

CITY CHARTER

ORIGINAL

Assembly Concurrent Resolution No. 20.

Adopted in Assembly March 22, 1929.

ARTHUR A. OHNIMIS
Chief Clerk of the Assembly

Adopted in Senate March 22, 1929.

J. A. REEL
Secretary of the Senate

This resolution was received by the Governor, this 5TH
day of APRIL A. D. 1929, at 4:00 o'clock P. M.

HAS. A. WHITMORE
Private Secretary of the Governor

CHAPTER 33

Assembly Concurrent Resolution No. 20—Relative to approving the charter of the city of Riverside, which was submitted to the qualified voters of said city and voted for and ratified by them at a special municipal election held on the fifteenth day of March, 1929.

WHEREAS, the city of Riverside, in the county of Riverside, State of California, now is and was at all times herein referred to, a city containing a population of more than three thousand five hundred inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States; and

WHEREAS, the said city of Riverside at all times mentioned herein was, and now is organized and existing under a freeholder's charter adopted under the provisions of section 8 of article eleven of the constitution of the State of California, which charter was duly adopted and ratified by a majority of qualified electors of the said city on the first day of March, 1907, and approved by the Legislature of the State of California on the fifth day of March, 1907; and

WHEREAS, proceedings having been had for the proposal, adoption and ratification of a new charter for said city of Riverside, as set out in the certificate of the mayor and city clerk of the said city of Riverside, to wit:

City of Riverside,
County of Riverside, } ss.
State of California.

We, the undersigned, Joseph S. Long, mayor of the city of Riverside, county of Riverside, State of California, and G. Albert Mills, city clerk of said city, do hereby certify and declare as follows:

That the city of Riverside, in the county of Riverside, State of California, now is and at all times herein referred to, was a city containing a population of more than three thousand five hundred inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States.

That said city of Riverside at all times mentioned herein was, and now is, organized and existing under a freeholder's charter adopted under the provisions of section 8 of article eleven of the constitution of the State of California, which charter was duly adopted and ratified by a majority of the qualified electors of said city on the first day of March, 1907, and approved by the Legislature of the State of California on the fifth day of March, 1907.

That, pursuant to the provisions of section 8 of article eleven of the constitution of the State of California, the common council of the said city of Riverside, said common council being the legislative body of said city, did by a two-thirds vote of all its members, pass an ordinance, calling a special municipal election to be held on Friday, the twenty-ninth day of June, 1928, for the purpose of choosing a board of fifteen freeholders, to frame, prepare and propose a new charter for the said city of Riverside; that at such election held on said day, a board of fifteen freeholders, duly qualified, was elected in and by said city, by the qualified electors thereof, which said board within one hundred twenty days after the result of said election was declared, to wit: on the thirtieth day of October, 1928, filed a request with the common council of said city for an extension of sixty days time in which to complete its work, which extension was duly authorized by the said common council, within which period the said board of freeholders did frame and prepare a proposed new charter for said city, and did on the twenty-seventh day of December, 1928, file in the office of said city clerk a proposed new charter for the government of the said city, and upon said charter designated the date of the special municipal election, to wit: the fifteenth day of March, 1929, as the date upon which, and the election at which, said charter should be submitted to the electors of said city for ratification, that said proposed charter and said designation for the date for the submission thereof to the electors for ratification were duly filed by a majority of the members of the said board of freeholders; that thereupon said mayor and common council duly caused said charter to be submitted to the electors of said city for ratification at the special municipal election held on the fifteenth day of March, 1929, and did, within fifteen days after the filing of said charter, cause the same to be published once, on the eleventh day of January, 1929, in The Riverside Enterprise, and once, on the eleventh day of January, 1929, in the Riverside Daily Press, newspapers of general circulation, printed and published in said city, and caused copies of said charter to be printed in a convenient pamphlet form, and until the date fixed for the election upon such charter, advertised in said newspapers, a notice that such copies of said charter could be had at the office of the city clerk upon application thereof; that at the said election, duly and regularly held on said fifteenth day of March, 1929, a majority of qualified electors, voting thereon, voted in favor of such proposed charter, and the common council of the city of Riverside, county of Riverside, State of California, at a meeting held in the manner required by law, duly canvassed the returns of said election, and duly found, determined and declared that a majority of the said electors voting thereon, had voted for and ratified

said charter; that said charter, after the same was prepared, proposed and ratified as herein set forth, is as follows, to wit:

CHARTER OF THE CITY OF RIVERSIDE.

ARTICLE I.

General Powers of the City.

Section 1. The municipal corporation now existing, known as the city of Riverside, in the county of Riverside, State of California, shall remain and continue a body politic and corporate in name and in fact by the name of the city of Riverside and by that name shall have perpetual succession; may sue and be sued in all courts and places and in all proceedings whatever; shall have and use a common seal alterable at the pleasure of the said city; may purchase, lease, receive, hold and enjoy real and personal property and control and dispose of the same for the common benefit; may determine and declare what are public uses and when the necessity exists, of condemning property therefor; may receive bequests, gifts or donations of every kind of property, within or without said city, in fee simple or in trust for charitable or other lawful purposes, with full power to do and perform all acts and things necessary to carry out the purposes of such bequests, gifts or donations; and may do and perform all other acts necessary or incident to the exercise of the powers by this charter or otherwise granted to said city.

Sec. 2. The city of Riverside shall continue under this charter to have, hold and enjoy all property, rights of property, rights of action of every nature and description of the existing municipality and is hereby declared to be the successor of the same.

Sec. 3. To make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in this charter; provided, however, that nothing herein shall be construed to prevent or restrict the city from exercising or consenting to, and the city is hereby authorized to exercise, any and all rights, powers and privileges heretofore or hereafter granted or prescribed by general laws of the state.

ARTICLE II.

Boundaries and Wards of the City.

The boundaries of the city of Riverside shall be and remain as now fixed and established and are described as follows:

Section 4. Beginning at the northeast corner of section 13, township 2 south, range 5 west of San Bernardino base and meridian; thence westerly along the northerly line of said section 13 to the center line of La Cadena drive; thence south-

westerly along the center line of La Cadena drive to the northeasterly corner of lot 92, Southern California Colony Association lands as recorded in book 7 of maps, page 3, records of San Bernardino county, California; thence northwesterly along the northerly lines of lots 92, 93 and 94 said Southern California Colony Association lands to the north-west corner of lot 94, said corner being on and common with the center line of North Orange street; thence continuing along the north line of lot 94 said subdivision, produced northwesterly, to the northeast corner of lot 57, Alamo tract as recorded in book 9 of maps, page 5, records of Riverside county, California; thence on a bearing of north 60 degrees 57 minutes west along the northerly lines of lots 57, 34, 44, 43, and 42, said Alamo tract to the northwest corner of said lot 42, said point being on the southerly or left bank of the Santa Ana river; thence along the southerly or left bank of the Santa Ana river described as follows: South 32 degrees 48 minutes west 414.6 feet; thence south 35 degrees 58 minutes west 253.2 feet; thence south 32 degrees 33 minutes west 92.0 feet to the common corner of lots 42 and 41, said Alamo tract; thence south 32 degrees 33 minutes west 378.0 feet; thence south 13 degrees 09 minutes east 239.8 feet to the common corner of lots 41 and 27, said Alamo tract, said corner is also on the center line of Santa Ana street; thence along the westerly line of lot 27 bearing south 16 degrees 03 minutes west 145 feet; thence south 1 degree 42 minutes east 366.4 feet to the west line of lot 28, said Alamo tract; thence along the westerly line of lot 28 south 29 degrees 03 minutes west 114.0 feet; thence south 21 degrees 03 minutes west 255.9 feet; thence south 58 degrees 33 minutes west 570.9 feet to the common corners of lots 28 and 4, said Alamo tract; thence along the westerly line of lot 4, south 56 degrees 54 minutes west 793.81 feet; thence south 65 degrees 32 minutes west 235.0 feet; thence south 65 degrees 01 minutes west 341.1 feet; thence south 53 degrees 38 minutes west 168.0 feet to a point on the Pacific Electric Company's right of way; thence south 61 degrees 13 minutes west 60.2 feet to a point on Pacific Electric Company's track; thence continuing south 61 degrees 03 minutes west to a point on the southwest line of the Pacific Electric Company's right of way denoted as station 78+12.9 and being the most easterly corner of lot 2, amended map of Indian Hill tract as recorded in book 10 of maps, page 3, records of Riverside county, California; thence along the common lot line of lots 2 and J, said Indian Hill tract bearing south 81 degrees 19 minutes west a distance of 989.1 feet; thence south 23 degrees 47 minutes west 1471.9 feet to the common corner of lots J and 3, said Indian Hill tract; thence south 23 degrees 47 minutes west 3338 feet to the northeasterly corner of the Riverside Water

Company's land described in book 185 of deeds, page 110, records of Riverside county, California; thence south 74 degrees 18 minutes west 420.0 feet; thence at right angles to said line a distance of 420.0 feet to the southwesterly corner of said Riverside Water Company's land; thence in a direct line to the easterly corner of lot 6, Evans Rio Rancho as recorded in book 10 of maps, pages 52, 53 and 54, records of Riverside county, California, said point being on west property line of state highway; thence north 58 degrees 15 minutes west along said property line to the northerly corner of lot 6, said Evans Rio Rancho; thence south 39 degrees 38 minutes west to a point which is 2455.6 feet distant from the center line of said state highway; thence south 29 degrees 40 minutes west 3164.62 feet to the common corner of lots 6 and 12, said Evans Rio Rancho; thence south 25 degrees 00 minutes west 471.6 feet; thence south 18 degrees 52 minutes west 716.0 feet; thence south 74 degrees 09 minutes west 1425.0 feet to the common corner of lots 12 and 10, said Evans Rio Rancho; thence south 88 degrees 25 minutes west 270.9 feet to the common corner of lots 10, 9 and 11, said Evans Rio Rancho; thence southeasterly along the westerly line of said lot 10 on a bearing of south 45 degrees 53 minutes east 112.66 feet to the most northerly corner of lot 8, said Evans Rio Rancho; thence south 34 degrees 13 minutes west 49.41 feet; thence south 28 degrees 11 minutes west 114.0 feet; thence south 15 degrees 16 minutes west 779.0 feet; thence south 6 degrees 59 minutes east 159.0 feet; thence south 20 degrees 00 minutes east 336.0 feet; thence south 5 degrees 44 minutes east 581.15 feet to the most southerly corner of said lot 8, said Evans Rio Rancho; thence along the northerly line of addition number one to Grand Avenue tract as recorded in book 6 of maps, page 90, records of Riverside county, California, on a bearing of south 39 degrees 07 minutes west 106.5 feet; thence south 23 degrees 06 minutes west 451.5 feet; thence south 59 degrees 10 minutes west 407.41 feet to the northeast corner of Grand Avenue tract as recorded in book 6 of maps, page 77, records of Riverside county, California; thence south 76 degrees 66 minutes west 358.5 feet to the most northerly corner of said Grand Avenue tract and the most easterly corner of lot 2 Evans Rio Rancho as recorded in book 10 of maps, pages 52, 53 and 54, records of Riverside county, California; thence north 78 degrees 15 minutes west 5354.0 feet along the northerly line of said lot 2 to the north-east right of way line of the Union Pacific railroad; thence along said right of way line bearing north 44 degrees 52 minutes west 367.8 feet; thence crossing said railroad right of way on a bearing of south 17 degrees 48 minutes west 112.48 feet to the northerly corner of lot 1, said Evans Rio Rancho; thence continuing south 17 degrees 48 minutes west 145.0 feet; thence

south 0 degrees 04 minutes west 301.10 feet to the northeast corner of tract number three Riverview addition as recorded in book 7 of maps, page 5, records of Riverside county, California; thence along the northerly line of said Riverview addition north 89 degrees 57 minutes 15 seconds west 3286.12 feet to the northwest corner of tract 4 Riverview addition as recorded in book 7 of maps, page 6, records of Riverside county, California; thence south 0 degrees 32 minutes 45 seconds west 329.80 feet to a point on the westerly line of lot G, said tract 4 Riverview addition; thence north 89 degrees 35 minutes west to the northeast corner of lot 1 McClaskey tract as recorded in book 10 of maps, pages 36 and 37, records of Riverside county, California; thence continuing north 89 degrees 35 minutes west 630.2 feet to the northwest corner of lot 1, said McClaskey tract; thence south 0 degrees 30 minutes west 330 feet to northeast corner of lot 5, said McClaskey tract; thence north 89 degrees 33 minutes 30 seconds west 1320 feet to the northwest corner lot 6, said McClaskey tract; thence south 0 degrees 22 minutes west 330.2 feet to the northeast corner of lot 6A, said McClaskey tract; thence south 4 degrees 08 minutes west 1400.8 feet along the westerly lines of lots 6, 7 and 8, said McClaskey tract to the northwest corner of section 31 as shown on book 6 of maps, page 70, records of Riverside county, California; thence south 0 degrees 17½ minutes west to the east property line of North Van Buren street, said line also being the west line of township 2 south, range 5 west of San Bernardino base and meridian; thence south along said township line to the northerly line of block 34, Riverside Land and Irrigating Company, as recorded in book 1 of maps, page 70, records of San Bernardino county, California, produced easterly; thence westerly along said line, produced easterly and the northerly lines of block 34 and 35, said Riverside Land and Irrigating Company to the northwesterly corner of lot 10, said block 35; thence southeasterly along the southwesterly lines of lots 10 and 15, said block 35; thence in a direct line to the northwesterly corner of lot 2, block 36, said Riverside Land and Irrigating Company; thence southeasterly along the southwesterly lines of lots 2, 7, 10 and 15, said block 36; thence in a direct line to the northwesterly corner of lot 2, block 37, said Riverside Land and Irrigating Company; thence southeasterly along the southwesterly lines of lots 2, 7 and 10, said block 37 and said line, produced southeasterly to the center line of the Riverside Water Company canal; thence northeasterly along the center line of the said canal to the west line of township 2 south, range 5 west of San Bernardino base and meridian; thence southerly along the said west line to the southwest corner of lot 1, block 3, Arlington Heights, as recorded in book 11 of maps, pages 20 and 21, records of San Bernardino county, California,

said southwest corner being the southwest corner of section 19, township 3 south, range 5 west, San Bernardino base and meridian; thence easterly along the southerly lines of sections 19, 20, 21 and 22, said township and range, to the southeast corner of said section 22; thence northerly along the easterly line of said section 22 to the southwesterly corner of section 14, said township and range; thence easterly along the southerly line of sections 14 and 13, said township and range, to the southeast corner of section 13; thence northerly along the easterly line of sections 13, 12 and 1, said township and range, to the northeasterly corner of said township and range; thence continuing northerly along the easterly line of township 2 south, range 5 west to the point of beginning.

Sec. 5. The city of Riverside is hereby divided into seven wards, which shall be designated respectively the first ward, the second ward, the third ward, the fourth ward, the fifth ward, the sixth ward and the seventh ward, and are described as follows:

Ward No. 1.

Beginning at the northeasterly corner of section 13, township 2 south, range 5 west; thence westerly along the northerly line of said section 13 to the center line of La Cadena drive; thence southwesterly along the center line of La Cadena drive to the northeasterly corner of lot 92, Southern California Colony Association lands as recorded in book 7 of maps, page 3, records of San Bernardino county, California; thence northerly along the northerly lines of lots 92, 93 and 94, said Southern California Colony Association lands to the northwesterly corner of lot 94, said corner being on and common with the center line of North Orange street; thence continuing along the north line of lot 94, said subdivision, produced northwesterly, to the northeast corner of lot 57, Alamo tract, as recorded in book 9 of maps, page 5, records of Riverside county, California; thence on a bearing of north 60 degrees 57 minutes west along the northerly lines of lots 57, 34, 44, 43 and 42, said Alamo tract, to the northwest corner of said lot 42, said point being on the southerly or left bank of the Santa Ana river and also the westerly boundary of the city of Riverside; thence southerly along the westerly boundary of the city of Riverside to the center line of First street, produced westerly; thence easterly along the center line of First street, produced westerly and said center line to the center line of Walnut street; thence southerly along the center line of Walnut street to the center line of Fourth street; thence easterly along the center line of Fourth street to the center line of the Santa Fe railroad right of way; thence northeasterly along the center line of the Santa Fe railroad right of way to the easterly line of the city limits; thence northerly along the city limits to the point of beginning.

Ward No. 2.

Beginning at the center line of Eighth street and the center line of the Santa Fe railroad right of way; thence westerly along the center line of Eighth street to the center line of Orange street; thence southerly along the center line of Orange street to the center line of Tenth street; thence westerly along the center line of Tenth street to the center line of Pine street; thence northerly along the center line of Pine street to the center line of Fourth street; thence westerly along the center line of Fourth street and said center line, produced westerly, to the westerly boundary of the city of Riverside; thence southerly along westerly boundary of the city of Riverside to the center line of Garden street; thence easterly along the center line of Garden street to the center line of Tequesquite avenue; thence easterly along the center line of Tequesquite avenue to the center line of Brockton avenue; thence southerly along the center line of Brockton avenue to the southerly line of lot 156, Southern California Colony Association lands, as recorded in book 7 of maps, page 3, records of San Bernardino county, California; thence easterly along the southerly lines of lots 156, 155 and 154, said Southern California Colony Association lands to the center line of Magnolia avenue; thence southerly along the center line of Magnolia avenue to the center line of Terracina drive; thence easterly, southerly and easterly along the center line of Terracina drive (formerly North street) to the center line of Olivewood avenue; thence northerly along the center line of Olivewood avenue to the center line of North street; thence easterly along the center line of North street to the center line of the Riverside Water Company canal; thence northerly along the center line of the said canal to the center line of the Santa Fe railroad right of way (near Fourteenth street); thence northerly along the center line of the Santa Fe railroad right of way to the point of beginning.

Ward No. 3.

