking until the question of order is determined and, if determined to be in order, he may proceed. Members of the City staff after recognition by the presiding officer shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

(d) Point of personal privilege. The right of a Councilmember to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character or motives are questioned or where the welfare of the Council is concerned. A Councilmember raising a point of personal privilege may interrupt another Councilmember who has the floor only if the presiding officer recognizes the privilege.

(e) Privilege of closing debate. The Councilmember moving the adoption of an ordinance, resolution or motion shall have the privilege of closing debate.

(f) Limitation of debate. No Councilmember shall be allowed to speak more than once upon any particular subject until every other Councilmember desiring to do so shall have spoken. There shall be no debate or further discussion of the subject matter following order for roll call by the presiding officer.

(g) Remarks of Councilmember and synopsis of debate. A Councilmember may request through the presiding officer the privilege of having an abstract of his statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

(h) Except as provided by the City Charter, by ordinance, by other rules adopted by the Council or by applicable provisions of State law, the procedures of the Council shall be governed by Robert's Rules of Order, revised, Seventy-Fifth Anniversary Edition.

(i) Failure to observe rules of order. Rules adopted to expedite the transaction of the business of the Council in an orderly fashion are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the Council or invalidate any action taken at a meeting that is otherwise held in conformity with law. (Ord. 3363 §1, 1969.)

2.04.050 Addressing the Council.

(a) Manner of addressing the Council. Each person desiring to address the Council shall step up to the microphone in front of the rail, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons. All remarks shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Councilmember or a member of the City staff without the permission of the presiding officer.

(b) Limitation of discussion. In order to expedite matters and to avoid repetitious presentations, it shall be proper for the presiding officer to limit the number of persons addressing the Council on a given subject, and to also establish reasonable time limits for presentations.

(c) After motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so from the presiding officer. (Ord. 3363 §2, 1969.)

2.04.060 Decorum.

(a) Councilmembers. While the Council is in session, the members must preserve order and decorum, and a member shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the presiding officer. Members of the Council shall not leave their seats during a meeting without first obtaining the permission of the presiding officer.

(b) Persons addressing the Council. Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Council shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer be ordered barred from further audience before the Council or excluded from the Chambers for the duration of that meeting.

(c) Members of the audience. Any person in the audience who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling and similar demonstrations, which conduct disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the presiding officer, shall be, upon instructions from the presiding officer, removed from the Council Chambers by the sergeant-at-arms.

(d) Enforcement of decorum. The Chief of Police, or such member or members of the Police Department as he may designate, shall be sergeant-at-arms of the City Council and shall carry out all orders given by the presiding officer for the purpose of maintaining order and decorum at the Council meetings. Any Councilmember may move to require the presiding officer to enforce the rules and the affirmative vote of a majority of the Council shall require him to do so.

(e) Authorized persons within rail. No person except City officials, their representatives and news media representatives, shall be permitted within the rail in front of the Council Chambers, without the express consent of the Council. (Ord. 3363 §3, 1969.)

2.04.070 Procedure.

(a) Motions; second not required. A motion by any member of the Council, including the presiding officer, may be considered or discussed by the Council without receiving a second.

(b) Voting procedure. Any vote of the Council, including a roll call vote, may be registered by the members by answering "Yes" for an affirmative vote or "No" for a negative vote upon his name being called by the City Clerk.

(c) Disqualification for conflict of interest. Any Councilmember who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the presiding officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Councilmember affected, be decided by the other Councilmembers. A Councilmember who is disqualified by reason of a conflict of interest in any matter shall not remain in his seat during the debate and vote on such matter. A Councilmember stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

(d) Failure to vote. Every Councilmember should vote unless disqualified by reason of a conflict of interest. A Councilmember who abstains from voting in effect consents that a majority of the quorum may decide the question voted upon.

(e) Tie vote. Tie votes shall be lost motions.

(f) Changing vote. A member may change his vote only if he makes a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up.

(g) Reconsideration. A motion to reconsider any action taken by the Council may be made only at the meeting such action was taken or at the next regular meeting of the Council. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion may be made only by one (1) of the Councilmembers who voted with the prevailing side. Nothing herein shall be construed to prevent any Councilmember from making or remaking the same or any other motion at a subsequent meeting of the Council. (Ord. 3363 §4, 1969.)

