

Assembly Concurrent Resolution No. 23.

Adopted in Assembly, March 5, A. D. 1907.

W. H. Lloyd

Chief Clerk of the Assembly.

Adopted in Senate, March 5, A. D. 1907.

James C. Fulton

Secretary of the Senate.

This Resolution was received by the Governor, this

day of *March*, A. D. 1907.

W. H. Lloyd

Private Secretary of the Governor.

1907

*Riverside
City Charter*

CHAPTER 25

Assembly Concurrent Resolution No. 23, approving the charter of the City of Riverside, in Riverside County, California, which was voted for by the qualified electors of said city, at a special election held therein, for the purpose of ratifying said charter, on the 1st day of March, 1907.

WHEREAS, The City of Riverside, a municipal corporation, in the County of Riverside, State of California, is now, and was at all the times herein referred to, a city containing a population of more than three thousand five hundred inhabitants; and

WHEREAS, At a special municipal election duly held in said city on the ninth day of October, nineteen hundred and six, in accordance with law, and the provisions of section eight of article eleven of the constitution of said state, a board of fifteen freeholders, duly qualified, was elected in and by said city and by the qualified electors thereof, to prepare and propose a charter for said city; and

WHEREAS, Such charter was, on the thirty-first day of December, in the year one thousand nine hundred and six, signed in duplicate by all of the members of said board of freeholders and, on said last mentioned day, one copy was returned to and filed with the chairman of the board of trustees, and the other copy thereof was filed with, and in the office of the county recorder of the County of Riverside; and

WHEREAS, Such proposed charter was then published in two daily newspapers of general circulation in said City of Riverside, to-wit: "Riverside Enterprise," and the "Riverside Daily Press," for more than twenty days, and the first publication thereof was made within twenty days after the completion of said charter; and

WHEREAS, Said charter was within not less than thirty days after the completion of said publication submitted by the said board of trustees of the City of Riverside to the qualified electors of the said city at a special election previously duly called and thereafter held therein on the first day of March, A. D., nineteen hundred and seven; and

WHEREAS, At said election a majority of such qualified electors voting thereat did vote in favor of and duly ratified said charter so proposed; and

WHEREAS, Said board of trustees after canvassing said returns duly found and declared that a majority of such qualified electors voting at said special election had voted for and ratified said charter; and

WHEREAS, The same is now submitted to the legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment, in accordance with the provisions of section eight of article eleven of the constitution of said state; and

WHEREAS, The said charter so ratified is in the words and figures following, to-wit:

CHARTER PREPARED AND PROPOSED FOR THE CITY OF RIVERSIDE BY THE BOARD OF FREEHOLDERS; ELECTED ON THE NINTH DAY OF OCTOBER, A. D. NINETEEN HUNDRED SIX.

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, 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.

ARTICLE II.

BOUNDARIES AND WARDS OF THE CITY.

SECTION 3. The boundaries of the City of Riverside shall be and remain as now fixed and established and are described as follows:

Commencing at the northeast corner of section thirteen (13), township two (2) south, range five (5) west of San Bernardino base and meridian; thence along the north line of said section

thirteen (13) to the easterly line of Jurupa Rancho; thence southerly along the easterly line of Jurupa Rancho to the southeasterly corner of lot one hundred five (105) of the lands of the Southern California Colony Association as surveyed by Goldsworthy and Higbie, a plat of which survey is of record in the office of the county recorder of the county of San Bernardino, State of California; thence in a northwesterly direction along the southerly side of lots one hundred five (105), one hundred four (104), one hundred three (103), one hundred two (102), one hundred one (101), one hundred (100) and ninety-nine (99) of said lands, according to said plat; thence on the same direct line produced to the southerly or left bank of the Santa Ana river; thence along the southerly or left bank of said river to the west line of township two (2) south, range five (5) west of San Bernardino base and meridian; thence south along said township line to the southeast corner of La Sierra Rancho; thence in a southwesterly direction on the line of La Sierra and El Sobrante de San Jacinto Ranchos to the west line of township three (3) south, range six (6) west of said base and meridian; thence in a southeasterly direction in a direct line to the southwesterly terminus of Magnolia avenue as shown upon a plat of a survey of the lands of the Riverside Land and Irrigating Company, of record in the office of the county recorder of the County of San Bernardino, State of California, in book one of maps, at page seventy thereof; thence along the southerly boundary of the lands of said company as segregated from El Sobrante de San Jacinto Rancho, to the west line of township three (3) south, range five (5) west; thence south along said township line to the southwest corner of section nineteen (19), township three (3) south, range five (5) west; thence east on section lines to the southeast corner of section nineteen (19), township three (3) south, range four (4) west; thence north along section lines to the southeast corner of section thirty-one (31); township two (2) south, range four (4) west; thence west to the southwest corner of said section thirty-one (31); thence north along the township line between township two (2) south, range four (4) west and township two (2) south, range five (5) west to the place of beginning.