Beginning at the center line of Fourth street and the center line of the Santa Fe railroad right of way; thence westerly along the center line of Fourth street to the center line of Walnut street; thence northerly along the center line of Walnut street to the center line of First street; thence westerly along the center line of First street and said center line, produced westerly, to the westerly boundary of the city of Riverside; thence southerly along the westerly boundary of the city of Riverside to the center line of Fourth street, produced westerly; thence easterly along the center line of Fourth street, produced westerly and the said center line of Fourth street to the center line of Pine street; thence southerly along

the center line of Pine street to the center line of Tenth street; thence easterly along the center line of Tenth street to the center line of Orange street; thence northerly along the center line of Orange street to the center line of Eighth street; thence easterly along the center line of Eighth street to the center line of the Santa Fe railroad right of way; thence northerly along the center line of the Santa Fe railroad right of way to the point of beginning.

Ward No. 4.

Beginning at the intersection of the easterly city limits and the center of the Santa Fe railroad right of way; thence southerly along the center line of the Santa Fe railroad right of way to the center line of the Riverside Water Company canal (near Fourteenth street); thence southerly along the center line of the said canal to the center line of North street; thence easterly along the center lines of North street and Cridge street to the center line of High street; thence southerly along the center line of High street to the northerly line of section 36, township 2 south, range 5 west, San Bernardino base and meridian; thence easterly along the northerly line of said section 36 to the center line of Sedgwick avenue as shown in Castleman's addition as recorded in book 3 of maps, page 19, records of San Bernardino county, California; thence northerly along the center line of Sedgwick avenue to the center line of Pennsylvania avenue; thence easterly along the center line of Pennsylvania avenue to the easterly city limits; thence northerly along the easterly city limits to the point of beginning.

Ward No. 5.

Beginning at the intersection of Pennsylvania avenue and the easterly city limits; thence westerly along the center line of Pennsylvania avenue to the center line of Sedgwick avenue; thence southerly along the center line of Sedgwick avenue to the northerly line of section 36, township 2 south, range 5 west, San Bernardino base and meridian; thence westerly along the northerly line of said section 36 to the center line of High street, as shown in Castleman's addition as recorded in book 3 of maps, page 19, records of San Bernardino county, California; thence northerly along the center line of High street to the center line of Cridge street; thence westerly along the center lines of Cridge street and North street to the center line of Olivewood avenue; thence southwesterly along the center line of Olivewood avenue to the center line of Terracina drive (formerly North street); thence westerly, northerly and westerly along the center line of Terracina drive to the center line of New Magnolia avenue; thence northerly along the center line of New Magnolia avenue to the southerly line of

lot 154, Southern California Colony Association lands, as recorded in book 7 of maps, page 3, records of San Bernardino county, California; thence westerly along the southerly lines of lots 154, 155 and 156, said Southern California Colony Association lands, to the center line of Brockton avenue; thence southerly along the center line of Brockton avenue to the center line of Jurupa avenue; thence easterly along the center line of Jurupa avenue to the center line of New Magnolia avenue; thence southerly along the center line of New Magnolia avenue to the center line of Arlington avenue; thence easterly along the center line of Arlington avenue and the southerly line of township 2 south, range 5 west to the easterly city limits; thence northerly along the city limits to the point of beginning.

Ward No. 6.

Beginning at the northeasterly corner of township 3 south, range 5 west, San Bernardino base and meridian; thence westerly along the northerly line of said township to the northwesterly corner thereof; thence southerly along the westerly line of said township to the northerly line of block 34, Riverside Land and Irrigating Company, as recorded in book 1 of maps, page 70, records of San Bernardino county, California, produced easterly; thence westerly along the city limits to the northwesterly corner of lot 10, block 35, said Riverside Land and Irrigating Company; thence southerly along the city limits to the center line of the Riverside Water Company canal; thence northeasterly along the center line of the said canal to the westerly line of said township 3 south, range 5 west; thence southerly along the city limits to the southwest corner of lot 1, block 3, Arlington Heights, as recorded in book 11 of maps, pages 20 and 21, records of San Bernardino county, California, said point being the southwest corner of section 19, said township 3 south, range 5 west; thence easterly along the city limits to the southeasterly corner of section 22, said township 3 south, range 5 west; thence northerly along the city limits to the southwest corner of section 14, said township 3 south, range 5 west; thence easterly along the city limits to the southeast corner of section 13, said township 3 south, range 5 west; thence northerly along the city limits to the point of beginning.

Ward No. 7.

Beginning at the intersection of Tequesquite avenue and Brockton avenue; thence westerly along the center line of Tequesquite avenue to the center line of Garden street; thence westerly along the center line of Garden street to the westerly boundary of the city of Riverside; thence southwesterly and westerly along the westerly boundary of the city of Riverside

to the westerly line of township 2 south, range 5 west, San Bernardino base and meridian; thence southerly along the westerly city limits to the southwesterly corner of said township 2 south, range 5 west; thence easterly along the southerly line of said township (Arlington avenue) to the center line of New Magnolia avenue; thence northerly along the center line of New Magnolia avenue to the center line of Jurupa avenue; thence westerly along the center line of Jurupa avenue to the center line of Brockton avenue; thence northerly along the center line of Brockton avenue to the point of beginning.

Sec. 6. The boundaries of the said wards may at any time hereafter be changed by ordinance passed by the mayor and council; *provided*, that such change shall not be made more than once in every two years and shall be made at least ninety days before any general municipal election.

ARTICLE III.

Legislative Department.

CHAPTER 1.

The Council.

Section 7. The legislative power of the city is hereby vested in a mayor and council consisting of seven members. A member of the council must be at least 25 years of age and must have been a qualified elector of the city for three years and a resident of the ward from which he is elected for one year next preceding the day of his election, and in case any member of the council shall change his residence from the ward which he represents his office shall immediately become vacant and shall be filled as directed in this charter; *provided, however*, that in case the boundaries of any ward are changed, no member of the council whose residence is included within a different ward from that from which he was elected shall lose his office by reason of such change.

Sec. 8. Four members of the council shall constitute a quorum, but a less number may adjourn from time to time to compel the attendance of other members. No order, except to adjourn for a lack of quorum or to compel the attendance of a quorum, or to continue hearings set for that day, and no ordinance or resolution shall be valid unless it receives the affirmative vote of four councilmen.

Sec. 9. No ordinance for any purpose shall be passed by the council on the day of its introduction nor within five days thereafter nor at any other than a regular or an adjourned regular meeting. No resolution or order for the payment of money shall be passed at any other time than at a regular meeting or at an adjourned regular meeting.

Sec. 10. Ordinances and resolutions are the formal acts of the council reduced to writing and passed under legal restric-

tions governing action thereon. Orders embrace all other acts which being less formal in character, require only to be duly passed by the council and spread upon the minutes. No order, resolution or ordinance, except initiative, referendum, recall, election or tax ordinances, shall have any effect without the approval of the mayor. In the case of orders, the approval of the mayor shall be presumed, unless at the same meeting at which the order was passed, the mayor causes his disapproval with his reasons therefor to be spread upon the minutes.

All resolutions and ordinances after passage by the council must be submitted to the mayor who shall, within ten days after he has received the same, endorse his approval or disapproval thereon, giving the reason of his disapproval; *provided, however*, that if the mayor disapproves any order, as above provided, or if the mayor shall disapprove any resolution or ordinance, or fails to act on the same within a period of ten days, it may be passed by a vote of not less than six members of the council, and shall then be as valid as if approved by the mayor. Any written contract requiring the action of the council shall be subject to the approval of the mayor in the same manner as resolutions and ordinances.

Sec. 11. All ordinances shall be attested by the city clerk, and before taking effect, shall be published at least once in a newspaper published in said city, or posted on the bulletin board at the city hall.

Sec. 12. The council shall judge of the qualifications of its members and of all election returns and determine contested elections of all city officers. The council shall establish rules for the conduct of its proceedings and punish any member or other person for disorderly behavior at any meeting, and shall cause the city clerk to keep correct journal of all its proceedings and at the desire of any member of the council shall cause the ayes and noes to be taken by roll call on any question entered on the journal.

Sec. 13. All meetings of the council shall be public, except that the members thereof may meet in executive session for deliberation, and the council shall by ordinance fix the time and place of all regular meetings; *provided*, that at least one regular meeting shall be held each month. Adjournments may be taken from a regular meeting to a day certain and in such case the adjourned meeting shall be deemed an adjourned regular meeting.

Sec. 14. The mayor shall preside at all meetings of the council but shall not be entitled to vote, except in case of a tie, when he shall have the casting vote. The council shall choose one of their own members to preside in the absence of the mayor and who shall retain the right to vote upon all questions under consideration. The member thus chosen shall

be designated the president of the council. In case of vacancy, or if by reason of absence from the city, or sickness, or from any other cause, the mayor is unable, neglects, or refuses, to perform the duties of his office, the president of the council shall act as mayor pro tempore and shall have all powers and authorities which the mayor would have possessed if personally present and attending to such duties, but such mayor pro tempore shall not lose his vote as councilman.

Sec. 15. The enacting clause of all ordinances shall be as follows: "The mayor and council of the city of Riverside do ordain as follows:"

CHAPTER 2.

Powers of the Council.

General Corporate and Governmental Powers.

Section 16. The mayor and council of said city shall have power:

1. To pass ordinances, not in conflict with the constitution of this state or of the United States or the provisions of this charter;

2. To purchase, lease or receive such real and personal property within and without the limits of said city as may be necessary or proper for municipal purposes, and to operate, lease, control, dispose of and convey the same for the benefit of the city;

3. To erect and maintain buildings for municipal purposes; to appoint an art commission of five members who shall have such powers and duties as may be designated by ordinance;

4. To exercise the right of eminent domain for the purpose of acquiring real and personal property of every kind, including water, water rights and water works, within or without the city limits, necessary or convenient for the use of the said city or its inhabitants.

5. To establish and maintain police and fire departments;

6. To provide a seal for the city of Riverside, and for such officers and departments as may require the same;

7. To provide for the holding of municipal elections, prescribe and give notice thereof, establish and alter election precincts as provided for in this charter, and appoint necessary election officers;

8. To provide for supplying the city with electricity, gas and water for resale and municipal purposes, together with the necessary generating, manufacturing and distributing systems therefor; or to lease, option, acquire, own, construct, maintain and operate, any lands, wells, water sources, pumps, aqueducts, reservoirs, distributing systems, pipe lines and other conduits or works, and the connecting by lease, option or purchase, to any aqueduct, reservoir, well or water source, or

water works, for supplying water for the use of the city or its inhabitants, or for domestic use, or for irrigating purposes;

9. To lease, option, acquire, own and possess water stock in any water company where such leasing, optioning, acquiring or possessing of such stock would enable the city thereby to acquire and use water for any purpose stated in subdivision 8 of this section, and to vote said stock and do any and all things necessary to its operation and use for the purposes aforesaid;

10. To acquire, own, construct, maintain and operate street and other railways and other means of public conveyance of passengers and freight, gas, electric and other works for light, heat, power, ice and refrigeration, public libraries, museums, gymnasiums, parks, playgrounds within or without the city limits, lavatories, toilets and baths;

11. To lease, acquire, maintain and operate or supervise airports within the city, or adjacent thereto, for the purpose of providing facilities for the accommodation of aircraft; *provided*, that any such leasing or acquisition shall be subject to referendum;

12. To own, manage and control cemeteries within or without the city; to sell or lease lots therein; to regulate or prohibit the burial of the dead in the city; and to authorize or acquire the disinterment, or removal of any body buried within said city or in a cemetery therein;

13. To create offices other than those established by this charter or by the general law whenever the public convenience or necessity may require the same; to prescribe the duties pertaining to the offices thus created; and to provide for the election or appointment, and to fix the compensation, of the officers to fill the same;

14. To prescribe by ordinance the duties of all officers whose duties are not defined by this charter; and it may by ordinance prescribe duties for any officer in addition to those herein prescribed, when the same are not inconsistent with the provisions of this charter, and may fix the hours during which the public offices shall remain open, if not otherwise herein provided for;

15. To fix the salary and prescribe the compensation of all officials and employees of the city whose salary or compensation is not fixed or prescribed by this charter;

16. To fix the fees and charges for official services not otherwise provided for;

Finance and Revenue Powers.

17. To levy and collect taxes on all property, real or personal within the city;

18. To license for the purposes of revenue and regulation, all and every kind of business authorized by law and transacted and carried on in said city, and all shows, exhibitions and lawful games carried on therein; to fix the rates of license

tax upon the same and to provide for the collection of the same by suit or otherwise;

19. To impose and collect an annual license not exceeding two dollars on every male dog, and four dollars on every female dog owned or harbored within the limits of the city;

20. To divide the city into fire districts and provide that each district be assessed to pay the expenses of acquiring and maintaining appliances, apparatus, engines and a fire department, with all other necessary means and agencies for protection against fire;

21. To manage and control the city's finances and to examine accounts, claims and demands against the city as provided for in this charter, and to allow and cause the same to be paid or rejected, in whole or in part;

22. To create a fund to be known as the advertising and immigration fund for the purpose of advertising the city of Riverside and its attractions, and of encouraging immigration thereto; for the observance of national holidays, and patriotic celebrations, and for such other purposes as may promote the public interest and welfare; to levy as part of the taxes for each fiscal year not to exceed one cent on each one hundred dollars of the assessed valuation of the city for said advertising and immigration fund;

Powers Relating to Public Health, Welfare and Safety.

23. To determine what are nuisances and prevent and remove the same;

24. To establish and maintain fire limits and to regulate building and construction within the municipality; and to establish zones for different classes of buildings and uses;

25. To regulate or prohibit the excavation or construction and use of cess-pools, privy vaults, privy pits, etc., within said city or any part thereof;

26. To regulate or prohibit the manufacture, keeping, storage, transportation and use of powder, dynamite, gun-cotton, nitro-glycerine, fireworks and other explosive substances and materials;

27. To regulate the use of steam, gas and other engines and steam boilers, elevators and other machinery within said city;

28. To regulate the storage and deposit of hay, straw, and other inflammable materials; to provide for the removal of weeds, dry grass, dead trees, rubbish or any material from lots or lands which may endanger or injure neighboring property or the health or welfare of the residents of the vicinity or cause a fire menace, and to assess the expenses thereof upon such lot or lands and make it a lien thereon, and collectible as taxes;

29. To regulate, license or prohibit the construction and use of bill boards and signs adjacent to or near the streets, alleys and public places of the city;

30. To regulate the entrance to and exit from all theatres, lecture rooms, public halls, schools, churches and public buildings of every kind, and to prevent the placing of seats, chairs, benches or other obstructions in the halls, aisles or open places therein;

31. To regulate the speed of railroad trains, engines and cars passing through the city and the speed of cars of street and other railway companies using or crossing the public streets of the city; and to regulate or prohibit the blowing of whistles or other alarms thereon within the city limits or portions thereof; to require railroad companies to station flagmen and place gates or viaducts at all such street crossings as it may deem proper; to require street cars to be provided with adequate fenders and other appliances for the better protection of the public; to prohibit the making up of railroad trains upon any of the streets, street crossings or street intersections of the city; to regulate the speed at which persons may ride, drive or propel, bicycles, tricycles, automobiles or other vehicles along or upon any of the streets or highways of the city;

32. To provide for the collection of garbage and rubbish in the city of Riverside; to enter into contracts for the collection and disposal thereof; and in the discretion of the council to provide for the collection and disposal thereof by the city; to fix rates payable by private citizens for such service; to construct and maintain incinerators and disposal plants, and otherwise to provide for the collection and disposal of garbage and rubbish in the city, and to provide for the payment of the expense thereof;

33. To operate and maintain a municipal clinic, or emergency hospital, or any adequate agency, or to contract with any hospital, or such adequate agency, within or without the city of Riverside for emergency treatment of cases arising within the city, and to pay for said services, and to recover the cost thereof from the persons treated or from their estates;

34. To require industrial or other accident insurance, and to determine the amount thereof, from the principals or from persons who work for, or perform or work with those applying for any permit from the city to give any exhibition, game or entertainment, whenever the council shall decide there is more than an ordinary risk of accident, the results of which might render emergency hospital service and expense a burden on the city;

35. To provide for, and to establish by ordinance, a pension system, or group insurance, or both, for the employees of the city;

Police Powers.

36. To regulate theatrical and moving picture entertainments within the city; to appoint a board of censorship therefor; to provide rules and regulations in relation thereto; and to prohibit by ordinance the showing within said city of any entertainment which is detrimental to the health, morals or safety of the public or of the persons engaged in such entertainment;

37. To impose fines, penalties and forfeitures for any and all violations of ordinances; to fix the penalty by fine or imprisonment or both; but no such fine shall exceed five hundred dollars, nor the term of imprisonment exceed six months;

38. To cause all persons imprisoned for violation of any ordinance to labor on the streets or on other public property or works within the city; or, under agreement with the Riverside county officials, to place them in the county jail or prison camp;

39. To regulate or prohibit the possession, sale, purchase or transportation of intoxicating, or alcoholic, liquors within the limits of the city of Riverside;

40. To establish and maintain a public pound; to regulate or prohibit the running at large of animals within the city and to provide for the impounding, sale or destruction of such animals as may be found at large in violation of its ordinances and regulations;

41. To prohibit by ordinance, within the city of Riverside, the killing, wounding, trapping, or injuring of any and all song birds and all harmless wild birds and animals, or the destroying or injuring of the nests of such birds or the removing or injuring of their eggs;

Streets, Sewers and Drains.