2.04.080 Ordinances, Resolutions and Contracts.

(a) All ordinances shall be prepared for presentation to the City Council pursuant to the provisions of this chapter. All ordinances shall be prepared by the City Attorney.

(b) All ordinances, resolutions, and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney and shall have been examined and approved for administration by the City Administrator, subject to any time limit imposed by this Code.

(c) At the time of introduction or adoption of an ordinance or a resolution, it shall be read in full, unless after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the Councilmembers present. Such consent may be expressed by a statement by the presiding officer to the effect that if there is no objection, the further reading of the ordinance or resolution shall be waived. All emergency ordinances must be read in full. (Ord. 3533 §1, 1972; Ord. 3363 §5, 1969.)

2.04.090 Charter Amendments - Preparation - Submission to Council.

The Mayor or any member of the City Council may request the City Attorney to prepare a Charter amendment for submission to the vote of the electors. Such Charter amendment, when prepared by the City Attorney, shall be reviewed by the person or persons requesting the same, and shall thereupon be circulated to all members of the City Council, and shall not be introduced as a measure earlier than two (2) weeks following its submission to the City Council. (Ord. 3476 §1, 1971.)

Chapter 2.05

ORDINANCE COMMITTEE

Sections:

2.05.010	Ordinance Committee Established.	2.05.070	Reference to City Attorney for Drafting.
2.05.020	Appointment and Term of Office.	2.05.080	Reference to City Administrator and Further Action by Committee.
2.05.030	Function of the Committee.	2.05.090	Time Limit for Consideration by Committee.
2.05.040	Public Meetings.		
2.05.050	Exempt Ordinances.		
2.05.060	Presentation of Ordinance Concepts to Ordinance Committee.		

2.05.010 Ordinance Committee Established.

A standing Ordinance Committee composed of three (3) members of the City Council is established. (Ord. 3533 §2(part), 1972.)

2.05.020 Appointment and Term of Office.

The members of the Ordinance Committee shall be appointed by the City Council for such term and according to procedures provided, from time to time, by resolution of the City Council. The City Council shall designate one (1) of its members as the chairperson of said Committee. (Ord. 4888, 1994; Ord. 4044, 1980; Ord. 3964 §1, 1978; Ord. 3752, 1975; Ord. 3533 §2, 1972.)

2.05.030 Function of the Committee.

Subject to the provisions hereinafter set forth, the Ordinance Committee shall initiate the drafting of all ordinances adding, amending or repealing sections of the Municipal Code of the City. (Ord. 3533 §2(part), 1972.)

2.05.040 Public Meetings.

Meetings of the Ordinance Committee shall be noticed and publicly held. Nevertheless, as it is composed of less than a quorum of the City Council, that exemption from the above stated rule set forth in Government Code Section 54952.3 may be invoked by a majority vote of the Committee at any time. (Ord. 3533 §2(part), 1972.)

2.05.050 Exempt Ordinances.

The following categories of ordinances shall be exempt from the provisions of this chapter, and shall be introduced as ordered by the City Council without reference to the Ordinance Committee:

- (a) Ordinances calling or otherwise relating to an election;
- (b) Improvement proceeding ordinances adopted under some special law or procedural ordinance relating thereto;
- (c) Ordinances declaring the amount of money necessary to be raised by taxation, or fixing the rate of property taxation, or levying the annual tax upon property;
- (d) Emergency ordinances, as defined in the City Charter;
- (e) Ordinances approving the sale, transfer, disposition or encumbrance of City land subject to referendum;
- (f) Ordinances approving a contract or lease or extension thereof by which the City is bound for a longer period than five (5) years and subject to referendum;
- (g) Ordinances awarding a franchise;
- (h) Ordinances approving the City's budget;
- (i) Ordinances establishing position control or salary scales or amounts;
- (j) Any ordinance which, in the opinion of the City Attorney, is ministerial in nature and not involving substantive revision or establishment of City legislation. (Ord. 3533 §2(part), 1972.)

2.05.060 Presentation of Ordinance Concepts to Ordinance Committee.

The Ordinance Committee shall consider for introduction of an ordinance those matters referred to it by a City Council member, the City Attorney, the City Administrator, or by one (1) or more members of the Ordinance Committee. (Ord. 3752, 1975.)