Sec. 4. The City of Riverside is hereby divided into six wards, which shall be designated respectively the First Ward, the Second Ward, the Third Ward, the Fourth Ward, the Fifth Ward and the Sixth Ward, and are described as follows:

FIRST WARD.

Commencing at the intersection of the northerly boundary line of the City of Riverside with the westerly boundary line of the city, which is the southerly or left bank of the Santa Ana river; thence easterly along said northerly boundary line to

the extreme northeasterly corner of the city; thence south along the east boundary line of the city to its intersection with the center of the right of way of the Southern California Railway Company; thence southwesterly along the said center of the right of way of the Southern California Railway Company to its intersection with the center line of Fourth street; thence westerly along the center line of Fourth street and the center line of Fourth street prolonged to the intersection of said center line of Fourth street prolonged with the westerly boundary line of the city; thence northerly along the westerly boundary line of the city to the northerly boundary line of the city, the point of beginning.

SECOND WARD.

Commencing at the intersection of the center line of Main street with the center line of Fourth street in the city; thence southerly along the center line of Main street to its intersection with the center line of Fourteenth street; thence westerly and southerly along the center line of Fourteenth street to its intersection with the center line of Cypress avenue; thence along the center line of Cypress avenue in a southerly and a westerly direction to its intersection with the southerly bank of Tequesquite arroyo; thence westerly along the southerly bank of Tequesquite arroyo to its intersection with the center line of Brockton avenue; thence northerly along the center line of Brockton avenue to its intersection with the center line of Tequesquite avenue; thence along the center line of Tequesquite avenue in a westerly direction to a point where the westerly line of lot two hundred ninety-six (296) of the lands of the Southern California Colony Association, prolonged southerly, intersects the center line of Tequesquite avenue; thence northerly along said westerly line of said lot two hundred ninety-six (296) of the lands of the Southern California Colony Association to its intersection with the southerly or left bank of the Santa Ana river; thence easterly along the southerly or left bank of the Santa Ana river to its intersection with the center line of Fourth street prolonged in a westerly direction; thence easterly along the center line of Fourth street prolonged and along the center line of Fourth street to its intersection with the center line of Main street, the point of beginning.

THIRD WARD.

Commencing at the intersection of the center line of Main street with the center line of Fourth street in the city; thence southerly along the center line of Main street to its intersection with the center line of Fourteenth street; thence westerly and southerly along the center line of Fourteenth street to its intersection with the center line of Cypress avenue; thence

left bank of the Santa Ana river; thence southwesterly along the southerly or left bank of the Santa Ana river to its intersection with the west line of township two south, range five west, the point of beginning.

Sec. 5. 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 I.

THE COUNCIL.

SECTION 6. The legislative power of the city is hereby vested in a mayor and a common council consisting of six members. A member of the council must be at least twenty-five years of age and must have been a qualified elector of the city for the 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. 7. Four members of the council shall constitute a quorum, but a less number may adjourn from time to time or compel the attendance of other members. No order, except to adjourn for a lack of quorum or to compel the attendance of a quorum, and no ordinance or resolution shall be valid unless it receives the affirmative vote of four councilmen, such vote to be by the eyes and noses and recorded on the journal.