42. To build and repair bridges; to establish, lay out, alter, keep open, close, improve and repair streets, sidewalks, alleys, squares and other public highways and places within the city; to drain, sprinkle, oil and light the same; to remove all obstructions therefrom; to establish the grades thereon; to grade, pave, macadamize, gravel and curb the same, in whole or in part, and to construct gutters, culverts, walls, embankments, fills, sidewalks and cross-walks thereon or on any part thereof; to cause to be planted, set out and cultivated, shade trees therein; and to pay for the same or any part thereof out of the ordinary annual income and revenue of the municipality; and generally to manage and control all such highways and places;

43. To set apart as a boulevard or a one-way drive any street or streets or part of a street, and to lay out, construct

and improve boulevards, lakes or ponds as a part of the park system of said city;

44. To construct, establish and maintain drains and sewers;

45. To prohibit the diversion or drainage into a public sewer of any refuse or waste material from gas works, chemical works or refineries or other sources destructive to the sewer pipe or conduit, and to prohibit the diversion or drainage into any public sewer of any matter that will render the sewage unfit for irrigation, or injurious to agriculture or horticulture;

46. To prescribe sewerage districts, and to require and compel the owners of all buildings and dwellings situated within such districts to connect the same with the city sewer system and in case of default on the part of such owners to cause such work to be done and the cost thereof to be made a lien against such property;

47. To require the owners of property, before connecting the same with a sewer already constructed, to the cost of which such property has not contributed, to pay a proportionate part of the original cost thereof, which shall be refunded by the city, where practicable, to those paying the cost of such sewer, or their assigns;

48. To form, out of any territory within said city, storm water districts, and provide that the real estate in each district so formed be assessed to pay the expense of constructing storm drains and acquiring rights of way therefor, for the purpose of diverting, conducting and caring for storm water, and protecting property therein from injury therefrom, provided no such districts shall be formed if a protest, signed by the owners of two-thirds in assessed value of all the real property in such proposed district as it appears on the assessment roll as assessed for city purposes, be filed before the final passage of the resolution or ordinance providing for the formation thereof;

49. To form drainage districts for the purpose of draining swamp or wet lands and caring for water from irrigation, and provide that such district so formed be assessed to pay the expenses of constructing the necessary drains, conduits and drainage works and rights of way therefor;

50. To acquire, construct, operate and maintain, to grant the right to construct, operate and maintain, and to regulate and prohibit the construction and maintenance of all pipes, tubes, conduits, poles, wires and other electric, telegraph and mechanical apparatus in, along, over, under and across all public streets, alleys and public places of the city, and to grant franchises as in this charter provided;

51. To cause the removal and placing under ground of all telephone, telegraph, electric or other wires or cables within the city or within any designated portion thereof;

52. To provide for planting and maintaining shade trees and shrubbery along the public streets and caring for the same at the expense of the abutters, or the board of park commissioners;

53. To make provisions for cleaning, sprinkling and oiling streets, alleys, sidewalks, crossings and highways, and to provide for the payment for the expense thereof as to any or all of such streets, alleys, sidewalks, crossings and highways, in whole or in part, by a charge and lien upon the lands fronting the places so cleaned, sprinkled and oiled;

Powers Over Trade and Commerce.

54. To regulate the use, distribution, quality, pressure and sale of municipal water, gas, electric light and power, and other light and power within the city, or without the city limits for such commodities or service as the city may furnish subject to other provisions of this charter, and to fix and determine the price thereof, as well as the rental price of all meters used in the measurements of said commodities, and to provide for the inspection and correction of such meters;

55. To provide for and regulate the inspection of all food, food products, water, ice and refreshments offered for sale in the city, and to provide for the taking and summarily destroying of any such articles or products as are unsound, spoiled, or unhealthful, and to regulate and prevent the bringing into the city, or having or keeping within the city, of any such articles or products;

56. To provide for and regulate the inspection of all dairies, either within or without the city limits, that offer for sale or to sell any of their product in the city; also to provide for the inspection of slaughter houses, vegetable and fruit gardens, whose products are sold in the city;

57. To establish stands for, and regulate the charges of public conveyances for hire, and require schedules of such charges to be posted in or upon such public conveyances;

Incidental and General Powers.

58. To do and perform all other acts and things not herein enumerated but required by this charter or by law as necessary or incidental to the exercise of any power conferred upon said council;

Sec. 17. The powers given in this article to the council shall be considered general powers of the city; whether they are exercised by the council or hereinafter conferred on other boards, and they shall not be construed to limit similar powers given hereinafter in this charter to other boards, unless the powers of said boards are specifically made subject to those of the council.

ARTICLE IV.

Relating to Officers of the City in General.

CHAPTER 1.

Officers of the City.

Section 18. The officers of the city shall be:

- Mayor,
 - One councilman from each ward,
 - City clerk who shall be ex officio city assessor,
 - City auditor,
 - City treasurer who shall be ex officio city tax collector,
 - City attorney,
 - Judge of the police court,
 - City engineer,
 - Superintendent of streets,
 - Five park commissioners,
 - Five members of the board of education,
 - Five directors of the Riverside public library,
 - Five members of the board of health,
 - Five members of the board of public utilities,
 - Chief of police,
 - Chief of the fire department,
 - Health officer,
- and such other officers as the council may create by ordinance.

CHAPTER 2.

Salaries of Officers.

Section 19. The officers of the city shall receive in full compensation for all services of every kind rendered by them, such salaries or compensation as are now, or may be hereafter, fixed by ordinance.

Sec. 20. The salary of any elective officer may be changed by ordinance, but such ordinance must be adopted at least sixty days previous to an election at which such officer is to be elected and shall not take effect until the regular time for taking office after such election.

Sec. 21. The members of the board of education, directors of the Riverside public library, members of the park commission, members of the board of health (serving as such members) and the members of the board of public utilities (serving as such members) shall serve without compensation.

CHAPTER 3.

Official Bonds.

Section 22. Officers and employees of the city, before entering upon the discharge of their official duties, shall give and execute to the city such official bonds as may be required by general law, this charter, or by ordinance of the city.

Sec. 23. All such official bonds must be given by some lawfully authorized and approved surety company and the city shall pay the premium therefor; *provided*, that if the council deems the premium charged to be excessive, then in that event the council may accept the bonds with approved personal sureties.

Sec. 24. Every bond given by any officer or employee must be approved as to form by the city attorney and must be approved by the council, subject to the veto of the mayor. The approval of every bond must be endorsed thereon and signed by the city attorney and certified by the city clerk. Upon the approval of a bond, it must be recorded in the office of the city clerk in a book kept for that purpose. After recording, all official bonds shall be filed and kept in the office of the city auditor, except the auditor's bond which shall be filed and kept in the office of the city clerk.

Sec. 25. The officers of the city, when required by ordinance, shall execute official bonds to the city in such sums as are fixed by such ordinance; *provided*, that the present officers of the city whose bonds have heretofore been fixed by charter or ordinance shall continue to furnish such bonds until otherwise changed by ordinance.

Sec. 26. The council may at any time by ordinance, increase or decrease the amount of any official bond.

Sec. 27. No city officer, deputy or employee shall be accepted as surety for any other city officer, deputy or employee on any official bond or on any bond given to the city for any other purpose.

The form and conditions of all official bonds, the affidavits and justification thereon, shall be as is required by the general laws of the state in force at the time such bonds are given.

Sec. 28. Every officer shall be liable on his official bond for the wrongful or negligent acts and omissions occurring in the course of his employment and those of his deputies, assistants, clerks and employees, and every official bond shall contain such a condition. All officers may require of their deputies, clerks or employees, bonds of indemnity with sufficient sureties for the faithful performance of their duties and all boards and departments may require bonds of their officers, clerks and employees, the amount of such bonds to be fixed and the bond approved by the council.

Sec. 29. In the event that any official bond of any officer of the city or of any officer or employee under any board or commission shall be reported in writing to the mayor to be insufficient, the mayor and council shall determine the status of such bond and in all such cases be the final authority in relation thereto, and in case additional security shall be demanded, said officer or employee shall perform no official act without the approval of the mayor, until such new bond shall

be given and approved, and in case of his failure to file such additional bond within fifteen days, he may be removed by the council, if the officer is elected, and by the mayor if the officer or employee is appointed; and it shall be the duty of the mayor at once to take into his charge all books and papers, money and other public property at the time in the hands or under the control of such officer or employee so notified and retain the same until such additional security is given or the reelection or appointment and qualification of a successor to such officer or employee. For the better enforcement of this section, the mayor is authorized to commence and prosecute at the cost of the city, in his own name, all appropriate actions and proceedings.

CHAPTER 4.

Oath, Appointment and Terms of Officers, Deputies and Employees.

Section 30. Every officer or deputy provided for in this charter or created in pursuance thereof shall, before entering upon the discharge of the duties of his office, take and file with the city clerk the constitutional oath of office.

Sec. 31. All appointments of officers, deputies, superintendents and heads of departments to be made under any provision of this charter must be made in writing and in duplicate, authenticated by the person or persons, board or officer making the same. One of the duplicates must be filed with the city clerk and the other with the auditor.

Sec. 32. In all voting upon the appointment, confirmation, suspending or removal of officers, deputies and heads of departments, the members of the council or any board having jurisdiction, shall vote by call of roll and the vote of each member shall be spread upon the minutes.

Sec. 33. Any officer appointed by the mayor may be by him removed, with the approval of the council.

The qualification for office of any mayor at any time shall end the term of any officer then in office, appointed by a mayor, other than members of boards or commissions; *provided*, that all officers shall hold office until their successors have been elected or appointed and have qualified.

Sec. 34. Any vacancy in the office of member of the council shall be filled by a special election in the ward from which such member was elected. Such elections shall be called by the council and shall be held not more than sixty days after such vacancy occurs and the person elected shall hold office for the unexpired term. Vacancies in all other elective offices shall be filled by the council, the affirmative vote of a majority of the whole council being necessary therefor, and except in case of a vacancy in the office of mayor, the approval of the mayor shall also be necessary. In all such cases, the officer so

appointed shall hold office for the unexpired term. Vacancies in all appointive offices which the mayor has the power to fill, shall be filled by appointment of the mayor, subject to the provisions of this charter, and the person so appointed shall hold office for the unexpired term.

Sec. 35. Pending trial, the council may suspend any elective officer, against whom a criminal charge or any other charge involving inefficiency or misconduct in office is pending, and may appoint a substitute for such officer during such suspension.

Sec. 36. The city auditor, city clerk, city attorney, and the city treasurer may appoint, remove or suspend such deputies, assistants and clerks, and the city engineer and superintendent of streets may appoint, remove or suspend such deputies, assistants, clerks, laborers and other employees, as the duties of their offices and the work of their departments may require; *provided*, the number of such appointees and their compensation shall be fixed by the council.

CHAPTER 5.

Sundry Duties of Various Officers.

Section 37. All city officers except the mayor, city attorney, the members of the council and of the various boards of the city shall devote their entire time during business hours to the interests of the city, except when otherwise provided by this charter or by ordinance.

Sec. 38. All books, papers, archives, plats, maps, charts, records, files, stationery, documents and memoranda, made or made use of by the officers, boards, commissions or employees of the city in the performance of their official duties or in any way pertaining to their respective offices, shall be deemed and considered as belonging to the city and shall be inventoried and delivered, together with all city property, moneys, bonds or other things in their possession or under their charge and control, upon going out of office, to their respective successors in office, who shall give duplicate receipts in writing therefor, one of which shall be filed with the city auditor by each successor.

Sec. 39. All books and records of every office and department shall be open to the inspection of any citizen at any time during business hours. Certified copies of extracts from said books and records shall be given by the officer having the same in custody to any person demanding the same and paying or tendering ten cents a folio of one hundred words for such copies or extracts, but the records of the police department shall not be subject to such inspection except permission be given by the mayor or by the chief of police.

Sec. 40. No officer or employee shall be compensated by fees or commissions unless specifically so provided herein or

by ordinance, and all fees or commissions shall be promptly paid over to the treasurer.

Sec. 41. Every executive and judicial officer of the city, except the mayor and city attorney, and every officer and agent of the city charged with the collection or disbursement of any money of the city, shall furnish at the end of each month to the council a full and detailed statement upon oath of all moneys received or disbursed by him and of his official transactions during such month. Like statements shall be made at and for such other times as the council may require.

Sec. 42. All officers of the city shall keep their respective offices open for the transaction of business from the hours of eight in the forenoon until five in the afternoon of each day Sundays and legal holidays excepted; *provided, however*, that no employee of the city shall be required to labor on Sundays and legal holidays, unless otherwise provided for by ordinance.

Sec. 43. It shall be the duty of every officer or employee of the city, when it shall come to his knowledge that any contract or agreement with the city or any officer or department thereof or relating to the business of any office, had been or is about to be violated by the other contracting parties, forthwith to report to the mayor all facts and information within his knowledge or possession concerning such matter, and a wilful failure so to do shall be the cause for removal of such officer or employee, as in case of malfeasance in office. The mayor shall give a certificate on demand to any person reporting such facts and information that he has done so, which certificate shall be evidence in exoneration from a charge of neglect of such duty.

Sec. 44. All officers of the city shall have the power to administer oaths and affirmations in any investigation or proceeding pending before any of said officers or before any board or committee thereof or concerning any demand on the city treasury, and the city clerk shall have the power to administer all oaths and affirmations required by this charter, for which no charge shall be made by any officer.

Sec. 45. The mayor, council and each board and commission provided for in this charter, or committee thereof, shall have the power and authority to examine witnesses under oath and compel the attendance of witnesses and the production of evidence, papers, records and books before such mayor, council, board, commission or committee, as the case may be, by subpoena, to be issued in the name of the city of Riverside, and to be attested by the city clerk. The city clerk shall upon the demand of the mayor or the president of the council or the presiding officer of any such board, commission or committee, issue such subpoena in the name of the city and attest the same with the corporate seal thereof and shall in such subpoena direct and require the attendance of the witness or wit-

nesses sought to be summoned before the mayor, council or the respective board, commission or committee, requiring the attendance of such witness or witnesses and the production of the records, books or papers in said subpoenas specified. The chief of police shall cause said subpoenas to be served by some member of the police department upon the person or persons required to attend before the council, board, commission or committee in such subpoena designated. The council shall from time to time adopt ordinances providing suitable penalties for disobedience of such subpoenas and the refusal of witnesses to testify before such council, board, commission or committee when required to do so.

Sec. 46. Whenever special meetings of the council or of any board or commission of the city, except the board of health, are called, written notice thereof shall be served on each member personally or by mail, addressed to his place of residence; if by mail, the notice, postpaid, shall be deposited in the post office of the city at least twenty-four hours before the time of meeting; if served personally it shall be so served at least three hours before the time of meeting; *provided*, that a meeting may be held without such notice if all members are present thereat; *provided, further*, that in the case of such a special meeting without notice, that no business can be transacted without the unanimous consent of those present.

Such special meeting may be called by the mayor or by two members of the council, board or commission, as the case may be. No business shall be transacted at any special meeting except that mentioned in the call, unless otherwise provided herein.

Sec. 47. Licenses and permits shall be issued by the various officers, boards or commissions as provided by ordinance.

Sec. 48. The council or a committee of the council duly authorized by it, may investigate any department of the city government and the official acts and conduct of any city officer or employee.

CHAPTER 6.

Specific Prohibitions and Penalties for Officers and Employees.

Section 49. If any member of the council or of any board or commission of the city shall absent himself from the city for more than thirty days consecutively or if any other officer of the city shall absent himself from his office for more than ten days consecutively, without the consent of the council in either case, or if the council determines that there exists any reason sufficient in law for the removal of any officer, his office shall thereupon be declared vacant by the council if the office is an elective one and by the mayor if the office is an appointive one. The council must not grant leave of absence to any

officer, except for the purpose of attending to official business, for a longer period than sixty days; *provided*, that such permit may be renewed if good and sufficient reason exists therefor.

Sec. 50. Whoever, being a city officer or being in nomination for or while seeking nomination or appointment for any city office, shall use or promise to use, whether directly or indirectly, any official authority or influence, whether then possessed or merely anticipated, to aid any other person to secure any office or appointment in the service of the city or any nomination or increase of salary, upon the condition that his vote or political influence shall be given or used in behalf of any candidate, officer or political party or association, or upon any corrupt condition, shall be deemed guilty of a misdemeanor. And every person found guilty of such misdemeanor as aforesaid shall, upon conviction thereof, be liable to be punished by a fine of not less than one hundred dollars or more than one thousand dollars, or to be imprisoned not less than ten days or more than one year, or to both said fine and said imprisonment, in the discretion of the court. If the person convicted be a public officer, he shall, in addition to any other punishment imposed, be deprived of his office and be forever debarred and disqualified from holding any position in the service of the city.

Sec. 51. No officer or employee of the city shall become a party worker or solicitor or active partisan in any city election, except in his own behalf. A violation of any of the provisions of this section shall be sufficient cause for his removal from office.

Sec. 52. Any officer of the city who shall, while in office, accept any donation or gratuity in money or other valuable thing, either directly or indirectly, from any subordinate or employee or from any candidate or applicant for any position as employee or subordinate under him, shall be subject to removal from office.

Sec. 53. No person in the service of the city is under any obligation to contribute to any political fund or to render any political service and no person shall be removed, reduced in grade or salary or otherwise prejudiced for refusing so to do. Any officer or employee of the city convicted of violating any of the provisions of this section shall be removed from office.

Sec. 54. No member of the council shall hold any other city office or hold any office or employment, the compensation for which is paid out of city moneys, or be elected or appointed to any office created or the compensation of which is increased by the council while he was a member thereof, until one year after the expiration of the term for which he was elected, or be interested directly or indirectly in any contract with the

city, or be in the employ of any person having any contract with the city or of any grantee of a franchise granted by the city.

Sec. 55. Any officer or employee of the city may be suspended or removed for notorious nonpayment of his debts or gross disregard of his financial obligations.

Sec. 56. No member of the council or of any board provided for by this charter and no officer or employee of the city shall be or become directly or indirectly interested in any contract, work or business, or be in the employ of any person having any contract, work or business with the city, or of any grantee of a franchise granted by the city, the consideration, price or profits of which are payable in whole or in part from the city treasury or school funds and are determined or in any way directly affected by any official act of said council, board, officer or employee, respectively; or in the sale of any article, the price of which or the purchase of which by or for the city or by or for the public schools thereof, depends directly or indirectly upon any official act of such council, board, officer or employee respectively. No member of the council or of any board provided for by this charter and no officer or employee of this city having any authority or power relating to or affecting the granting of any franchise, right or privilege, shall be or become directly or indirectly interested in any such franchise, right or privilege. Any member of the council or of any board herein mentioned and any officer or employee of the city violating the provisions of this section shall forfeit his membership or office or employment; and all contracts made or rights, franchises or privileges granted in violation of this section shall be absolutely void.

Sec. 57. The council shall institute all suits necessary to remove persons from office for cause and for the enforcement of all proper penalties, but this shall not be construed to prevent any citizen bringing any proper suit to remove from office any officer for any sufficient cause specified in law or this charter, or construed to limit the power of the mayor in making removals and suspensions and preferring charges, given elsewhere in this charter, and it shall be the duty of the mayor, with the approval of the council, to remove from office any appointive officer violating any of the provisions of this chapter or this charter.

ARTICLE V.

Executive Department.

CHAPTER 1.

The Mayor.