2.05.070 Reference to City Attorney for Drafting.

After consideration of material presented in support of or in opposition to a proposed ordinance, at a public meeting subject to public notice requirements of Government Code Sections 54950, et seq., the Ordinance Committee may forward the material to the City Attorney with a request that the latter draft in due form an ordinance expressing the substance of the legislation desired by the proponent thereof, as modified during study by the Ordinance Committee. (Ord. 3533 §2(part), 1972.)

2.05.080 Reference to City Administrator and Further Action by Committee.

The City Attorney shall draft the proposed ordinance as requested by the Committee and send copies to the City Administrator and to the Committee. The City Administrator shall review the proposed ordinance, and prepare and forward to the Committee written comments thereon. Upon receipt from the City Administrator of such review and comment, or if not received within thirty (30) days from the date of referral, the Ordinance Committee shall by majority vote determine to submit the subject ordinance with or without revision to the City Council, or shall determine to table the ordinance without submission. If to be submitted, the ordinance shall be introduced by a member of the Ordinance Committee at the next regular meeting of the City Council feasible to allow such final redrafting by the City Attorney as may be required. (Ord. 3533 §2(part), 1972.)

2.05.090 Time Limit for Consideration by Committee.

After a matter has been pending with the Ordinance Committee for a period of thirty (30) days, a member of the Ordinance Committee or three (3) members of the City Council at a regularly scheduled Council meeting may request that the proposed ordinance be passed out of Committee and brought before the Council as a whole for introduction. In that event, the City Attorney shall prepare the proposed ordinance for introduction at the next regularly scheduled Council meeting. (Ord. 3752, 1975; Ord. 3533 §2(part), 1972.)

THIS PAGE INTENTIONALLY LEFT BLANK

Chapter 2.08

BOARDS AND COMMISSIONS

Sections:

2.08.010 Authority.

2.08.020 Enumeration and Index.

2.08.010 Authority.

Pursuant to the authority granted the City Council in Section 800, Article VIII of the Santa Barbara City Charter, the City Council has created additional boards and commissions as in the Council's judgment are required. (Ord. 3904 §13, 1977; Ord. 3768 §1, 1975.)

2.08.020 Enumeration and Index.

A. BOARD OF AIRPORT COMMISSIONERS: The appointment of members and their function is delineated in Chapter 18.44 of the Santa Barbara Municipal Code and Section 812 of Article VIII of the City Charter.

B. ARCHITECTURAL BOARD OF REVIEW: The appointment of members and their function is delineated in Chapter 22.68 of the Santa Barbara Municipal Code and Section 814 of Article VIII of the City Charter.

C. BOARD OF CIVIL SERVICE COMMISSIONERS: The appointment of members and their function is delineated in Section 808 of Article VIII of the City Charter.

D. BOARD OF HARBOR COMMISSIONERS: The appointment of members and their function is delineated in Section 811 of Article VIII of the City Charter and Chapter 17.06 of the Santa Barbara Municipal Code.

E. LIBRARY BOARD: The appointment of members and their function is delineated in Section 807 of Article VIII of the City Charter.

F. PARKS AND RECREATION COMMISSION: The appointment of members and their function is delineated in Section 809 of Article VIII of the City Charter.

G. BOARD OF FIRE AND POLICE PENSION COMMISSIONERS: The appointment of members and their function is delineated in Section 815 of Article VIII of the City Charter.

H. PLANNING COMMISSION: The appointment of members and their function is delineated in Section 806 of Article VIII of the City Charter.

I. BOARD OF FIRE AND POLICE COMMISSIONERS: The appointment of members and their function is delineated in Section 816 of Article VIII of the City Charter.

J. BOARD OF WATER COMMISSIONERS: The appointment of members and their function is delineated in Section 813 of Article VIII of the City Charter. (Ord. 5512, 2010; Ord. 4272, 1984; Ord. 3904, §13, 1977; Ord. 3768, §1, 1975.)