Sec. 8. No resolution granting any franchise and 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. 9. Ordinances and resolutions are the formal acts of the council reduced to writing and passed under legal restrictions 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 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, resolution or ordinance it may be passed by a vote of not less than five 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. 10. 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 in at least three public places therein or printed and mailed as provided in Section 251, Article XVIII.

Sec. 11. 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 a correct journal of all its proceedings and at the desire of any member of the council shall cause the eyes and noses to be taken on any question and entered on the journal.

Sec. 12. All meetings of the council shall be public 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 and until such ordinance is passed, the existing ordinance of the city relating to meetings of the board of trustees shall apply. Adjournments may be taken from a meeting to a day certain and in such case the adjourned meeting shall be deemed an adjourned regular meeting. Special meetings may be called by the mayor or by two members of the council as herein provided, but no business can be transacted except that mentioned in the call.

Sec. 13. 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 number 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 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. 14. The enacting clause of all ordinances shall be as follows: "The mayor and common council of the City of Riverside do ordain as follows:"

CHAPTER 2.

POWERS OF THE COUNCIL.

(a) *General corporate and governmental powers.*

SECTION 15. The mayor and common 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 estate 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;
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 corporate 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, for the police courts and for such officers and departments of the city government as may require the same;
7. To provide for the holding of municipal elections, give notice thereof, establish and alter election precincts as provided for in this charter and appoint necessary election officers;
8. To contract for supplying the city with water for municipal purposes, or to acquire, construct, repair and manage pumps, aqueducts, reservoirs or other works necessary or proper for supplying water for the use of such city or the inhabitants, or for irrigating purposes;
9. To acquire, own, construct, maintain and operate street and other railways and other means of public conveyance of passengers and freight, telephone and telegraph systems, gas, electric and other works for light, heat, power, ice and refrigeration, public libraries, museums, gymnasiums, parks, lavatories, toilets and baths;
10. 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 the disinterment and removal of any body buried within said city or in a cemetery belonging thereto;

11. 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;

12. To prescribe by ordinance the duties of all officers whose duties are not defined by this charter; and it may by ordinance prescribe for any officers duties 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 of any officer shall remain open, if not otherwise herein provided for;

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

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

(b) *Finance and revenue powers.*

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

16. To impose on and collect from every male citizen, between the ages of twenty-one and sixty years, an annual street poll tax, not exceeding two dollars, and no other road poll tax shall be collected within the limits of the city;

17. To license for the purpose of revenue and regulation, all and every kind of business authorized by law and transacted and carried on in such 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;

18. 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;

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

20. 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 same to be paid or rejected, in whole or in part, as found just and legal or otherwise;

21. To allow not to exceed five hundred dollars in any one year for the observance and celebration of Memorial day,

Fourth of July and such other occasions as may promote the public interest and welfare;

(c) *Powers relating to public health, welfare and safety.*

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

23. To establish and maintain fire limits and to regulate building and construction within the municipality;

24. To regulate or prohibit the excavation or construction and use of cesspools, privy vaults, privy pits, etc., within said city or any part thereof;

25. 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;

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

27. To regulate the storage and deposit of hay, straw, and other inflammable material;

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

29. To regulate the entrance to and exit from all theaters, 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;

30. 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; 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 with 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;

(d) *Police and criminal powers.*

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

32. To cause all persons imprisoned for violation of any ordinance to labor on the streets or other public property or works within the city;

33. To regulate or prohibit the sale of intoxicating liquors within the limits of the City of Riverside;

34. 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;

35. To prohibit by ordinance, within the City of Riverside, the killing, wounding, trapping, or injury of any and all song birds and all harmless wild birds, other than birds commonly known as game birds or the destroying or injuring of the nests of such birds or the removing or injuring of their eggs;

36. To enact such necessary measures to prevent truancy from the public schools and compel attendance therein, as may be recommended by the board of education and to authorize said board or proper officer to enforce the same;

(e) *Streets, sewers and drains.*

37. 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, sidewalks and crosswalks thereon or on any part thereof; to cause to be planted, set out and cultivated, shade trees therein; and generally, to manage and control all such highways and places; and in the exercise of the powers herein granted, to expend, in their discretion, the ordinary annual income and revenue of the municipality in payment of the costs and expenses of the whole or any part of such work or improvement.