Section 58. The chief executive officer of the city of Riverside shall be designated the mayor. He must be at least thirty years of age and shall have been a resident and qualified

elector of the city for the three years next preceding the day of his election.

Sec. 59. He shall be elected by the qualified electors of the city at a general city election and shall hold office for four years and until his successor is elected and has qualified.

Sec. 60. When a vacancy occurs in the office of mayor, it shall be filled by a majority vote of the whole council, assembled for that purpose. The mayor so chosen shall hold office until the qualification of his successor elected at the next regular city election for said office. Any person, other than a member of the council, possessing the necessary qualifications, may be chosen mayor by the council as provided in this section.

Sec. 61. During the temporary absence or disability of the mayor or in case of his neglect or refusal to act, the president of the council shall act as mayor pro tempore and during such period shall possess the powers of the mayor and perform his duties; *provided*, that he shall not remove from office any person subject to removal by the mayor, unless such absence, disability, neglect or refusal to act continues for a period of at least sixty days, except he may suspend as provided herein, at any time, any officer. If such period continues thirty days or less, the mayor shall be entitled to his salary and the mayor pro tempore shall not receive any compensation other than that as councilman. Thereafter, during any further period of disability, neglect or refusal to act or absence, unless said absence is due to the business of the city, the mayor's salary shall cease and shall be paid to the mayor pro tempore who shall not receive any salary as councilman during such period.

Sec. 62. Within fifteen days after reassuming his powers and duties after any disability or absence, the mayor shall have the power by filing a written notice with the city clerk, to recall any ordinance, resolution, contract or grant of a franchise which has been passed by the council and approved or disapproved by the mayor pro tempore during such period, and by such action the approval or disapproval of the mayor pro tempore is rendered null and void and of no effect, and the mayor shall then have a further period of ten days in which to exercise the powers and duties in relation to approving or disapproving such ordinance, resolution, contract or grant of a franchise as are provided in this charter; *provided*, that the foregoing provisions shall not apply to any ordinance, resolution, contract or grant of a franchise which at the date said notice was filed with the city clerk by the mayor, has already gone into full force and effect under the provisions, exceptions and time limit as contained in section 233 of this charter.

Sec. 63. The mayor shall preside over the council when in session and shall have authority to preserve order, to enforce the rules of the council and to determine the order of business, subject to such rules, and subject to the right of

appeal to the council. He shall not be entitled to a vote except in case of a tie, when he shall have the casting vote.

Sec. 64. He shall see that the laws of the State of California, the provisions of this charter and the ordinances of the city of Riverside are strictly enforced and duly observed within said city.

Sec. 65. He shall have a general supervision over all the departments and public institutions of the city and shall see that they are honestly, economically and lawfully conducted. The mayor shall from time to time recommend to the proper officers of the different departments such measures as he may deem beneficial to the public interest. He shall have the general supervision of all city officers, elected or appointed. He shall vigilantly observe the conduct of all public officials and employees.

It shall be his duty to receive and examine into all complaints made against such officers and employees for violation or neglect of duty. Any defalcation, dereliction, refusal to act, wilful neglect of duty, unlawful absence from the city, official misconduct or incompetency which he may discover or which may be reported to him shall be laid by him before the council or other proper board. If such person is subject to removal he shall at once be removed according to the provisions of this charter.

Sec. 66. He shall at least once in each month, and may at any other time, together with the city attorney and the city clerk, count the cash in the city treasury and see that it corresponds with the books of the treasurer and the auditor, and examine the securities placed with the city treasurer to secure funds deposited, and report the result of such count and of such examination to the council at its next meeting.

Sec. 67. He shall have the books and records of all public departments pertaining to the finances of the city and may have those institutions, objects or causes which are in part or wholly maintained or contributed to by the city, audited by a competent person expert in such matters, once in every year. If any other general audit is deemed expedient it must first be approved by a majority vote of the council. The expense of any such audits shall be paid out of the general fund in the same manner as other claims against the city are paid. The result of all such audits and examinations shall be reported to the council and such report filed with the city clerk. Any person refusing to permit such examinations or purposely delaying or impeding the same, may be suspended or removed from office according to the provisions of this charter.

Sec. 68. For the purpose of examining into the conduct of any board, commission, committee or other body intrusted with interests pertaining to the city, or for any other purpose, the mayor shall have the power to call a special meeting of

such board, committee, commission or other body. At such meeting unless otherwise provided herein, only such business may be transacted as is mentioned in the call therefor.

Sec. 69. The mayor shall have the right to be present at regular, special or executive sessions of any board, commission, committee or other body intrusted with interests of the city, and shall have the right to sit in such body and take part in discussion therein, but shall not have the right to vote, except when he is a member of any such board, commission or committee.

Sec. 70. Whenever he considers it advisable, the mayor may call upon the heads of departments or other officers for such reports relating to the public business under their control and management as he may require of them, and it shall be their duty to prepare and submit the same promptly to the mayor.

Sec. 71. The mayor may at any time, with the approval of the council, remove from office or position any appointed officer; *provided*, the cause therefor shall be stated in writing, which writing shall be filed with the city clerk and a copy thereof given to such officer; but the same need not be made public unless by direction of the mayor or upon request of the officer so removed.

Sec. 72. The mayor shall have the power to suspend, pending an official investigation, the hearing of which must be commenced within thirty (30) days of the date of such suspension and prosecuted with reasonable diligence, any appointive officer of the city, or any employee thereof after refusal of the head of his department or governing board to so suspend him, for any official defalcation, dereliction, refusal to act, wilful neglect of duty, official misconduct, incompetency, unlawful absence from the city, or if the official bond of such official or employee shall be deemed by the mayor to be insufficient for any cause, or if any of the sureties on said bonds have withdrawn therefrom, and other and sufficient sureties have not immediately qualified thereon, and during such suspension a substitute may be appointed pursuant to the provisions of this charter for the appointment of officers.

Sec. 73. The mayor shall, with the approval of the council, appoint all officers of the city and fill all vacancies in office where provision for such appointment is not otherwise specifically made in this charter or by law.

Sec. 74. The mayor shall take all proper measures for the preservation of public order and the suppression of all riots, tumults and unlawful assemblies, for which purpose he may use and command the police force, and in such case shall have power to add to the police force, and call upon the citizens as may in his judgment be required. If the police force of the city is insufficient he shall call upon the governor for

military aid, in the manner provided by law, so that such riots, tumults or unlawful assemblies may be promptly and effectively suppressed.

Sec. 75. The mayor may on his own motion, and must upon a resolution passed by the council directing him so to do, cause to be instituted on behalf of the city, such actions or proceedings as may be necessary to revoke, cancel or annul all franchises that may have been granted by the city to any person, company or corporation, which have been forfeited in whole or in part, or which for any reason may be irregular and void and not binding upon the city, and the city attorney, upon demand of the mayor must institute and prosecute the suits or actions required to enforce the provisions of this section. Each mayor taking office under this charter shall cause a careful investigation to be made of the exact condition of all franchises theretofore granted by the city, and of the respective rights and obligations of the parties, and the performance of the same, and shall report the results thereof in his next annual message or report, or at such other times as he may deem proper.

Sec. 76. He shall see that all contracts and agreements with the city are faithfully kept and fully performed; and to that end shall cause legal proceedings to be commenced and prosecuted, in the name of the city, against all persons or corporations failing to fulfill their agreements or contracts, either in whole or in part.

Sec. 77. The mayor shall sign all conveyances made by the city, unless otherwise provided in this charter, and all contracts to which it is a party, unless otherwise provided herein; shall acknowledge the execution of all instruments executed by said city that require acknowledgment, and shall sign demands as elsewhere provided herein.

Sec. 78. The mayor shall have the veto power as provided in this charter. In case an ordinance or resolution of the council shall appropriate money, the mayor may approve one or more items in such ordinance or resolution and disapprove the others. In such case, those which he shall approve shall become effective, and those which he shall disapprove shall become effective only if again passed as provided in this charter.

Sec. 79. The mayor shall at the end of each year of his official term, and at such other times as he may deem proper, communicate in writing to the council a general statement of the affairs of the city, together with such recommendations regarding the public health, the cleanliness and ornamentation of the city, the improvement of its government, its finances and such other matters as he may deem proper or beneficial.

Sec. 80. The mayor may contract such bills for typewriting and necessary clerical work as are required in the performance of his duties.

Sec. 81. The mayor shall perform such other duties and exercise such other authority and powers as may be prescribed by this charter.

Sec. 82. Any person who shall solicit personally, or through another, either for himself or for another, the appointment to, or retention in, any city office or position from a candidate or prospective candidate for election as mayor, previous to his election, shall thereby be guilty of a misdemeanor, and shall be punished therefor as provided by law.

CHAPTER 2.

City Clerk and Assessor.

Section 83. The city clerk shall be at least thirty years of age and shall have been a qualified elector of the city for three years next preceding the day of his election. He shall be elected by the qualified electors of the city and shall hold office for four years and until his successor is elected and has qualified.

Sec. 84. The city clerk shall have the custody of, and be responsible for, the corporate seal, all books, papers, documents, records and archives belonging to the city, not in actual use by other officers or committed to their custody by special provisions of this charter or ordinance. He shall be the custodian of, and be responsible for, the city hall unless otherwise provided for by ordinance, and all personal property, the custody of which has not been otherwise provided for.

Sec. 85. He shall be present at all meetings of the council and shall keep a journal of its proceedings, with marginal notes and references thereon. He shall authenticate by his signature, certificate and the corporate seal of the city, all ordinances and other official acts of said council. He shall record in separate books to be kept for that purpose, all ordinances of the city, with his certificate annexed to each ordinance stating that the foregoing ordinance is a true and correct copy of an ordinance of the city, and giving the number, title, date of passage, the vote thereon and stating that the same had been adopted, approved by the mayor and published, or posted, according to the provisions of this charter. Such record copy with said certificate shall be prima facie evidence of the contents of the ordinance and of the passage and publication of the same and shall be admissible as such evidence in any court or proceeding. Such records shall not be filed in any case, but shall be returned to the custody of the clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of ordinances in the usual way. He shall, in separate books, also record all contracts

to which the city or any officer thereof in his official capacity is a party, similarly attested, and all official bonds or other bonds given to or for the benefit of said city or in which it is interested. He shall keep all books and records properly indexed and cross indexed so as to afford prompt access to any record.

Sec. 86. The city clerk shall make monthly and annual reports to the council showing the condition of the property under his care and the expenses and receipts of his office.

Sec. 87. The city clerk shall perform such other duties and exercise such other powers as may be required of or conferred upon him by the ordinances of the city, or the provisions of this charter.

Sec. 88. The city clerk shall be ex officio assessor. As assessor he shall be present at all meetings of the city board of equalization, act as clerk of said board and keep a journal of its proceedings. He shall perform all the duties and shall possess such powers as may be prescribed by this charter, by the ordinances of the city or by law in relation to the assessing of property in the city for the purpose of taxation and shall collect such taxes upon personal property as are required to be collected by him, by law, by this charter or by ordinance.

Sec. 89. During such period as the city shall continue to avail itself of the provisions of the act of the Legislature approved March 27, 1895, relating to the assessing and collecting of the city taxes by the county officials, said act being particularly referred to in article fifteen, section 209, of this charter, the duties and powers as ex officio assessor herein conferred on the city clerk shall be deemed inoperative, and they shall not take active force and effect until the mayor and council shall enact an ordinance providing for the assessing and collecting of all city taxes by the city assessor and city tax collector, and abolishing the provisions under which said taxes are assessed and collected by the county officers of Riverside county.

CHAPTER 3.

The City Auditor.

Section 90. The city auditor shall be at least thirty years of age, a citizen of the state, and shall have been a resident of the city for a period of three years next preceding the day of his election. He shall be elected by the qualified electors of the city, and shall hold office for four years and until his successor is elected and has qualified.

Sec. 91. The city auditor shall possess such powers, perform such duties and keep such records in relation to the investigation, approval, disapproval, endorsement, verification, numbering, registration and delivery of claims and demands as are elsewhere set forth in this charter, and as set

forth in the report of the board of city accounting. He shall sign all demands on the city treasury except as otherwise in this charter provided.

Sec. 92. It shall be his duty to be constantly informed as to the exact condition of the city treasury. He shall, on the application of any person indebted to the city or any officer or person holding money payable into the city treasury or desiring to pay money therein, certify to the city treasurer the amount thereof, to what fund applicable and by whom to be paid. He shall, upon the written order of the city treasurer directing him to issue a receipt for money paid into the city treasury, charge the city treasurer with the money and give the person paying the same a receipt therefor. He shall apportion among the several funds all public moneys at any time in the city treasury, in accordance with law, ordinance or direction of the council, and forthwith notify the city treasurer of such apportionment or appropriation.

Sec. 93. He shall, at the first meeting of the council every month and oftener if required, report to the council the condition of each fund in the treasury. He shall make a similar report to the mayor at any time when requested by the mayor in writing so to do. On or before August first of each year unless said date is changed by ordinance, he shall make an annual report to the council showing in detail the sources from which the revenue of the city was derived and how expended during the year ending June thirtieth of said year, segregating therein the different departments and funds and business interests of the city. Said report shall also give a detailed statement of the debt of the city, of the purposes for which such debt had been incurred, of the accounts of said city with the grantees of franchises, an inventory of all public property of the city together with its condition and approximate value and shall also include a summary of the assets and liabilities of the city and of unpaid demands. The council shall publish this report or a condensed summary thereof, prepared by the auditor, in a daily newspaper of the city or print the same in pamphlet form for free distribution. He shall make the annual estimate and budget preliminary to the levying of taxes by the council referred to in article fifteen, section 204.

Sec. 94. He shall keep a complete set of books, in which he shall set forth in a plain and business-like manner, as hereinafter provided, every money transaction of the city, so as to show at all times the state of each fund, from what source the money was derived, for what purpose any money was expended, and also all collections made and paid into the treasury by each officer or any other person. He shall receive and preserve in his office all accounts, books, vouchers, documents and papers relating to the accounts and contracts of the city, its debts, revenues and other financial affairs.

Sec. 95. The city auditor shall act as the general accountant and fiscal agent of the city, and shall exercise a general superintendence over all the officers and employees of the city charged in any manner with the receipt, collection or disbursement of the city revenues, to the end that their system of bookkeeping, bills, accounts and receipts shall be kept and conducted in harmony with the general system of the city as to form, frequency of posting, and billing and collecting.

He shall examine all such accounts and books of such officers and employees at least once in each quarter, and as often as he desires, and if they be found incorrect, or neglected, or poorly kept, he shall promptly notify the mayor and council in writing, stating what is amiss and giving his recommendations. He shall cause to be kept under his direction and according to the method he shall designate, and in harmony with the general bookkeeping method of the city, all financial and property records, books and accounts of departments, boards and officers of the city, except those of the city clerk, ex officio city assessor, city treasurer, ex officio city tax collector, and board of education. Quarterly and annual reports shall be made to the council of the financial transactions and condition of each department, and the work shall be done by the officials of such departments. His authority over such records, the manner of keeping the same, and the control for that purpose over the deputies and clerks engaged in such work, shall be paramount, and shall not be subject to the authority of the board, commission or officer at the head of such department, but shall be subject only to the provisions of this charter and to the report of the board of city accounting herein referred to.

Sec. 96. He shall perform such other duties and possess such other powers as may be required of or conferred upon him by the provisions of this charter or by said report of the board of city accounting.

CHAPTER 4.

City Treasurer and Tax Collector.

Section 97. The city treasurer shall be ex officio tax collector. He shall be at least thirty years of age and shall have been a qualified elector of the city for the three years next preceding the day of his election. He shall be elected by the qualified electors of the city and shall hold office for four years and until his successor is elected and has qualified.

Sec. 98. The treasurer shall receive and keep all moneys that shall come to the city from taxation or otherwise and pay the same out on demands properly audited in the manner provided for in this charter or by law if not in conflict with this charter, and without such auditing he shall disburse no public funds whatever, except the principal and interest on the bonded indebtedness of the city when the same shall be payable.

Sec. 99. He shall keep an accurate account of all his receipts and disbursements under such rules and regulations as are provided for in this charter, by the report of the board of city accounting or as may be prescribed by ordinance.

Sec. 100. He shall receive no money into the city treasury unless accompanied by the certificate of the city auditor, provided for in article five, section 92 hereof. He shall issue receipts in duplicate to all persons paying money into the treasury, one of which receipts shall be forthwith deposited with the city auditor.

Sec. 101. He shall make such reports to the city auditor as have been prescribed by the board of city accounting. He shall make a monthly statement to the council of all his receipts and disbursements during the preceding month. He shall make such special reports from time to time as are required of him by the council or the mayor. On or before August first of each year, he shall make and deliver to the council a detailed report and itemized statement of all receipts and disbursements of the city treasury for the year ending June thirtieth of said year, and of each of its funds during such year and of the amount in each of said funds at the end thereof.

Sec. 102. Except as hereinafter provided, the treasurer shall not lend or use, nor shall he deposit any of the moneys received by him as such treasurer, or any part thereof, to or with any bank, banker, corporation or person, nor shall he pay out any part of such moneys nor allow the same to pass out of his personal custody, except as authorized by law or this charter. If the treasurer shall violate any of the provisions of this section he shall be deemed guilty of malfeasance in office, be suspended and removed from office as provided herein.

Sec. 103. The mayor, city attorney, city auditor, the finance committee of the council or any special committee appointed by the council, separately or collectively and with the aid of an accountant selected by such officer or committee, shall have the right and power to examine the books of the treasurer at all times; and such officers and committees shall also have the right to inspect and count all public moneys and securities under the treasurer's control or on special deposit elsewhere.

Sec. 104. The city treasurer and tax collector shall perform such other duties and exercise such other powers as may be required of or conferred upon him by the provisions of this charter, the report of the board of city accounting or by the ordinances of the city.

Sec. 105. The city treasurer shall be ex officio tax collector and as such tax collector he shall receive and collect all city taxes, general and special and other branches of the city's

revenue not otherwise provided for by law, by this charter, or by ordinance. He shall keep proper books, showing all moneys collected by him as tax collector. He shall keep a book which shall contain a record of every deed given by or on behalf of the city for real estate sold for delinquent taxes or assessments, which book shall be properly indexed and shall be at all proper times open to public inspection. He shall pay all moneys collected by him as tax collector into the city treasury monthly. He shall make monthly and annual reports to the council of all money collected or received by him.