Chapter 2.11

CITY DEPARTMENTS - GENERAL

Section:

2.11.010 Authority.

2.11.010 Authority.

Pursuant to the authority conferred by Section 702 of Article VII of the City Charter, the City Council may authorize and create additional administrative departments, divisions, offices and agencies within City government. The administrative departments, divisions, offices and agencies created are subject to the powers granted the City Council by Section 702 of Article VII of the City Charter. (Ord. 3741, 1975.)

Chapter 2.12

AIRPORT DEPARTMENT

Sections:

2.12.010 Created.

2.12.020 Organization of Department.

2.12.030 Duties of Director.

2.12.040 Function of Department.

2.12.050 Absence or Disability of Director.

2.12.010 Created.

An Airport Department is hereby created which shall be under the direction of the Airport Director, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 3919 §2, 1977.)

2.12.020 Organization of Department.

The Airport Director, subject to the approval of the City Administrator, shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department. (Ord. 3919 §2, 1977.)

2.12.030 Duties of Director.

The Airport Director shall be responsible for the supervision and control of all personnel, materials, and equipment assigned to the Department and for the performance of the functions of the Department, subject to the supervision of the City Administrator. (Ord. 3919 §2, 1977.)

2.12.040 Function of Department.

The function of the Department is the administration of matters pertaining to the Airport and any other functions assigned by the City Administrator. (Ord. 3919 §2, 1977.)

2.12.050 Absence or Disability of Director.

In the case of the temporary absence or disability of the Airport Director, a member of the Airport Department designated by the City Administrator, shall perform the duties and exercise the powers of the Airport Director. (Ord. 3919 §2, 1977.)

Chapter 2.13

COMMUNITY DEVELOPMENT DEPARTMENT

Sections:

2.13.010	Created.	2.13.060	Designation of Chief of Building and Zoning.
2.13.020	Organization of Department.	2.13.070	Planning Commission - Compensation.
2.13.030	Duties of Director.		
2.13.040	Function of Department.		
2.13.050	Absence or Disability of Director.		

2.13.010 Created.

A Community Development Department is hereby created which shall be under the direction of the Community Development Director, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 3749 §1, 1975.)

2.13.020 Organization of Department.

The Community Development Director, subject to the approval of the City Administrator, shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department. (Ord. 3749 §1, 1975.)

2.13.030 Duties of Director.

The Community Development Director shall be responsible for the supervision and control of all personnel, materials and equipment assigned to the Community Development Department and for the performance of the functions of the Department subject to the supervision of the City Administrator. (Ord. 3749 §1, 1975.)

2.13.040 Function of Department.

The function of the Department is the administration of matters pertaining to land use, planning, building, zoning, the environment, housing and redevelopment for the City, and any other functions assigned by the City Administrator. (Ord. 3749 §1, 1975.)

2.13.050 Absence or Disability of Director.

In the case of the temporary absence or disability of the Community Development Director, a member of the Community Development Department, designated by the City Administrator, shall perform the duties and exercise the powers of the Community Development Director. (Ord. 3749 §1, 1975.)

2.13.060 Designation of Chief of Building and Zoning.

The Community Development Director, subject to the approval of the City Administrator, shall designate himself or another person to act as the Chief of Building and Zoning and may authorize delegation in whole or in part the duties and responsibilities of that position. The Chief of Building and Zoning and his authorized designees shall act as the Building Official of the City, the Zoning Official or Zoning Administrator of the City and shall perform such other duties as assigned by the Director. Whenever in this Code the title of Director of Land Use Controls is used it shall mean the Chief of Building and Zoning. (Ord. 3939 §1, 1978.)

2.13.070 Planning Commission - Compensation.

Pursuant to Section 801 of the City Charter, a member of the Planning Commission may, upon the request of individual commissioners, receive compensation of \$50.00 for each meeting attended by that member including regular and special meetings. (Ord. 5160, 2000; Ord. 4602, 1989; Ord. 4470, 1987.)

Chapter 2.19

EMERGENCY SERVICES DEPARTMENT

Sections:

2.19.010 Created.

2.19.020 Organization of Department.

2.19.030 Duties of Director and Coordinator.

2.19.040 Function of Department.

2.19.010 Created.

An Emergency Services Department is hereby created which shall be under the direction of the Emergency Services Director, who shall be the City Administrator. (Ord. 3767, 1975.)

