

## ORDINANCE NO. 2018-01

### ADDING A NEW CHAPTER 1-11 TO THE DANVILLE MUNICIPAL CODE RELATING TO ELECTRONIC FILING OF CAMPAIGN STATEMENTS AND STATEMENTS OF ECONOMIC INTERESTS

The Danville Town Council does ordain as follows:

#### **SECTION 1. FINDINGS.**

In enacting this ordinance, the Town Council makes the following findings:

1. Government Code Section 84615 allows local agencies, such as the Town of Danville, to adopt an ordinance requiring elected officers, candidates, committees or other persons required to file all campaign statements required by Government Code Section 84100 et seq. to be filed electronically with the local filing officer.
2. The Town has entered into a contract with SouthTech Systems, a vendor approved by the California Secretary of State, to provide an online electronic filing system ("System") for campaign disclosure statements and statements of economic interest forms.
3. As required by Government Code Section 84615(a), the Danville Town Council finds that the Town's proposed electronic filing system will operate securely and effectively and that its use will not unduly burden filers. Specifically: the System will ensure the integrity of the data and includes safeguards against efforts to tamper with, manipulate, alter, or subvert the data; the System will only accept a filing in the standardized record format developed by the Secretary of State and compatible with the Secretary of State's system for receiving an online or electronic filing; and the System will be available free of charge.
4. Effective January 1, 2018, all public officials required to file their Form 700 Statement of Economic Interests with the Fair Political Practices Commission (the "FPPC") by Government Code Section 87200 must do so electronically.
5. Pursuant to regulations of the FPPC, local agencies may require all local filers of the Form 700 Statement of Economic Interests to file electronically if the FPPC has approved the local agencies electronic filing system. The FPPC has approved the Town of Danville's system.

#### **SECTION 2. ADDING CHAPTER 1-11 OF THE DANVILLE MUNICIPAL CODE.**

Chapter 1-11 of the Danville Municipal Code is hereby added to read as follows:

**CHAPTER 1-11**  
**ELECTRONIC FILING OF CAMPAIGN AND ECONOMIC INTEREST STATEMENTS**

**1-11.1 Electronic Filing of Campaign Statements.**

Any elected officer, candidate, committee or other person required to file statements, reports or other documents required by Chapter 4 (commencing with Section 84100 of the Government Code), except an elected officer, candidate, committee or other person who receives contributions totaling less than one thousand dollars (\$1,000), or makes expenditures totaling less than one thousand dollars (\$1,000), in a calendar year shall file those statements, reports or other documents online or electronically with the City Clerk.

**1-11.2. Electronic Filing of Statements of Economic Interest.**

Any person holding a position listed in Government Code Section 87200 or designated in the Town's local conflict of interest code shall file their Statement of Economic Interest reports (FPPC Form 700) online or electronically.

**1-11.3. Use of Electronic Filing System.**

- (a) The Town's Electronic Filing System shall be implemented consistent with the provisions of Government Code Section 84615 and any applicable regulations adopted by the Fair Political Practices Commission.
- (b) In any instance in which an original statement, report or other document must be filed with the California Secretary of State and a copy of that statement, report or other document is required to be filed with the city clerk, the filer will be required to file electronically.
- (c) If the City Clerk's electronic system is not capable of accepting a particular type of statement, report or other document, an elected officer, candidate, committee or other person shall file that document with the City Clerk in an alternative format.

**SECTION 3. CODIFICATION.** Section 2 of this ordinance shall be codified in the Danville Municipal Code.

**SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The Danville Town Council hereby declares that they would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases was declared invalid.

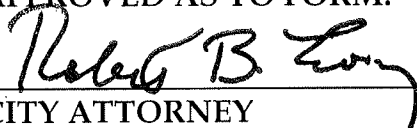
**SECTION 5. PUBLICATION AND EFFECTIVE DATE.** The City Clerk shall have a summary of this ordinance published twice in a newspaper of general circulation, once

within five (5) days before its adoption and once within 15 (fifteen) days after adoption. This ordinance shall become effective 30 days after adoption.

The foregoing Ordinance was introduced on December 19, 2017 and approved and adopted by the Danville Town Council at a regular meeting held on January 16, 2018, by the following vote:

**AYES:** Arnerich, Blackwell, Morgan, Stepper, Storer  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

  
\_\_\_\_\_  
MAYOR


**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
CITY ATTORNEY

**ATTEST:**  
  
\_\_\_\_\_  
CITY CLERK

CLERK'S CERTIFICATE

I, Marie Sunseri, City Clerk of the Town of Danville, hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2018-01 of said Town and that said ordinance was published according to law.

Dated: 1/24/18

  
\_\_\_\_\_  
City Clerk of the  
Town of Danville