Sec. 106. As long as and during such period as the regular city taxes may be assessed and collected by the county officers of Riverside county as herein provided for in article fifteen, section 209, the duties of the treasurer as such ex officio tax collector shall be deemed inoperative. Unless otherwise provided by ordinance or by law the treasurer shall collect all special assessments, liens or other special taxes.

Sec. 107. The mayor and council shall have power to pass an ordinance in accordance with the provisions of section 16½ of article eleven of the constitution of the State of California, or of any state law or laws passed in accordance with the provisions of said section 16½, and said ordinance shall provide for the depositing of all moneys belonging to the city in national banks or in banks organized under the laws of this state and shall provide rules and regulations therefor. They shall have power, from time to time, to fix the interest rate which shall be not less than two per cent. per annum, to be paid by such depository banks, or they may provide for bids and cause such deposits to be made in such bank or banks offering to pay the highest rate of interest, subject to the provisions of said section 16½. They shall have power to alter the duties of the city treasurer when necessary and establish proper rules for his government. They shall have power to relieve the treasurer from all liability for funds after being so deposited, except that he shall still be liable for loss from demands which he may unlawfully allow or pay out of such funds so deposited.

Sec. 108. The mayor and council shall have power to take advantage of any existing law or any law that may hereafter be passed, providing for the receipt and disbursing of city funds by the county treasurer of Riverside county, and may thereupon by ordinance abolish the elective office of city treasurer and provide for the duties of tax collector and supersede provisions of this charter conflicting with such changes. And the mayor and council may, by ordinance, repeal the ordinances referred to in this and the last preceding section, and thereupon revive and renew the provisions of this charter relating to the city treasurer and city tax collector.

CHAPTER 5. The City Attorney.

Section 109. The city attorney shall have been a qualified elector of the city for a period of three years next preceding the day of his appointment. He shall be at least thirty years of age. He shall have been duly admitted to practice his profession by the supreme court of the State of California; he shall have been actively engaged in the practice of his profession for a period of five years next preceding his appointment. He shall be appointed by the mayor, with the approval of the council.

Sec. 110. It shall be the duty of the city attorney to prosecute on behalf of the people all criminal cases arising from the violation of the provisions of this charter and of city ordinances, resolutions and regulations. It shall be his duty to attend all suits, matters and proceedings to which or in which the city or any officer thereof in his official capacity is a party or may be legally interested. Whenever any cause of action at law or in equity or by special proceedings exists in favor of the city, he shall notify in writing the mayor, council, board or officer having jurisdiction over such matter. He shall commence and maintain all suits and actions when directed so to do by resolution of the council or other board authorized herein to commence and maintain actions, or upon written request of any officer so authorized; and the council or such other board or officer so authorized, as the case may be, shall have control of all litigation so commenced and may employ other attorneys to assist the city attorney therein or to take charge thereof.

Sec. 111. He shall attend meetings of the council when so requested by the mayor or by the council, or as may be required by ordinance. He shall be the legal adviser of all city officers, boards and departments and shall give his advice and opinion in writing concerning any matter in which the city is interested when required by the mayor, council or other board or any committee thereof or by any officer or department of the city. When required in like manner, he shall draft any and all proposed ordinances, resolutions, amendments, laws, rules, contracts, bonds, deeds and other legal papers for the city.

Sec. 112. He shall approve by endorsement in writing thereon, the form of all official or other bonds required by this charter or by ordinance, resolution or order of the council, before the same are submitted to the council or mayor for final approval, and no such bond shall be approved by the mayor or council without such approval by the city attorney; provided, that the mayor shall approve the form of the city attorney's bond, if such there be. He shall approve in writing

as to form, the drafts of all contracts before and after the same are approved by the council. He shall approve by endorsement in writing thereon, the form of all deeds of real property acquired or sold by or on behalf of said city.

Sec. 113. The city attorney shall have charge and custody of all legal papers pertaining to his office, which shall be arranged and indexed by him in such convenient and orderly manner as to be at all times readily accessible. He shall keep a complete docket and duplicate pleadings of all suits, actions or proceedings in which the city or any department or official thereof is interested, pending in any court or tribunal, upon which docket such appropriate entries shall be made as to show at all times the condition of each one of such cases. He shall also keep and record in a book to be provided for that purpose, the original or duplicate copies of all written opinions furnished by him to the city or to any department or official thereof, and shall make and preserve an index thereof.

Sec. 114. The city attorney shall present an annual report to the council, showing the business of his office for the past year, and shall present a report of all actions and proceedings before any court, board or commission, where the city is an interested party, and shall show what cases have been disposed of during the year and in what manner, and the condition of those remaining on the calendar, or still pending.

Sec. 115. He shall perform such other duties as may be required of him by the provisions of this charter.

CHAPTER 6. City Engineer.

Section 116. The city engineer shall be at least thirty years of age and shall have had at least five years practical experience as a civil engineer. He shall be the head of the engineering department of the city with the power to employ and discharge all employees thereof. He shall be appointed by the mayor with the approval of the council.

Sec. 117. He shall perform such duties as the council may prescribe by ordinance.

CHAPTER 7. Superintendent of Streets.

Section 118. The superintendent of streets shall be at least thirty years of age, and shall have had at least two years' experience in the building and maintaining of roads. He shall be the head of the street department of the city with the power to employ and discharge all employees thereof. He shall be appointed by the mayor with the approval of the council.

Sec. 119. He shall perform such duties as the council may prescribe by ordinance.

ARTICLE VI.

Department of Education.

Section 120. The school department of the city shall comprise all the territory that is now in the present school district or districts, or which may hereafter be annexed thereto for school purposes, and shall be known as "Riverside City School District," which shall succeed to all the obligations, property, rights and privileges of the present district or districts.

All territory included in the limits of the present city school district or districts, or that may hereafter be included within such limits, but not within the city limits, shall be deemed a part of said city for the purpose of holding general elections and other elections in so far as they are for the purpose of voting for members of the board of education, or upon other matters relating to the schools, and only for such purposes, and the qualified electors therein shall vote at such elections for the purposes above mentioned, said outside territory being deemed a part of said city for school purposes only.

The management and control of the schools and affairs and property of each school district shall be vested in one board hereby designated as the board of education, which shall consist of five (5) members who shall be qualified electors of said school district, and residing therein for at least two years next preceding their nomination, and shall serve without compensation. They shall be elected at the general municipal election at which elective municipal officers are elected, and hold office for a term of four years, and take office at the same time as such elective municipal officers.

After each regular municipal election the board shall organize by choosing one of its members as president. A majority of the board shall constitute a quorum, but the affirmative vote of three members shall be necessary to authorize the payment of public money, the election of superintendent, deputy superintendents, principals, teachers, and all officers and employees the board is authorized to select or appoint.

In case a vacancy should occur on the board of education, the remaining members of the board shall appoint a qualified person to fill such vacancy, but in case of tie vote the superintendent of schools of Riverside county shall have the casting vote. In either case the appointee shall serve the balance of the unexpired term for which he was appointed.

The powers and duties of the board of education are and shall be such as are now or shall hereinafter be provided by the laws of the State of California.

ARTICLE VII.

The Public Library.

Section 121. The public library and reading room, known as the Riverside Public Library, is hereby continued in existence, and shall be free of access to all citizens of said city and the general public except as hereinafter provided, subject to such rules and regulations for the government and management thereof as may at any time be adopted by the board of trustees of said library, hereinafter provided.

Sec. 122. The public library and the reading rooms and branches connected therewith shall be under the control and management of a board of five trustees known as the board of trustees of the Riverside Public Library and by such name shall have perpetual succession and may sue and be sued in all courts and places and in all proceedings whatever in relation to, or concerning any property, real or personal, or any right vested in said board.

Sec. 123. Said trustees shall be appointed, and may be removed, by the mayor pursuant to the provisions of this charter. Each trustee shall be at least twenty-five years of age and shall have been a qualified elector of the city for a period of at least three years next preceding his appointment. Trustees serving at the time of the adoption of this charter shall continue in office until the expiration of their respective terms, and thereafter their successors shall hold office for four years, and until their successors are appointed and have qualified. They shall serve without compensation.

Sec. 124. Said trustees shall organize annually on the second Monday in January, by the election of a president and a secretary from among their number who shall serve without compensation for a term of one year and until their successors are selected; *provided*, that either or both of said officers may at any time be removed from office and their places filled by the action of a majority of the whole board of trustees; *and further provided*, that the board may designate the librarian or any employee of the library as secretary, no additional salary being paid therefor.

Sec. 125. The board of trustees shall hold regular meetings at least once every month at such times and place as it may determine by resolution. Special meetings may be called by the president or by any two members; *provided*, that written notice is served as provided in this charter, and that no business shall be transacted at any special meeting except that mentioned in the call, unless five trustees shall consent thereto. Three trustees shall constitute a quorum for the transaction of business but a less number may adjourn from time to time.

Sec. 126. The secretary shall keep a record and full minutes in writing of all proceedings of said board and may certify to such proceedings or any portion thereof, under his hand, to be verified by seal, if a seal has been adopted and provided by the board for that purpose. All accounts of property, money, receipts and expenditures shall be kept under the supervision of the auditor of said city.

Sec. 127. The board, by a majority vote of all its members to be recorded on its minutes with ayes and noes, shall have power:

1. To take charge of the public library, grounds, reading rooms and branches and of all real and personal property thereunto belonging or that may be acquired by loan, purchase, gift, devise or otherwise, when not inconsistent with the terms and conditions of the devise, gift or bequest;
2. To purchase or lease all necessary real property whereon to construct a library building or buildings; to construct, maintain, extend and repair such buildings; to lease appropriate rooms, building or buildings for such reading rooms, library or branches; to furnish and equip such rooms and buildings as may be necessary therefor, and to insure library property;
3. To determine the number of librarians, assistants, janitors and such other employees as may be necessary to be appointed for such library, reading rooms and branches; to appoint such employees and at its pleasure, remove them; to prescribe their powers, duties and hours of employment; to fix the salaries and wages of all such employees;
4. To make and enforce such by-laws, rules and regulations as may be necessary or expedient for its own guidance and for the administration, government and protection of such library, reading rooms, branches and all property belonging, loaned, devised, bequeathed or donated thereto;
5. To extend the privileges and use of such library, reading rooms and branches to persons residing outside of the city upon such terms and conditions as said board of trustees may from time to time prescribe; *provided*, that nonresident taxpayers of the city shall have the same privileges as residents of the city;
6. To exclude from the privileges of the library, reading rooms and branches any and all persons who shall wilfully violate the rules established by the board, any and all persons who shall conduct themselves in an offensive or improper manner in or about the library or branches thereof and any and all persons afflicted with contagious, infectious, dangerous or offensive disease; *it shall be the duty of the librarian upon receipt of notice from the city health officer that contagious or communicable disease exists in any family or any house or building, to at once bar from all library privileges all*

members of such family or occupants of such building or house, and not to renew such privileges until official notice is received from said health officer that said disease no longer exists and that said premises have been properly fumigated;

7. To exercise and administer any trust declared or created for the benefit of such library, reading rooms or branches thereof and to receive by gift, devise or bequest and hold in trust or otherwise, property situated in this state or elsewhere, and where not otherwise provided in said trust, dispose of the same for the benefit of such library;

8. If the payment into the city treasury of any money or property derived by donation or bequest would be inconsistent with the conditions or terms of such donation or bequest, the board of trustees of the public library shall provide for the safety and preservation of the same and the application thereof to the use of such library and reading rooms in accordance with the terms and conditions of such donation or bequest;

9. To provide memorial tablets and niches to perpetuate the memory of any person making donations or bequests to said library;

10. To purchase books, journals, maps, publications and other supplies and personal property for the use of said library;

11. To repair, sell, exchange or otherwise dispose of personal property;

12. It shall be the duty of the board to exclude from said library all books, papers and publications that it deems to be indecent, immoral, offensive or harmful, and it may, in its discretion, exclude all publications of a partisan or sectarian nature;

13. To borrow books from, lend books to and exchange the same with other libraries, upon such conditions and terms as said board may prescribe;

14. To establish and maintain, or discontinue, such branches of the public library or reading rooms, or both, as the growth of the city and convenience of the public may from time to time require; special rules and regulations for the government and opening of any or all such branches may be adopted and enforced at the option of said board;

15. To do and perform any and all other acts and things necessary or proper to fully carry out the intent of this charter in establishing and maintaining a public library and reading room;

16. To conduct a library school for training students in the science and art of library work under such rules and regulations as the board of trustees shall prescribe, and to issue diplomas or certificates to such students as shall complete the said course; said board shall fix the fees for students in said school on a basis designed to make the school self-sustaining,

and when the board becomes satisfied at any time that it will not be financially self-supporting, it may discontinue the same;

17. To control and order the expenditure of all money at any time in the library fund, and order the drawing and payment of all moneys out of said fund for such expenditures or liabilities as are herein authorized, subject to the general provisions for the payment of demands on the city treasury, contained in article sixteen.

Sec. 128. The board of trustees shall annually, on or before the third Tuesday of July, make a report to the council showing the condition of their trust for the year ending June thirtieth of that year; the various sums of money received from the library fund and from other sources; for what purposes such money has been expended, the amount so expended and the balance on hand; the number of books and periodicals on hand; the number added by purchase gift or otherwise during the year; the number lost or missing; the number of persons entitled to borrow books; the number of books circulated and the general character and kind of such books; the names of all employees and the salary paid to each; with such other information, statistics and suggestions as it may deem of general interest. The statement of financial receipts and disbursements shall be verified under oath by the secretary. The board shall, as specified in article fifteen, section 203, submit to the council a careful estimate of the amount of expenditure required for the coming fiscal year, specifying in detail the object thereof. A duplicate of said report and estimate shall be sent to the auditor.

Sec. 129. At the request of the board of trustees of the public library, as expressed in the annual estimate and budget of the board, the council shall in making the annual tax levy and as a part thereof, if the maintenance of the library is not otherwise provided for, levy a tax sufficient to maintain said library, reading rooms and branches, and for purchasing or leasing such real and personal property, books, papers, publications, furniture, fixtures, and erecting such buildings as may be necessary therefor; said levy to be in addition to other taxes, the levy of which is permitted in the municipality; *provided*, said levy for library purposes shall not be less than five cents, nor more than twenty cents on each hundred dollars of value of all real and personal property in the city as assessed for city purposes.

All money received for such library from any source, except as herein otherwise provided for, shall be deposited in the treasury of the city to the credit of the library fund and shall be kept separate and apart from all other moneys of the city, and shall be disbursed only for library purposes herein

authorized and only upon the order of the board of trustees of the public library as hereinbefore provided.

Sec. 130. No indebtedness exceeding the funds available for library purposes during such year shall be incurred in any one year; *provided*, that this limitation shall not be construed to prevent the incurring of indebtedness for permanent improvements, to be liquidated by the proceeds of municipal bonds issued by the city of Riverside, in accordance with the provisions of this charter or of the general laws of the state, for the purpose of defraying the cost of such improvements; and *provided*, that the contracts for such improvements, the construction of the same and the allowing of demands in payment therefor shall be under the control of the board of trustees of the public library, subject to the general provisions herein contained relating to the allowance of demands.

Sec. 131. Any person desiring to make donations of money, securities or other personal property or real estate, shall have the right to vest the title to such money, personal property or real estate so donated in the board of trustees of the Riverside Public Library, hereby created, to be owned, held and controlled by such board when accepted according to the terms of the deed, gift, devise or bequest of such property; and as to such property, the board shall be held and considered to be a special trustee thereof for the city. No real property used for library purposes can be sold by the council or otherwise disposed of without the approval of four trustees of the public library.

Sec. 132. The council shall have power to appropriate and authorize the use, either in whole or part, of any real estate belonging to the city for the purpose of erecting and maintaining a building or buildings thereon to be used for the public library or branches thereof, and may appropriate the whole or any portion of any public building belonging to or used by the city, for such use.

Sec. 133. The council shall pass proper ordinances imposing suitable penalties for the punishment of persons committing any injury upon said library or the grounds or property thereof, and for injury to or failure to return or for unlawfully obtaining or detaining any book or publication or other property of said library.

ARTICLE VIII.

Department of Public Utilities.

Section 134. There is hereby created a department of public utilities which shall be under the control and management of a board of public utilities, hereinafter called the board, consisting of the mayor and four commissioners. These commissioners shall be appointed, and may be removed by the

mayor pursuant to the provisions of this charter. Each commissioner shall be at least twenty-five years of age, and shall have been a qualified elector of the city for the three years next preceding the day of his appointment. Members of the board serving at the time of the adoption of this charter shall continue in office until the expiration of their respective terms, and thereafter their successors shall hold office for four years, and until their successors are appointed and have qualified. The mayor shall be the presiding officer of the board. The members shall serve without compensation. Unless otherwise provided by ordinance, the city clerk or his deputy, shall act as secretary of said board and keep the minutes and records thereof and shall, whenever required to do so, certify such proceedings under his hand, the same to be authenticated by seal if a seal is adopted and provided by said board for that purpose.

Sec. 135. The board shall hold regular meetings at least once in every month at such times and place as it may determine by resolution. Three members shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time. Special meetings may be called pursuant to the provisions of section 46.

Sec. 136. The board shall have the exclusive control and management of all electric and other light and power works, gas works, water works, ice works or other systems of providing and distributing refrigerating means, materials and service, and all other public utilities that now belong to, or that may hereafter be acquired by the city; the acquisition, construction, extension, maintenance, operation and improvements of such works and systems; the management, rental, use, sale and distribution of electricity, light, power, gas, fuel, water, ice or other products, merchandise or service therefrom; the collection of the rates and payment for the same and the general charge thereof; by ordinance of the council, the board may be given charge of the fire and police telegraph and alarm systems, together with the charge and oversight and upkeep of any or all electrical equipment or lighting system of any public building or place owned by the city.

Sec. 137. The board may appoint, transfer, remove, discharge, suspend, or require bonds of superintendents, engineers, laborers and all other persons employed in or by said department or in connection therewith in whatever capacity, and may prescribe their duties, compensation and authority, except as otherwise provided herein for the city auditor, his deputies and clerks; *provided, however*, that all salaries and scale of wages must be first approved by the council by resolution.