2.19.020 Organization of Department.

(a) The Emergency Services Director shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department.

(b) The Emergency Services Coordinator shall be responsible for day to day administration of the Department.

(c) The Emergency Services Council: the organization of the Council is delineated in Chapter 9.116 of Title 9 of the Santa Barbara Municipal Code. (Ord. 3767, 1975.)

2.19.030 Duties of Director and Coordinator.

The duties of the Director and Coordinator are delineated in Chapter 9.116 of Title 9 of the Santa Barbara Municipal Code. (Ord. 3767, 1975.)

2.19.040 Function of Department.

The function of the Emergency Services Department is delineated in Chapter 9.116 of Title 9 of the Santa Barbara Municipal Code. (Ord. 3767, 1975.)

Chapter 2.23

FINANCE DEPARTMENT

Sections:

2.23.010	Created.	2.23.040	Function of Department.
2.23.020	Organization of Department.	2.23.050	Absence or Disability of Director of Finance.
2.23.030	Duties of Director.		

2.23.010 Created.

A Finance Department is hereby created which shall be under the direction of the Director of Finance, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 3755 §2, 1975.)

2.23.020 Organization of Department.

The Director of Finance, subject to the approval of the City Administrator, shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department. (Ord. 3755 §2, 1975.)

2.23.030 Duties of Director.

The Director of Finance shall be responsible for the supervision and control of all personnel, materials and equipment assigned to the Finance Department and for the performance of the duties of the Director of the Department as delineated in Article 7, Section 706 of the City Charter, other duties prescribed by the Charter and such other duties consistent with the Charter. (Ord. 3755 §2, 1975.)

2.23.040 Function of Department.

The function of the Department is the administration of matters pertaining to accounting and reporting of fiscal affairs for the City in compliance with generally accepted municipal government accounting practices and procedures not inconsistent with the City Charter, and any other functions assigned by the City Administrator. (Ord. 3755 §2, 1975.)

2.23.050 Absence or Disability of Director of Finance.

In the case of the temporary absence or disability of the Director of Finance, a member of the Finance Department, designated by the City Administrator, shall perform the duties and exercise the powers of the Director of Finance. (Ord. 3755 §2, 1975.)

Chapter 2.25

FIRE DEPARTMENT

Sections:

2.25.010	Created.	2.25.040	Function of Department.
2.25.020	Organization of Department.	2.25.050	Absence or Disability of Chief.
2.25.030	Duties of Chief.		

2.25.010 Created.

A Fire Department is hereby created which shall be under the direction of a Fire Chief, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 3749, 1975.)

2.25.020 Organization of Department.

The Fire Chief, subject to the approval of the City Administrator, shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department. (Ord. 3749, 1975.)

2.25.030 Duties of Chief.

The Fire Chief shall be responsible for the supervision and control of all personnel, materials and equipment assigned to the Fire Department and for the performance of the functions of the Department subject to the supervision of the City Administrator. (Ord. 3749, 1975.)

2.25.040 Function of Department.

The function of the Department is the administration of matters pertaining to fire protection for the City and any other functions assigned by the City Administrator. (Ord. 3749, 1975.)

2.25.050 Absence or Disability of Chief.

In the case of temporary absence or disability of the Fire Chief, a member of the Fire Department, designated by the City Administrator, shall perform the duties and exercise the powers of the Fire Chief. (Ord. 3749, 1975.)

Chapter 2.26

WATERFRONT DEPARTMENT

Sections:

2.26.010	Created.	2.26.040	Function of Department.
2.26.020	Organization of Department.	2.26.050	Absence or Disability of Waterfront Director.
2.26.030	Duties of Waterfront Director.		

2.26.010 Created.

A Waterfront Department is hereby created which shall be under the direction of the Waterfront Director, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 4272, 1984; Ord. 4074, 1980; Ord. 3919 §3, 1977.)

2.26.020 Organization of Department.

The Waterfront Director, subject to the approval of the City Administrator, shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department. (Ord. 4272, 1984; Ord. 4074, 1980; Ord. 3919 §3, 1977.)

2.26.030 Duties of Waterfront Director.

The Waterfront Director shall be responsible for the supervision and control of all personnel, materials, and equipment assigned to the Department and for the performance of the functions of the Department, subject to the supervision of the City Administrator. (Ord. 4272, 1984; Ord. 4074, 1980; Ord. 3919 §3, 1977.)

2.26.040 Function of Department.

The function of the Department is the administration of matters pertaining to the Harbor, Stearns Wharf and the Waterfront parking lots and any other functions assigned by the City Administrator. (Ord. 4272, 1984; Ord. 3919 §3, 1977.)

2.26.050 Absence or Disability of Waterfront Director.

In the case of the temporary absence or disability of the Waterfront Director, a member of the Waterfront Department designated by the City Administrator, shall perform the duties and exercise the powers of the Waterfront Director. (Ord. 4272, 1984; Ord. 4074, 1980; Ord. 3919 §3, 1977.)

Chapter 2.28

LIBRARY DEPARTMENT

Sections:

2.28.010	Created.	2.28.040	Function of Department.
2.28.020	Organization of Department.	2.28.050	Absence or Disability of Director.
2.28.030	Duties of Director.		

2.28.010 Created.

A Library Department is hereby created which shall be under the direction of the Library Director, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 3919 §4, 1977.)

2.28.020 Organization of Department.

The Library Director, subject to the approval of the City Administrator shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department. (Ord. 3919 §4, 1977.)

2.28.030 Duties of Director.

The Library Director shall be responsible for the supervision and control of all personnel, materials, and equipment assigned to the Department and for the performance of the functions of the Department, subject to the supervision of the City Administrator. (Ord. 3919 §4, 1977.)

2.28.040 Function of Department.

The function of the Department is the administration of matters pertaining to the libraries, and any other functions assigned by the City Administrator. (Ord. 3919 §4, 1977.)

2.28.050 Absence or Disability of Director.

In the case of the temporary absence or disability of the Library Director, a member of the Library Department designated by the City Administrator, shall perform the duties and exercise the powers of the Library Director. (Ord. 3919 §4, 1977.)

Chapter 2.30

PARKS DEPARTMENT

Sections:

2.30.010	Created.	2.30.040	Function of Department.
2.30.020	Organization of Department.	2.30.050	Absence or Disability of Director.
2.30.030	Duties of Director.		

2.30.010 Created.

A Parks Department is hereby created which shall be under the direction of the Parks Director, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 3919 §5, 1977.)

2.30.020 Organization of Department.

The Parks Director, subject to the approval of the City Administrator, shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department. (Ord. 3919 §5, 1977.)

2.30.030 Duties of Director.

The Parks Director shall be responsible for the supervision and control of all personnel, materials, and equipment assigned to the Department and for the performance of the functions of the department, subject to the supervision of the City Administrator. (Ord. 3919 §5, 1977.)

2.30.040 Function of Department.

The function of the Department is the administration of matters pertaining to parks, and any other functions assigned by the City Administrator. (Ord. 3919 §5, 1977.)

2.30.050 Absence or Disability of Director.

In the case of the temporary absence or disability of the Parks Director, a member of the Parks Department designated by the City Administrator, shall perform the duties and exercise the powers of the Parks Director. (Ord. 3919 §5, 1977.)

Chapter 2.31

PERSONNEL DEPARTMENT

Sections:

2.31.010	Created.	2.31.040	Function of Department.
2.31.020	Organization of Department.	2.31.050	Absence or Disability of Director.
2.31.030	Duties of Director.		

2.31.010 Created.

A Personnel Department is hereby created which shall be under the direction of the Personnel Director, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 3755 §3, 1975.)

2.31.020 Organization of Department.

The Personnel Director, subject to the approval of the City Administrator, shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the function of the Department. (Ord. 3755 §3, 1975.)

2.31.030 Duties of Director.

The Personnel Director shall be responsible for the supervision and control of all personnel, materials and equipment assigned to the Department and for the performance of the functions of the Department subject to the supervision of the City Administrator. (Ord. 3755 §3, 1975.)

2.31.040 Function of Department.

The function of the Department is the administration of matters pertaining to the Civil Service System; labor relations; safety and loss control; the Affirmative Action Program; general personnel practices other than those relating to officers and employees directly appointed by the City Council, or assistants, deputies and employees appointed by those officers and employees directly appointed by the City Council; and any other functions assigned by the City Administrator. (Ord. 3755 §3, 1975.)