Sec. 138. The rates to be charged for the use, rental and sale of electricity, light, power, heat, gas, water or for any

other service supplied by such department for which it is practicable to establish fixed rates, shall be fixed by the board of public utilities annually, or oftener if desired, but must be approved by the council. Said rates should preferably, but not necessarily, yield a reasonable profit and interest on the investment of the city, but must not be less than the actual cost of providing such service or utility, including all repairs, maintenance, operating expenses and the depreciation hereinafter provided for in section 148 of this article, unless approved by two-thirds of all the qualified electors voting on such proposition at any election, *and further provided*, that the board shall have power by a vote of four members, approved by a vote of six members of the council, and by the mayor, when, in their judgment such would be for the best interests of the city as a whole, to make special and discriminating rates and contracts which may or may not be less than the said cost.

Sec. 139. The board shall have authority to purchase all machinery, material, fuel, merchandise and supplies for the use of the department, and such purchases may be made in the open market for the best advantage of the city, and bids shall not be required except at the option of the board, notwithstanding any other provision to the contrary contained in this charter elsewhere. The board is authorized to acquire and take by purchase, condemnation or otherwise, in the name of the city, any and all property, including water and water rights, situated within or without the limits of the city, that may be necessary or convenient for the construction, operation, maintenance or extension of any of the said works or public utilities, the consent of the council being first obtained by resolution.

Sec. 140. Said board shall have power to contract or to extend contracts for power, electric current, gas, fuel, or similar commodity; if said contracts or extensions are for a period exceeding one year and shorter than five years they shall require the approval of the council; if longer than five years they must, in addition, be ratified by a majority of the qualified voters voting on such proposition at any election, before they shall be binding on the city. The board may, however, subject to the approval of the council, make such contracts, or make leases of machinery or apparatus for a longer term than five years if such contracts or leases provide for the acquisition by the city of the machinery or apparatus so leased, or provide for the acquisition of the machinery or apparatus producing the electric current, power, gas, or other product so contracted for by the city.

Sec. 141. The city, by said board, shall have the right to sell, lease, rent or furnish any of the commodities, merchandise or service herein provided for, to persons or corporations

using the same outside of the city limits, provided the same does not interfere with the proper service of the inhabitants of the city, and any contracts must be subject to this provision, and contain a clause to that effect. The rates so charged shall be fixed by the board, but must be approved by the council.

Sec. 142. The city, by said board shall have power to purchase, acquire by leasing or renting, to sell, to rent or lease out, to install, repair and maintain every kind of electric current, power, fuel, heat, machinery apparatus, supplies and all other articles of merchandise necessary, convenient or profitable either for its own use in any of the public utilities operated by the city, or for the use of customers of the city wherever located. Such service to persons outside of the city shall be subject to the provisions of section 141. When the board deems it to be to the profit and best interests of the city, it may furnish, free of charge, or give away to its customers, under proper restrictions to be approved by resolution of the city council, apparatus, lamps, and other articles intended to consume or make use of electricity, gas, power or other commodities furnished by the department.

Sec. 143. The board shall have entire charge of the system of street lighting; *provided*, that before any extensions of same are made, the approval of the council shall be necessary. The rate to be charged the city for street lighting shall be determined by the board and approved by the council, but must not be less than the actual cost of same. Bills for same shall be rendered monthly and approved in the same manner as other demands. The auditor shall then credit the electric fund and charge the proper fund with the said amount. Light, power and other items and supplies furnished other departments of the city shall be treated in like manner.

Sec. 144. The board shall have power, by a resolution adopted by a majority of all its members and recorded at length on the minutes with the ayes and noes, to make and enforce all such reasonable regulations, rules and by-laws as may be necessary for its government, for the administration of the department and for the exercise of the powers conferred by this article. In the event that electric transmission lines have been paid for, in whole or in part, by persons or corporations other than the city, the board may require persons desiring to connect with said lines, to pay a proper proportion of such cost before being allowed to make such connection, and the said payment may be repaid pro rata to the persons originally paying for such lines.

Sec. 145. The city auditor, as provided in section 95, shall have entire charge and control of all records, books, documents and accounts relating to property and the receipts and expenditures and all accounts of purchases and sales of the

department. His department shall also attend to the correspondence of the board or of the superintendent, but this shall be under the control and direction of the board. The board shall allow out of each utility fund the wages of the deputies and clerks employed in that department, which wages shall be fixed by resolution of the council.

The auditor shall annually make an inventory of all property belonging to each utility and shall keep this record posted up to date. A record shall be kept of all property sold, lost, destroyed, worn out or discarded, and a record of all connections and the number of lamps in use. The auditor shall accurately apportion all income and expenditures so that regular operating expenses, repairs, betterments, extensions, replacements, depreciation, cost of operation, power and fuel, the income from various sources, and the net income and real value of the plant can always accurately be told. The board and superintendent shall so conduct the department that this can be done and the auditor is instructed and given power to see that this provision is complied with.

Sec. 146. All money received by the board from the collection of rates or otherwise shall be paid over to the treasurer of the city, daily, unless otherwise provided by ordinance, to the credit of each utility fund, which shall be kept separate and apart from all other moneys of the city, and shall only be drawn from said funds by demands previously approved by a vote of three members of the board taken with the ayes and noes, and spread on the minutes, and the action of said board endorsed on said demands and signed by the mayor as president of the board and by the secretary thereof. All demands must be approved by the superintendent or managing head of the department and by the auditor or his deputy before being presented to the board. In case of emergency the council may transfer money from the general fund to the respective utility funds. Any moneys raised by issuing the bonds of the city for the use of the department of public utilities shall be expended and controlled by said board. Money may be temporarily transferred from the utility funds or either of them, to the general fund by the council, but only with the consent of the board of public utilities, and such money must be returned to the respective utility fund from which it was transferred by the first day of the following May.

Sec. 147. None of the money in any utility fund shall be apportioned and used for any purpose or purposes other than for the following:

1. For the necessary expenses of conducting each utility, operating the same and making all current and ordinary extensions, betterments and repairs;

2. For the extraordinary improvement of and betterment to the plant, property, equipment and system of supply and distribution of each utility including purchase of necessary lands, rights and other properties;

3. Any unused balance in the fund of any utility, after deducting for the depreciation sinking fund as provided in section 148, may with the approval of both the board and the council, be used for payment of principal and interest of any bonds of such utility outstanding;

4. After all expenditures have been made that are required in the first, second, and third subdivisions of this section, the profit, if any there be, remaining in the fund of any utility at the end of the fiscal year, from the operation of such utility for such year, may, with the consent of both the council and the board, be transferred, in whole or in part, into the general fund.

Sec. 148. At the end of each fiscal year the auditor shall take the total value of property belonging to each utility as obtained from the inventory and property record; he shall deduct not less than two per cent therefrom, which shall represent the estimated depreciation of the plants and systems of each utility for the year. Said per cent shall thereupon be transferred from each utility fund to the credit of its depreciation sinking fund. He shall then charge to such sinking fund and credit to its respective utility fund the amount expended during the year in actual replacements of wornout machinery and plant, but must not include therein amounts expended in betterments, extensions, changes and repairs. The balance remaining in the depreciation sinking fund shall then be invested by the treasurer, subject to the approval of the council, in United States, state, school or municipal bonds, or deposited in banks organized under the laws of California, or national charter at interest, and the interest thereon shall accrue to said fund. If the per cent deducted from any utility fund in any one year shall not be sufficient to offset the expenditures for said actual replacements for such year as above specified, then sufficient bonds from the depreciation sinking fund shall be converted into cash, or cash withdrawn from said banks, and said cash transferred to the utility fund to make up such deficiency; but this shall be done only on the recommendation of the auditor and approved by the said board and the council. The depreciation sinking fund of each utility shall otherwise remain inviolate except as authorized by a two-thirds vote of the qualified electors voting on such proposition at any election; *provided*, that the said board by a four-fifths vote of all the members, approved by the council by a vote of six-sevenths of all the members, and by the mayor, shall have the

power to instruct the treasurer and auditor to convert sufficient of said bonds into cash or withdraw said deposits, and thereupon to temporarily transfer the proceeds and to use same for betterments and extensions of said utility, or to acquire any other public utility elsewhere provided for in this charter, but must not use the same for repairs or operating expenses. Said temporary transfers must be repaid to the respective sinking fund from which any such transfer was made, in annual installments not less than ten in number, with five per cent interest on same, computed semiannually, and the auditor is authorized and instructed to make such transfer and the council must provide the funds therefor if the balances in such fund be insufficient. Annual reports in detail must be made by the auditor and the treasurer of all increments, changes, conversions, investments, interest, loans from and repayments to said depreciation sinking funds. The auditor shall report to the board the rate of depreciation he deems wise and necessary to charge each public utility each fiscal year, with his reasons therefor, and the board may, if not entirely satisfied or if it has any doubt, take other advice and may change the per cent recommended by the auditor and substitute and charge a different per cent, and the responsibility shall rest with the board. If the money in each or either public utility fund be insufficient to provide the amount of the depreciation charge respectively, the auditor shall create a deficit in either or each of said funds and if said deficit be not balanced at the time the next annual tax levy is made, the council must, by levy or otherwise, provide the money to balance the said fund. Said per cent shall not be less than two per cent unless approved by a majority of the electors voting on such proposition at any election.

Sec. 149. The board shall present to the council a monthly report segregated as to each utility operated by it, showing expenditures for operating expenses, fuel, power, wages, repairs, replacements, betterments, aid extensions; also all income and net profit itemized into proper classes, and also an annual report showing in addition to these items the nature and condition of the property under their control with such information and suggestions as it may deem of general interest. If funds be needed for extensions, improvements, repairs or other expenditures, too great to be paid out of the estimated current income of the department, the board shall, as provided in section 203, article fifteen, make an itemized statement of the same to the council and the council may make such proper tax levy to provide such funds, and said taxes shall, when collected, be credited to the particular utility fund entitled thereto. Duplicates of all reports shall be filed in the auditor's office.

Sec. 150. It shall be the duty of the council to pass such ordinances as may be necessary to enforce the rules and regulations made by the said board.

Sec. 151. The board shall possess such other powers and perform such other duties as may be necessary to carry any of the powers and duties prescribed in this article into full force and effect, or as may be elsewhere prescribed by this charter or by ordinance.

Sec. 152. It is understood that at the time of the adoption of this charter, the electric and water departments are the only public utilities operated by the city. In case any other public utility shall hereafter be acquired and pass under the control and management of the board of public utilities, the said board shall create separate departments therefor, and such departments shall each be subject to all of the provisions of this article as far as they can be made applicable, and the accounts thereof shall be kept entirely separate each from the other, and separate and appropriate funds shall be established for each.

Sec. 153. No public utility once acquired and operated by the city shall, nor shall the control of same or the products therefrom, ever be sold, leased, abandoned or otherwise disposed of to any person or corporation except such proposition is approved by a two-thirds vote of all the qualified electors voting on such proposition at any election at which said proposition shall be legally submitted; *provided*, that said prohibition shall not be construed to prevent the ordinary sale of electricity, gas, water, power, service, merchandise, supplies, materials and unused or abandoned machinery or apparatus to the customers of the city in the regular course of business.

ARTICLE IX.

Health Department.

Section 154. The board of health shall consist of five members, three of whom shall be appointed by the mayor; each of the three thus appointed shall be at least thirty years of age, and shall have been a qualified elector of the city for a period of three years next preceding his appointment, two of whom shall be practicing physicians, and shall have practiced their profession for at least five years next preceding their appointment. The mayor and the city engineer shall be the other two members of the board. Those members serving at the time of the adoption of this charter shall continue in office until the expiration of their respective terms, and thereafter their successors shall hold office for four years, and until their successors are appointed and have qualified.

Sec. 155. Three of the members of the board shall constitute a quorum for the transaction of business.

Sec. 156. The board shall annually, or as the need may arise, appoint one of its members, who is a practicing physician, as secretary of the board. The secretary shall be ex officio health officer of the city.

Sec. 157. Regular meetings of the board shall be held once a month. Special meetings may be called by the mayor, by two members of the board, or by the health officer, pursuant to the provisions of section 46.

Sec. 158. The board shall have power to appoint and remove at pleasure a regularly certified physician to serve as city physician, who may or may not be the health officer.

Sec. 159. The health officer and city physician shall receive such compensation as may be fixed by the council. The other members of the board shall act without compensation.

Sec. 160. The board of health shall have such other powers and perform such other duties as may be prescribed by ordinance.

Sec. 161. The council may by ordinance consolidate the city health department with a district, a county, a state or a federal unit. During the life of the consolidation the city board of health may be suspended.

ARTICLE X.

Park Department.

Section 162. There shall be a board of park commissioners, consisting of five members, who shall be appointed, and may be removed, by the mayor pursuant to the provisions of this charter. They shall serve without compensation. Members of the board serving at the time of the adoption of this charter shall continue in office until the expiration of their respective terms, and thereafter their successors shall hold office for four years, and until their successors are appointed and have qualified.

Sec. 163. The board shall elect a president who shall hold office during its pleasure. Unless otherwise provided by ordinance the city clerk, or any person assigned by him, shall act as secretary of the board and keep the minutes thereof. It shall hold regular meetings at least once each month, at such time and place as it may determine; and special meetings may be called by its president or two members of the board at any time as provided in section 46; its meetings shall be public; three members shall constitute a quorum for the transaction of business; it may adopt rules for its proceedings and shall cause a record of such proceedings to be kept by its secretary under its direction.

Sec. 164. The board shall have the exclusive control of all lands and real property which may be acquired, set apart or dedicated for the use of the public as parks or playgrounds within the city limits, and of any boulevard that may be

acquired, dedicated or constructed as a portion of the park system of the city and of such parking spaces as may be placed under its supervision by ordinance. The board shall have authority to purchase all articles and materials for and have all work and labor performed upon all public property under its jurisdiction, and to that end may appoint, remove, discharge or suspend superintendents, laborers and all other persons employed upon the same. The board shall have the authority to establish rules and regulations for the use and government of such public property under its jurisdiction, and shall have the right to prohibit the use of the drives in any of said parks or playgrounds or the said boulevards for heavy traffic or other purposes which may be injurious to them, and shall render such other services and perform such other duties as may be prescribed by ordinance.

Sec. 165. The board shall make such monthly and annual reports to the council of expenditures and other matters as may be required by the council. They shall annually submit an itemized estimate of the money needed for the work of the board during the ensuing year. The council shall in its discretion levy a tax for such purposes and when collected it shall be paid into the "Park fund," and be paid out only for park purposes and for other work coming under the control of the board.

ARTICLE XI.

Judicial Department.

Section 166. The judicial power of the city shall be vested in a police court consisting of one police judge. He shall have been a qualified elector of the said city for the two years next preceding his appointment and shall be an attorney duly admitted to practice before the supreme court of the state. He shall be appointed by the mayor, pursuant to the provisions of this charter.

Sec. 167. The police judge shall have the power of examining magistrates and may commit offenders for trial in the proper court; also to administer and certify oaths and affirmations.

Sec. 168. The police court shall have exclusive jurisdiction of criminal proceedings for violation of the city ordinances; and of all civil actions and proceedings arising out of a violation of such ordinances; and for the collection of any license tax required by any ordinance, except such actions and proceedings as, on account of the amount involved, are within the jurisdiction of other courts under the provisions of the constitution of the state.

Sec. 169. The police court shall have jurisdiction concurrently with the justices' courts of all criminal actions and proceedings, arising within the corporate limits of the city and which might be tried in said justices' courts.

Sec. 170. Proceedings in criminal actions triable in such courts shall be in conformity with the provisions of part two, title eleven, chapter one of the Penal Code of this state.

Sec. 171. The rules of practice and mode of procedure in the police court shall be the same as are or may be prescribed by law for justices' courts in like cases; and appeals may be taken to the superior court of the county from all judgments of said police court in like manner and with like effect as in cases of appeal from justices' courts; *provided*, that in actions in said court when process is to be served outside of the county of Riverside, the process shall have attached to it a certificate of the city clerk under his official seal, that the person issuing the same was acting police judge at the date of the process.

Sec. 172. The judge of the police court shall keep a record of the proceedings of the police court in all matters and cases before said court.

Sec. 173. All fines, penalties and forfeitures collected by said police court shall be the property of the city and shall be promptly deposited in the city treasury for the use of the said city.

Sec. 174. The city shall furnish for said court a suitable court room and office and the necessary dockets and all blanks and other books, papers and stationery necessary in the transaction of its business, and the said court shall always be open for the transaction of business, except on Sundays and other non-judicial days.

Sec. 175. In the absence, or upon the disqualification or disability of the judge of said police court, any qualified justice of the peace of Riverside county at the request of said police judge may preside in his place as judge of said police court with all the powers, authority and jurisdiction of the duly qualified judge thereof.

Sec. 176. The council shall have power to prescribe by ordinance, additional duties and powers for the police judge.

ARTICLE XII.

Police Department.

Section 177. The police department of the city of Riverside shall consist of a chief of police and such other officers and policemen as shall, from time to time, be fixed and determined by the council.

Sec. 178. The chief of police shall be at least thirty years of age and a citizen of the United States. He shall be appointed to his office by the mayor with the approval of the council.

Sec. 179. The chief of police shall enforce the execution of all the laws and ordinances within the jurisdiction of the city; and for the suppression of any riot, public tumult, disturbance of the peace or resistance against the law or public authorities in the

lawful exercise of their functions. He shall have the powers that are now or may be hereafter conferred upon sheriffs by the laws of the state, and shall in all respects be entitled to the same protection, and his lawful orders shall be promptly executed by deputies, police officers and watchmen in the city of Riverside, and every citizen shall also lend aid when required for the arrest of offenders in maintenance of public order. He shall and is hereby authorized to execute and return all processes issued and directed to him by the police court or judge or other legal authority of said city, and it shall be his duty to prosecute before the police judge all breaches or violations of or non-compliance with any city ordinance or law within the jurisdiction of the police judge which has come to his knowledge. Unless otherwise provided by ordinance, he shall receive from the auditor all licenses and collect the same and at the expiration of any month shall pay to the treasurer all funds of the city collected by him during said month. He shall, upon payment of the money, file with the treasurer a statement of the money so collected and an affidavit stating that the money so paid is all the funds that he has collected or received during the preceding month. He shall have charge of the city prison and prisoners and of any chain gang which may be established by the council. He shall devote his entire time to the discharge of the duties of his office, and subject to such rules and regulations as the council may prescribe, shall have control of the police force. He shall have power to suspend or remove any member of the police force for disobedience of any lawful order, for the violation of rules and regulations of the department, for inefficiency, for the betterment of the police department, or for conduct unbecoming a member of the police force. In addition to the duties in this charter specified, he shall discharge all duties required of him by the ordinances of the city or by law or the provisions of this charter.

Sec. 180. The policemen of the department shall be appointed by the chief of police, and such policemen shall hold office subject to removal by the chief of police as provided in section 179.

Sec. 181. The council, subject to the provisions of this charter, shall have the power to organize the police department and make all necessary rules and regulations for its efficient administration, ordain penalties for violations thereof, establish the number of its members and the amount of their salaries, including that of the chief of police, and do all other acts necessary to the efficient equipment and operation of the police department of the city.

ARTICLE XIII.

Fire Department.

Section 182. The fire department of the city of Riverside shall consist of a chief and such number of officers and men of

the department as the council shall from time to time, fix and determine.

Sec. 183. The chief of the fire department shall be a citizen of the United States and at least thirty years of age. He shall be appointed by the mayor.

Sec. 184. The chief of the fire department shall, subject to such rules and regulations as the council may prescribe, have entire control of the department. He shall have power to suspend or remove any member of the fire department for disobedience of any lawful order, for the violation of rules and regulations of the department, and for neglect of duty, for inefficiency, or for conduct unbecoming a member of the force. He shall be charged with the especial duty of superintending the extinguishment of fires that endanger the municipality or destroy its property and he shall take measures to guard and protect all property imperiled thereby. In addition to the duties in this charter specified, he shall discharge all duties required of him by the ordinances of the city.

Sec. 185. The council, subject to the provisions of this charter, shall have power to organize the fire department and change the same, make all necessary rules and regulations for its efficient administration, ordain penalties for violations thereof, establish the number of its members and the amount of their salaries including that of the chief of the fire department, and do all other acts necessary to the efficient equipment and operation of the fire department of the city.

ARTICLE XIV.

Elections.

Section 186. Elections to be held in said city for the purpose of electing the officers thereof and for all other purposes, are of three kinds:

1. General municipal elections;
2. Special elections;
3. Primary elections.

Sec. 187. General municipal elections shall be held in the city as follows: The first election shall be held on the third Tuesday in November, nineteen hundred and twenty-nine; the second election shall be held on the third Tuesday in November, nineteen hundred thirty-two. Said elections shall be held on the third Tuesday of November every two years thereafter; *provided*, that the council may by ordinance provide that any general election may be consolidated with the state election held in the same year and in such case the said general municipal election shall be held at the same time and place and together with said state election within the limits of the city, in accordance with the provisions of any general law of the state providing for such consolidation.

The mayor shall be elected at large at the first general municipal election. The successor to the mayor shall be elected at the second municipal election, and every four years thereafter. The city clerk, city auditor and city treasurer shall be elected at large at the second general municipal election and every four years thereafter.

One member of the council from each of the third, fourth, sixth and seventh wards of the city shall be elected by the electors of said wards, and two members of the board of education shall be elected by the electors at large at the first general municipal election.

One member of the council from each of the first, second and fifth wards of the city shall be elected by the electors of said wards, and three members of the board of education shall be elected at large at the second general municipal election and every four years thereafter. The successors of the members of the council from the third, fourth, sixth and seventh wards and of two members of the board of education shall be elected at the third general municipal election and every four years thereafter. Every officer shall hold office until his successor is elected or appointed, and has qualified.

Sec. 188. The officers elected at a general municipal election shall, after they have qualified as provided in this charter, take office and enter upon the discharge of their duties at ten o'clock a.m., of the first Monday in January next succeeding their election, or if said day falls on a holiday, then upon the day following.

Sec. 189. Special elections shall be held for such purposes and at such times as the council may determine, or at such times as are elsewhere provided in this charter, except that no special election shall be held less than thirty days after the passage of an ordinance calling the same. All special elections shall be held and conducted, except as to the date thereof, and the result thereof be made known and declared in the same manner as herein provided for other elections.

Sec. 190. The provisions of the general law of the state governing municipal elections, where the same are held separate from the general state elections, are hereby adopted as the law governing city elections, and the provisions of the general laws of the state governing elections for state and county officers shall govern city elections in matters for which no provision is made in this charter, and the council and the city clerk respectively shall exercise the powers and perform the duties conferred on, or imposed by, such laws or boards of supervisors and county clerks concerning elections; *provided*, that where this charter makes provision relating to any matters contained in such general laws, the said charter provisions shall govern.

The elections for members of the board of education held in the territory embraced in the Riverside city school district lying outside the city limits shall be held in accordance with the election provisions of this charter, except that the number of election officers and the form of the ballot may be as required by the general school laws of the state for school elections.

Sec. 191. All candidates for city offices shall be nominated at a primary election to be held on the third Tuesday in September next preceding each general municipal election, as provided for in the direct primary law of the State of California as now in force, or as may hereafter be amended; *provided, however*, that the council may by ordinance provide that any primary election may be consolidated with the state election held in the same year, and in such case the said primary election shall be held at the same time and place and together with said state election within the limits of the city, in accordance with the provision of any general law of the state providing for such consolidation.

Sec. 192. When candidates for any office are nominated as specified in section 191, it is hereby provided and directed that no party name or designation shall appear on the certificates or ballots and that the names of the candidates for each office shall be arranged alphabetically on said ballot.

Sec. 193. The conduct and carrying on of all city elections shall be under the control of the council and the council shall, by ordinance, order the holding of all elections, and provide for the necessary notice and the giving thereof, unless a city election is combined with a state election according to law and the provisions of this charter.

Sec. 194. Each ward of this city shall constitute at least one municipal election precinct, but the council may divide any ward into two or more election precincts for the purpose of any city election and may change and alter and consolidate such precincts; *provided*, the same is not done within thirty days previous to an election; *and provided, further*, that no precinct shall in any case embrace parts of any two or more wards.

Sec. 195. At each city election each of the election officers shall receive not to exceed the sum of five dollars for his services.

Sec. 196. The council shall have power to submit to the electors of said city at any election any question required to be so submitted by the constitution, law, this charter or by ordinance; *provided*, that in case the question is required by said constitution, law, charter or ordinance to be submitted at a special or other particular kind of election, it shall be so submitted unless otherwise provided herein.

Sec. 197. Subject to the provisions of this charter, all elective and appointive officials of the city of Riverside serving in office at the time of the adoption of this charter, shall continue in office for the term for which they were elected or appointed and until their successors shall have been elected or appointed and have qualified.

Sec. 198. The election returns from each municipal election precinct shall be filed with the city clerk, who shall immediately place them in the safe or vault in the city clerk's office, and no person shall be permitted to handle, inspect, examine or in any manner interfere with the same until canvassed by the council. After having been canvassed they shall be sealed up by the city clerk for twelve months and no person shall have access to them, except on the order of a court of general jurisdiction.

Sec. 199. On the first Tuesday after any election and at their usual time and place of meeting, the council shall meet and canvass the returns and declare the result.

Sec. 200. After the result of an election is declared or when an appointment is made, the city clerk under his hand and official seal shall issue a certificate thereof and serve the same by depositing such certificate with the postage prepaid, in the United States post office in Riverside, addressed to the person elected or appointed, and such person must, within ten days after receiving such certificate, file his official bond, if a bond is required of him by this charter or the ordinances of the city, and take and subscribe to the oath of office required of him by this charter, which oath must be filed with the city clerk.

Sec. 201. Whenever any ordinance or proposition is required by this charter to be submitted to the voters of the city at any election, the city clerk shall cause the ordinance or proposition to be printed and he shall enclose a printed copy thereof in an envelope with a sample ballot and mail the same to each voter at least ten days prior to the election, but the council may order such ordinances or proposition to be printed in the official newspaper of the city and published in like manner as ordinances adopted by the council are required to be published and may order that such publication shall take the place of the printing and mailing of the ordinance or proposition and of the sample ballot as first above provided.

ARTICLE XV.

Revenue and Taxation.

Section 202. All taxes, licenses, fines, penalties and all moneys received from any source shall constitute the revenue of the city and shall be collected and paid into the city treasury.

Sec. 203. On or before the third Tuesday in July of each year, unless a different time is fixed by ordinance, the several heads of each department, office, board and commission shall submit to the council an estimate in writing of the amount of expenditure, specified in detail, and stating the object thereof, required in the respective department, office, board and commission during the ensuing fiscal year. Duplicates of these estimates shall be submitted to the auditor.

Sec. 204. On or before the fourth Tuesday in July of each year, unless a different time is fixed by ordinance, the auditor shall prepare and transmit to the mayor and council an estimate of the probable financial necessities of the municipal government for the fiscal year, stating the amount required to meet the interest and principal on all bonded or funded indebtedness of the city, and all special assessments, together with the amount needed for the salaries and probable wants of all the departments of the municipal government in detail, showing specifically the necessities of each fund in the treasury. The estimate shall also show what amount of income and revenue is likely to be collected from fines, licenses and all other sources of revenue, exclusive of taxes upon property, and what amount will probably be required to be levied and raised by taxation in order to meet the necessities of each specific fund for such fiscal year.

Sec. 205. The council shall have the power and it shall be their duty to fix by ordinance the amount of money necessary to be raised by taxation upon the taxable property of the city, as a revenue to carry on the various departments of such city for the current fiscal year, not to exceed the limit fixed by this charter, or by vote of the electors, and to pay the bonded or other indebtedness of said city. The council shall meet for such purpose and shall so ascertain and fix said amount on the first Tuesday in August in any year when provision has been made by ordinance for the assessment and collection of the city taxes by the county assessor and county tax collector, and in any other year at such time as may be fixed by ordinance.

Sec. 206. During such time as the assessment and collection of city taxes shall be made by the proper officers of said city, the council shall meet at their usual place of holding meetings at ten o'clock a.m. on the second Monday of August of each year, unless a different time is fixed by ordinance, and sit as the board of equalization, and shall continue in session by adjournment from day to day until all the returns of the assessor have been rectified and the assessment equalized. They shall have power to hear complaints and to correct, modify or strike out any assessment made by the assessor, and may, of their own motion, raise or lower any assessment upon notice to the parties whose assessment is to be changed. The corrected list for each tax shall be the assessment roll of said

tax for said year. It shall be certified by the city clerk, who shall act as clerk for the board of equalization, as being the assessment roll for said tax and shall be the assessment roll upon which such tax is to be levied in said year.

Sec. 207. The mayor and council shall have power and it shall be their duty, unless the city taxes are assessed and collected as provided in section 209 of this article, to provide by ordinance a system for the assessment, levy and collection of all city taxes and for the sale of property for delinquent taxes, which system shall conform, as nearly as the circumstances of the case may permit, to the provisions of the laws of this state with reference to assessment, levy and collection of state and county taxes and sale of property for delinquent taxes, except as to the times of such assessment, levy and collection and except as to the officers by whom such duties are to be performed. All taxes assessed, together with any percentage imposed for delinquency and the cost of collection, shall constitute liens on the property assessed from and after the date of assessment.

Sec. 208. If there shall be no ordinance in force availing the city of the privilege of having its taxes assessed and collected by the officers of the county, the city clerk shall be ex officio tax collector; and they shall perform respectively the duties and have all the powers prescribed by law or ordinance for assessors and tax collectors. While the city avails itself of the privilege of having its taxes assessed or collected by the county officers, the offices of city assessor and city tax collector shall not exist. The taxes so levied and collected shall be paid by the proper county officers to the city treasurer and be apportioned by the city auditor to the several specific funds.

Sec. 209. The mayor and council shall, during the month of January in any year after the adoption of this charter, pass an ordinance electing to avail the city of Riverside of the provisions relating to the making of assessments and collection of taxes by the assessor and tax collector of the county of Riverside, pursuant to the provisions of an act of the Legislature of the State of California entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporation," approved March 27, 1895, and amendments thereto; *provided*, that act be then in force, and shall cause a certified copy of such ordinance to be filed with the auditor, assessor and tax collector of said county of Riverside. If said act shall be amended or some

other law be substituted instead, providing for the assessment and collection of city taxes by county officers, any ordinance passed therefor by the mayor and council shall conform to the provisions of such amended act or such law in order to avail the city of the privilege of having its taxes assessed and collected by such county officers.

Sec. 210. On the first Tuesday of September in any year when provision has been made by ordinance for the assessment and collection of the city taxes by the county assessor and county tax collector, the council shall fix the rate of taxes for such year as provided in section 4 of said act of the Legislature referred to in section 209 of this article, and shall immediately thereafter transmit to the county auditor of said county of Riverside a statement of such rate as fixed by said council.

Sec. 211. No money from bond, interest or sinking funds of the city shall be transferred to other funds, except as provided herein, until the necessity for which such bond, interest or sinking funds were created no longer exists. Ordinances providing for the levying of the taxes mentioned in this article shall not be subject to the provisions of the referendum referred to in section 233, of article twenty-one.

The council shall not have power to levy a general tax greater than one dollar and thirty-five cents on each one hundred dollars of the assessed valuation of all property within said city. This limit is exclusive of all taxes for the payment of the principal and interest of the bonded indebtedness of the city, all district taxes, special taxes, special assessments and all taxes for library or school purposes. This limit may be changed at any time by an ordinance adopted by a majority vote of all the electors voting on such question at any general or special election and such ordinance may originate in the council or may be proposed by initiative petition.

ARTICLE XVI.

Claims and Demands.

Section 212. Bonds and interest coupons shall be paid by the treasurer and demands shall not be necessary therefor.

Sec. 213. All other payments from the treasury must be made only on demands as herein provided, and every demand must specify each date, item and value, be verified under oath and must be approved by the head of the department authorizing, or the person having knowledge of same, and by a majority of all the members of any board over such department.

Sec. 214. All demands on the library fund, or any public utility fund, must be approved by a majority vote of all the members of the board of trustees of the Riverside public

library or the board of public utilities respectively, and approved by the auditor. The approval of the mayor and council shall not be necessary, but the mayor may disapprove any such demand and such demand shall be then paid only if approved, as provided in section 216 of said article.

Sec. 215. All demands except those referred to in section 214 of this article must be approved by a majority vote of all the members of the council, by the mayor and by the auditor.

Sec. 216. The council may approve any demand over the disapproval of any head of a department by a majority vote of all the members. The council may approve any demand over the disapproval of the mayor by a vote of six of its members, and any board specified in section 214 may approve any demand over the disapproval of the mayor by a vote of four of its members. Every such demand must be voted on separately, the aye and no vote taken by roll call and recorded. The reason for any disapproval must be attached to the demand.

Sec. 217. Regular monthly pay-roll demands, when approved by the head of the department, may be paid prior to the approval by the board over such department.

Sec. 218. Salaries of elective officers, except those of members of the council, shall not require demands.

Sec. 219. The auditor shall designate the fund out of which any demand shall be paid. His disapproval shall be final, subject to the review of the courts. No demand can be paid by the treasurer unless audited and approved as herein provided. If there are no funds to pay any demand on presentation, the treasurer shall register such demand and thereafter, if there be funds legally applicable to pay such demand, it shall be paid in the order of registration at the rate of five per cent per annum.

Sec. 220. The system of accounting and forms relating to demands and their approval and payment prescribed by the board of city accounting under the former charter of the city of Riverside, shall continue in force until changed by ordinance.

Sec. 221. No suit shall be brought on any claim for money or damages against the city of Riverside or any officer or board of the city, until a demand for the same has been presented, as herein provided and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Except in those cases where a shorter period of time is otherwise provided by law, all claims for damages against the city of an officer or board of the city, must be presented within three months after the occurrence from which the claimed damages arose, and all other claims or demands shall be presented within three months after the last item of the account or claim accrued. Nor shall suit be brought against said city, or any

board or officer thereof, upon any claim or demand that has been in whole approved and audited as provided herein; *provided*, that nothing herein contained shall be construed so as to deprive the holder of any demand of his right to resort to writ of mandamus or other proceeding against the council, or any board or officer of said city, to compel it or him to act upon such claim or demand, or to pay the same when so audited.

Sec. 222. All said claims or demands, except those provided for in section 214 of this charter, shall be presented to the mayor and common council for allowance. All claims or demands mentioned in section 214 of this charter must be presented to the board of directors of the Riverside public library or the board of public utilities respectively for allowance and must be approved by the auditor.

ARTICLE XVII.

Bonded Indebtedness.

Section 223. Bonds of the city of Riverside may be issued under the provisions of the general laws of the state relating to the incurring of bonded indebtedness subject to the following provisions which shall take precedence over the provisions in such general laws relating to similar matters:

1. Bonds may be issued by the city to defray expenditures for any purpose for which any of the funds of the city may be lawfully expended.

2. Funds from the sale of bonds issued for school, library or public utility purposes shall be under the exclusive control of, and shall be expended only on demands approved by the board of education, the board of trustees of the Riverside public library or the board of public utilities, respectively.

3. The city may issue bonds for a term of years less than forty years, said bonds shall be serial and shall be payable in equal annual installments and the length of said term shall be determined and stated in the ordinances passed by the council submitting the question of incurring said indebtedness and issuing said bonds, to be voted on at an election and said election may be either a special or a general municipal election.

ARTICLE XVIII.

Contracts.

Section 224. The city of Riverside shall not be bound by any contract unless the council shall have first caused notice to be published in a daily newspaper printed and published in the city of Riverside, inviting proposals, and thereafter shall have let said contract to the lowest responsible bidder furnishing adequate security for its performance, satisfactory to the council; *provided*, that the council may reject any and

all bids; and *provided*, that any such contract shall be made in writing, and approved and signed as provided in article three, chapter one, section 10; and *provided further*, that the approval, as to form of such contract, by the city attorney, as required by section 112 of article five of this charter, shall be endorsed on the draft thereof before the council shall have power to approve the same; but the council may by resolution authorize any officer, committee or agent of the city to bind the city for the payment of a sum of money not exceeding one thousand dollars without a contract in writing and without any previous publication of notice inviting proposals; *provided*, that contracts made by other boards authorized by this charter to make contracts, shall not be subject to the provisions of this section.