2.31.050 Absence or Disability of Director.

In the case of the temporary absence or disability of the Personnel Director, a member of the Personnel Department, designated by the City Administrator, shall perform the duties and exercise the powers of the Personnel Director. (Ord. 3755 §3, 1975.)

Chapter 2.33

POLICE DEPARTMENT

Sections:

2.33.010	Created.	2.33.040	Function of Department.
2.33.020	Organization of Department.	2.33.050	Absence or Disability of Chief.
2.33.030	Duties of Chief.		

2.33.010 Created.

A Police Department is hereby created which shall be under the direction of the Police Chief, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 3767, 1975.)

2.33.020 Organization of Department.

The Police Chief, subject to the approval of the City Administrator, shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department. (Ord. 3767, 1975.)

2.33.030 Duties of Chief.

The Police Chief shall be responsible for the supervision and control of all personnel, materials and equipment assigned to the Police Department and for the performance of the functions of the Department subject to the supervision of the City Administrator. (Ord. 3767, 1975.)

2.33.040 Function of Department.

The function of the Department is the administration of those police matters pertaining to public peace, safety and protection for the City. (Ord. 3767, 1975.)

2.33.050 Absence or Disability of Chief.

In the case of the temporary absence or disability of the Police Chief, a member of the Police Department, designated by the City Administrator, shall perform the duties and exercise the powers of the Police Chief. (Ord. 3767, 1975.)

Chapter 2.39

PUBLIC WORKS DEPARTMENT

Sections:

2.39.010	Created.	2.39.040	Function of Department.
2.39.020	Organization of Department.	2.39.050	Absence or Disability of Director.
2.39.030	Duties of Director.		

2.39.010 Created.

A Public Works Department is hereby created which shall be under the direction of the Public Works Director, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 3749, 1975.)

2.39.020 Organization of Department.

The Public Works Director, subject to the approval of the City Administrator, shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department. (Ord. 3749, 1975.)

2.39.030 Duties of Director.

The Public Works Director shall be responsible for the supervision and control of all personnel, materials and equipment assigned to the Public Works Department and for the performance of the functions of the Department subject to the supervision of the City Administrator. (Ord. 3749, 1975.)

2.39.040 Function of Department.

The function of the Public Works Department is the administration of the Water Department and matters pertaining to water resources, refuse collection, public streets and transportation, maintenance of City facilities, intra-city and engineering services, and any other functions assigned by the City Administrator. (Ord. 3749, 1975.)

2.39.050 Absence or Disability of Director.

In the case of the temporary absence or disability of the Public Works Director, a member of the Public Works Department, designated by the City Administrator, shall perform the duties and exercise the powers of the Public Works Director. (Ord. 3749, 1975.)

Chapter 2.40

RECREATION DEPARTMENT

Sections:

2.40.010	Created.	2.40.040	Function of Department.
2.40.020	Organization of Department.	2.40.050	Absence or Disability of Director.
2.40.030	Duties of Director.		

2.40.010 Created.

A Recreation Department is hereby created which shall be under the direction of the Recreation Director, who shall be appointed by the City Administrator upon approval of the City Council. (Ord. 3919 §6, 1977.)

2.40.020 Organization of Department.

The Recreation Director, subject to the approval of the City Administrator, shall organize and maintain such divisions in the Department as necessary to economically and efficiently carry out the functions of the Department. (Ord. 3919 §6, 1977.)

2.40.030 Duties of Director.

The Recreation Director shall be responsible for the supervision and control of all personnel, materials, and equipment assigned to the Department and for the performance of the functions of the Department, subject to the supervision of the City Administrator. (Ord. 3919 §6, 1977.)

2.40.040 Function of Department.

The function of the Department is the administration of matters pertaining to recreation, and any other functions assigned by the City Administrator. (Ord. 3919 §6, 1977.)

2.40.050 Absence or Disability of Director.

In the case of the temporary absence or disability of the Recreation Director, a member of the Recreation Department designated by the City Administrator, shall perform the duties and exercise the powers of the Recreation Director. (Ord. 3919 §6, 1977.)

THIS PAGE INTENTIONALLY LEFT BLANK