Sec. 225. The council shall not have the power to make any contract or lease or to extend any existing contract or lease for a longer period than five years unless said contract, lease or extension be approved and ratified by a majority of the qualified electors of the city voting on such question at any election; *provided*, that a lease, contract or extension for a longer period shall be valid without such approval if said lease or contract provides for the acquisition by the city, at the end of such period, of the real or personal property so leased or contracted for, but such contract, lease or extension shall nevertheless be subject to the provisions of the referendum herein provided.

Sec. 226. The council shall annually, at some regular meeting held during the month of June, fix the rate to be paid for official advertising and for job printing for the year following, from July first to June thirtieth. Such advertising and job printing may, thereafter during said year, be procured by the council or by any board, officer or employee legally authorized, but in no case shall the price paid exceed, though it may be less than the rate so fixed by the council. At the same price, preference shall be given on orders for job printing to printing establishments located in the city of Riverside, but this shall not be construed as preventing such work being done outside of the city if a lower price, considering quality of work, can be thus obtained.

Sec. 227. The council may by ordinance create the position or office of city purchasing agent and shall prescribe the duties and fix the compensation therefor. Such position or office may be filled by one of the officers or employees of the city so designated, or a new and separate office or position may be created. The council may provide that all or any designated portion of the purchases and contracts under the jurisdiction of the council must be made by said purchasing agent under rules prescribed by the council; and with the consent of other boards herein given the power to make purchases and contracts, the

council may provide that all or a portion of such purchases and contracts may be made by said agent, under similar or different rules. The council may provide that the purchases of the agent may make all or any portion of the purchases of the city in the open market at the best prices obtainable and to the best advantage of the city, subject nevertheless to the provisions of section 224 of this article or of any other provisions of this charter requiring such advertisement for bids and shall take precedence of the provisions in section 226 of this article relating to job printing.

ARTICLE XIX. Streets and Sewers.

Section 228. Except as provided herein and unless otherwise provided by ordinance, the general law of the State of California relative to the improvement of, and work upon streets, lanes, alleys, courts, places and sidewalks including the construction of sewers and providing for the laying out, opening, extending, widening, straightening or closing up in whole or in part of any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary and convenient for that purpose; and for providing a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and to provide for the payment of such bonds; and providing for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within municipalities, and of hedges upon the lines thereof, and for the eradication of weeds within city limits, and other acts of the Legislature of this state of a similar nature, or for the making of any public improvement, now in force, or which may hereafter be adopted by said Legislature, is hereby made a part of this charter, and shall govern the council in such matters; *provided*, the council is hereby given power to enact ordinances providing for, and having the effect as long as such ordinances shall remain in force, of repealing all, any, or any portion of any such general laws, as far as the same shall relate to the city of Riverside, and substituting in place thereof other measures, provisions and regulations, relating to similar matters; and *provided*, the council is hereby given power to enact ordinances providing other and different measures, provisions and regulations relating to any, all or any portion of the matters covered in such general laws, and in any proceedings relating to any of said matters to decide and provide in the ordinance ordering or initiating said proceedings, whether said proceedings or work shall be conducted under said general laws, under said general laws as amended by said ordinances, or entirely under said ordinances. Upon the repeal of any such ordinance, the

general laws may be resorted to, as theretofore; *provided*, said law be still in force in the state.

Sec. 229. The council shall have power to cause an estimate to be made and a bid submitted on behalf of the city by the city engineer and the superintendent of streets on any work provided for in this article. Said bid shall be in regular form but no bond, certified check or other deposit or security shall be required of the city. The contract for said work may be awarded to the city if the bid of said city is the lowest, or to the next highest responsible bidder at the option of the council. No bond shall be required of the city, but the contract shall be signed in regular form. The superintendent of streets shall have charge of the execution of any such contract and careful records of cost must be kept and reported to the council at the completion of such work. Assessments for such work shall be collected as designated by the council.

Sec. 230. In all proceedings under the general laws of the state the city engineer and the superintendent of streets respectively, shall perform the same duties as prescribed in said laws.

ARTICLE XX.

Franchises.

Section 231. The council shall have power by ordinance to designate the terms, conditions and duration of all franchises; *provided*, that no exclusive franchise shall ever be granted.

ARTICLE XXI.

The Initiative.

Section 232. Any proposed ordinance may be submitted to the council by a petition signed by qualified and registered electors of the city equal in number to the percentage herein-after required. The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving street and number. One of the signers of each of such papers shall make oath before an officer qualified to administer oaths, that the statements therein made are true and that each signature to the paper appended is the genuine signature of the person whose name purports to be thereunto subscribed. Within ten days from the day of filing such petition the city clerk shall examine and from the great register and certificates of registration, ascertain whether or not said petition is signed by the requisite number of qualified and registered electors, and if necessary, the council shall allow him extra help for that purpose, and he shall attach to said petition his certificate showing the result of said examination.

If, by the clerk's certificate, the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate. The clerk shall, within ten days after such amendment, make like examination of the amended petition and if his certificate shall show the same to be insufficient, it shall be returned to the person filing the same, without prejudice, however, to the filing of a new petition to the same effect. If the petition shall be found to be sufficient the clerk shall submit the same to the council without delay.

If the petition accompanying the proposed ordinance be signed by qualified and registered electors equal in number to ten per cent of the entire vote cast for all candidates for mayor at the last preceding general municipal election, the council must either pass such ordinance without alteration or submit the same to the electorate at the next general municipal election that shall occur at any time after thirty days from the date of the clerk's certificate of sufficiency. But if such petition is signed by qualified and registered electors equal in number to fifteen per cent of said vote and contains a request that such ordinance be submitted to a vote of the people at a special election, then the council must either pass the ordinance without alteration or submit the same to the electorate at a special election to be called within sixty days from the filing of such petition.

The ballots used when voting upon such proposed ordinance shall contain the words: "For the ordinance"; (stating the general nature of the ordinance) and "Against the ordinance," (stating the nature of the proposed ordinance). If a majority of the qualified electors voting on said proposed ordinance shall vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city; and any ordinance proposed by petition or which shall be adopted by a vote of the people, can not be repealed or amended except by a vote of the people obtained in like manner.

Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this section; *provided*, that there shall not be held under this section of the charter more than one special election in any period of twelve months.

The Referendum.

Section 233. No action providing for the sale or lease of any city property exceeding one thousand dollars in value and no ordinance passed by the council (except when otherwise required by the general laws of the state or by the provisions of this charter, respecting street improvements and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency,

and is passed by a vote of six members of the council and approved by the mayor or the unanimous vote of the council over the mayor's disapproval, but no grant of any franchise shall be construed to be an urgency matter), and no action made subject to the referendum by this charter shall go into effect before thirty days from the time of its approval by the mayor or the time of its passage over his veto, as the case may be; and if during said thirty days, a petition signed by electors of the city equal in number to at least ten per cent of the entire vote cast for all candidates for mayor at the last preceding city election at which a mayor was elected, protesting against the passage of such ordinance, be presented to the council, the same shall thereupon be suspended from going into operation and it shall be the duty of the council to reconsider such ordinance and if the same is not entirely repealed, the council shall submit the ordinance proposed, to the vote of the electors of the city either at the next general municipal election or at a special municipal election to be called for that purpose, and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof. Said petition shall be in all respects in accordance with the provisions of the first section of this article (The initiative) and shall be examined and certified by the clerk in all respects as therein provided. If the provisions of two or more measures approved and adopted at the same election under the provisions of this charter, conflict, then the measure receiving the highest affirmative vote shall control.

The Recall.

Section 234. The holder of any elective office may be removed or recalled at any time by the electors, qualified to vote for a successor to such incumbent; *provided*, such elective officer has held his office at least six months. The procedure to effect such removal or recall shall be as follows:

The petition demanding the election of a successor to the person sought to be removed shall be filed with the city clerk, which petition shall be signed by qualified voters equal in number to at least twenty-five per cent (25%) of the entire vote cast for all candidates for such office at the last preceding regular municipal election at which such officer was voted for, and shall contain a statement of the grounds on which the removal or recall is sought, which statement is intended solely for the information of the electors. Any insufficiency of form or substance in such statement shall in no wise effect the validity of the election and proceedings held thereunder. The signatures to the petition need not all be appended to one paper. Each signer shall add to his signature his place of residence, giving street and number. Each separate paper

shall have attached thereto an affidavit made by a qualified elector and sworn to before an officer, competent to administer oaths, stating that the affidavit circulated that particular paper and saw written the signatures appended thereto; and that, according to the best information and belief of the affiant, each is the genuine signature of the person whose name purports to be thereunto subscribed and is that of a qualified elector. Within ten days from the date of filing such petition, the clerk shall examine and from the records of registration ascertain whether or not said petition is signed by the requisite number of qualified electors, and he shall attach to said petition his certificate showing the result of said examination. If by the clerk's certificate the petition is shown to be insufficient, it may be supplemented within ten days from the date of such certificate by the filing of additional papers, duplicates of the original petition except as to the names signed. The clerk shall, within ten days after such supplementing papers are filed, make like examination of the supplementing petition and if his certificate shall show that all the names to such petition, including the supplemental papers, are still insufficient, no action shall be taken thereon, but the petition shall remain on file as a public record; and the failure to secure sufficient names shall be without prejudice to the filing later of an entirely new petition to the same effect. If necessary the council shall allow the clerk extra help for the purpose of such examination. In case the clerk is the officer sought to be recalled, the duties herein provided to be performed by him shall be performed by some other person designated by the council for that purpose. If the petitioner shall be found to be sufficient, the clerk shall submit the same to the council without delay, and the council shall thereupon cause a special election to be held within not less than thirty-five nor more than forty days after the passage of an ordinance calling such election, to determine whether the voters will recall such officer; *provided*, that if a regular municipal election is to occur within sixty days from the date of the filing of the petition with the council, the council may, in its discretion, submit such recall at such regular municipal election. If a vacancy occurs in said office after a recall petition is filed, the election shall nevertheless proceed as in this section provided. One petition is sufficient to propose the removal and election of one or more elective officials. One election is competent for the removal and election of one or more elective officials. Nominations for any office under such recall election shall be made by petition in the manner prescribed by section 1188 of the Political Code; except that no party affiliation of candidate, signer or verification deputy shall be given, nor shall the election be as a convention delegate or participation in a primary election be any bar to signing such petition. Upon the sample ballot there shall be printed in not more than two hundred words, the

reasons set forth in the recall petition for demanding the recall of the officer, and upon the same ballot in not more than two hundred words, the officer may justify his course in office. There shall be printed on the recall ballot, as to every officer whose recall is to be voted on thereat, the following question: "Shall (name of person against whom the recall petition is filed) be recalled from the office of (title of the office)?" following which question shall be the words "Yes" and "No" on separate lines with a blank space at the right of each, in which the voter shall indicate by stamping a cross (X) his vote for or against such recall. On such ballots, under each such question, there shall also be printed the names of those persons who have been nominated as candidates to succeed the person recalled, in case he shall be removed from office by said recall election; but no vote shall be counted for any candidate for said office unless the voter also voted on said question of the recall of the person sought to be recalled from said office. The name of the person against whom the petition is filed shall not appear on the ballot as a candidate for the office. If a majority of those voting on said question of the recall of any incumbent from office shall vote "No" said incumbent shall continue in said office. If a majority shall vote "Yes" said incumbent shall thereupon be deemed removed from such office, upon the qualification of his successor. The canvassers shall canvass all votes for candidates for said office and declare the result in like manner as in a regular election. If the vote at any such recall election shall recall the officer, then the candidate who has received the highest number of votes for the office shall be thereby declared elected for the remainder of the term. In case the person who received the highest number of votes shall fail to qualify within ten days after receiving the certificate of election, the office shall be deemed vacant and shall be filled according to law.

If any special election be ordered, held and conducted it shall be ordered, held and conducted (except as to date thereof) and the result be made known and declared, in the same manner as herein provided for other elections.

ARTICLE XXII.

Miscellaneous Provisions.

Section 235. The word "city" wherever it occurs in this charter, means the city of Riverside, county of Riverside, State of California; and every commissioner, commission, department, board, officer or employee, wherever mentioned in this charter, means a commissioner, commission, board, officer or employee, as the case may be, of the city of Riverside. The word "street" as used in this charter shall include "streets," "lanes," "alleys," "courts," "places," and "sidewalks."

Whenever used in this charter, the singular shall include the plural, the plural shall include the singular, the masculine shall

include the feminine, the feminine shall include the masculine, and wherever the word "person" is used it shall include the artificial as well as natural persons.

Sec. 236. The fiscal year mentioned in this charter shall commence with the first day of July and end with the thirtieth day of June following.

Sec. 237. All city ordinances, resolutions and other regulations now in force and not inconsistent herewith shall be and remain in force after this charter takes effect, until changed or repealed by the proper authority; and all rights vested under any former act or regulation, when this takes effect, shall not be lost or impaired or discharged thereby. And all contracts of the city or any of its departments or officers, in progress, begun or in existence at the time of the taking effect of this charter and not inconsistent therewith, are hereby preserved and shall continue to be valid and the same shall be enforced, continued or completed in all respects as though vested or begun hereunder.

Sec. 238. No business of, or pending before any officer or department of the city at the time this charter takes effect, shall be discontinued or abandoned by reason thereof, but the same may be carried on and completed by or before the proper officer or department herein provided for.

Sec. 239. This charter shall go into force and effect for all purposes on the first day of July, 1929.

CERTIFICATE.

WHEREAS, the city of Riverside, a city containing a population of more than three thousand five hundred inhabitants, did on the twenty-ninth day of June, in the year of our Lord, nineteen hundred and twenty-eight, at a special election under and in accordance with the provisions of section 8, article eleven, of the constitution of the State of California, elect the undersigned, a board of fifteen freeholders, to prepare and propose a charter for said city;

Be it known, that in pursuance of said provisions of the constitution, the said board of freeholders has prepared and does propose the foregoing articles signed in duplicate, as and for the charter of the said city of Riverside; and hereby fixes the fifteenth day of March, 1929, as the date for holding a special election to submit this charter to the electors of the city of Riverside for adoption.

In witness whereof, we have hereunto set our hands at the city of Riverside, county of Riverside, in the State of California, this twenty-sixth day of December, in the year of our Lord, nineteen hundred and twenty-eight.

Signed:

LYMAN EVANS, President.
JOHN F. BACKSTRAND.
E. M. BONNETT, SR.
CHARLES E. BROUSE.
WALTER C. DAVISON.
J. R. ELLIOTT.
MIGUEL ESTUDILLO.
S. C. EVANS.
OSCAR FORD.
GEORGE A. FEENCH.
JONAS E. KILLIAN.
ARTHUR G. PAUL.
HIRAM P. WHITEHEAD.
F. P. YOUNGLOVE.
BELLE H. ELLIS, Secretary.

CERTIFICATION.

City of Riverside,
County of Riverside,
State of California. } ss.

I, G. Albert Mills, the duly elected, qualified and acting clerk of the city of Riverside, county of Riverside, State of California, hereby certify that the foregoing is a full, true and correct copy of the proposed charter of the said city of Riverside, prepared and proposed by a duly qualified board of fifteen freeholders, duly elected on the twenty-ninth day of June, 1928; that copies of the said charter were duly filed with the clerk of the said city of Riverside on the twenty-seventh day of December, 1928, said copies being signed by all of the members of said board of freeholders; that thereafter, within the period prescribed by law, the said proposed charter was duly published in two daily newspapers of general circulation in the said city of Riverside; that said charter was submitted to the qualified electors of said city at a special municipal election held on Friday, the fifteenth day of March, 1929, the date of the said election having been fixed by the said board of freeholders, the said date being not less than sixty days from the completion of the publication of such charter, as required by law; and that at such election a majority of the qualified electors of said city of Riverside voting thereat duly ratified the same; and I further certify that at

all of the times herein mentioned the said city of Riverside contained a population of more than three thousand five hundred inhabitants.

In witness whereof, I have hereunto set my hand and affixed the corporate seal of the city of Riverside, county of Riverside, State of California, this eighteenth day of March, 1929.

[SEAL]

G. ALBERT MILLS,
City Clerk of the City of Riverside.

In witness whereof, we have hereunto set our hands and caused the corporate seal of the said city to be affixed this nineteenth day of March, 1929.

JOSEPH S. LONG,
Mayor of the City of Riverside.

[SEAL]

G. ALBERT MILLS,
City Clerk of the City of Riverside.

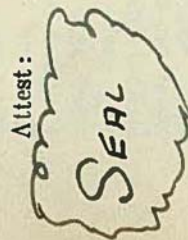
AND WHEREAS, said charter has been submitted to the Legislature of the State of California for approval or rejection, without alteration or amendment, in accordance with section 8 of article eleven of the constitution of the State of California; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein; that said charter as presented to, adopted and ratified by said city of Riverside, and as hereinabove fully set forth, be, and the same is hereby, approved as a whole as and for the charter of the city of Riverside, county of Riverside, State of California.

EDGAR C. LEVEY
Speaker of the Assembly

H. L. BARNHART
President of the Senate

FRANK C. JORDAN
Secretary of State
By MAS. J. HAGERTY,
DEPUTY



FILED
APR 16 1929
Albert Mills
ALBERT MILLS
City Clerk

FILED
In the Office of the Secretary of State
OF THE STATE OF CALIFORNIA
APR 5 - 1929
FRANK C. JORDAN
Secretary of State
By *W.H.S. J. Haggerty*
Deputy
M. of clock

FRANK C. JORDAN
SECRETARY OF STATE
FRANK H. CORY
CHARLES J. HAGERTY
ROBERT V. JORDAN
DEPUTIES



STATE OF CALIFORNIA
Department of State

I, FRANK C. JORDAN, Secretary of State of the State of California,
do hereby certify that I have carefully compared the transcript, to which this
certificate is attached, with the record on file in my office of which it purports
to be a copy, and that the same is a full, true and correct copy thereof. I further
certify that this authentication is in due form and by the proper officer.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused
the Great Seal of the State of California to be affixed hereto
this Sixth day of April, 1929.



Frank C. Jordan
Secretary of State

By Charles J. Hagerty
Deputy