38. To set apart as a boulevard or boulevards, any street or streets or part of a street, and to lay out, construct and improve boulevards as a part of the park system of said city;

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

40. 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 sewerage unfit for irrigation;

41. 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;

42. 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 district 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;

43. 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;

44. 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;

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

46. 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;

47. To require the owners of real estate in the city to remove grass, weeds and obstructions from the sidewalk in front of their property, and upon their default, to cause such work to be done and the cost thereof to be made a lien upon such property;

48. To provide for the removal of weeds, rubbish or any material from lots which may endanger or injure neighboring property or the health or welfare of the residents of the vicinity and assess the expenses thereof upon such lot and make it a lien thereon;

49. To make provision for cleaning, sprinkling and oiling streets, alleys, sidewalks, crossings and highways, and to provide for the payment of 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 upon the places so cleaned, sprinkled and oiled.

(f) *Powers over trade and commerce.*

50. To provide for the inspection and sealing of all weights and measures used in the city and to enforce the keeping and use by dealers of proper weights and measures duly tested and

sealed; and to regulate the sale and quality of all oils and gasoline and provide for the testing thereof;

51. To regulate telephone service and the use of telephones, and to fix and determine the charges for telephones, telephone service and connections within the city;

52. To regulate the use, distribution, quality, pressure and sale of water, gas, electric light and power, and other light and power, within the city, 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;

53. 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, adulterated, or unwholesome, and to regulate and prevent the bringing into the city or having or keeping within the city of such unsound, spoiled, adulterated or unwholesome articles or products;

54. To provide for and regulate the inspection of all dairies, either within or without the city limits, that offer for sale or 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;

55. To establish stands for, and regulate the charges of hacks, public carriages, express wagons, drays, automobiles or other public vehicles for hire and require schedules for such charges to be posted in or upon such public vehicles.

(g) *Incidental and general powers.*

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

Sec. 16. The powers given in this article to the council shall be considered to be 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 17. 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 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 shall, under this charter, have power to create.

CHAPTER 2.

SALARIES OF OFFICERS.

SECTION 18. The officers of the city in this section named shall receive in full compensation for all services of every kind rendered by them, the following salaries payable in equal monthly installments at the end of each calendar month, viz:
 The mayor, twelve hundred dollars per annum;
 Each member of the council, three dollars for each regular meeting of the council which such member shall attend; *provided*, that the number of such regular meetings for which compensation shall be paid shall not exceed four during any one month and that the member shall be present at the roll call which must be read upon the hour set for the said meeting, and the city clerk must certify that these provisions have been complied with and to the number of regular meetings so attended before demands for salaries of councilmen can be allowed or paid.
 City clerk and ex-officio city assessor, twelve hundred dollars per annum;
 City auditor, eighteen hundred dollars per annum;
 City treasurer and ex-officio tax collector, six hundred dollars per annum; *provided*, that during such period and as long as the city treasurer shall collect the regular city taxes, as hereinafter provided, his salary shall be nine hundred dollars per annum.
 SEC. 19. Except where such power is herein given to other boards of the city, the council shall by ordinance fix the salary of all other officers herein created or hereafter created by ordi-

nance, whose salaries are not herein fixed or otherwise provided for.

Sec. 20. The salary of any elective officer as fixed by this charter may be changed by ordinance of the council, 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 the premium paid shall not exceed one-half of one per cent. per annum; and *provided further*, that if the council deems the premium charged to be excessive, then in that event the council may accept 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, as elsewhere provided. 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 following named officers shall execute official bonds to the city in the following sums, to wit:
 City treasurer and ex-officio city tax collector, in the sum of thirty thousand dollars;

- City clerk and ex-officio assessor, in the sum of five thousand dollars;
- City auditor, in the sum of ten thousand dollars;
- City engineer, in the sum of two thousand dollars;
- Superintendent of streets, in the sum of five thousand dollars;
- Members of the council, in the sum of three thousand dollars each;
- Mayor, in the sum of five thousand dollars;

Chief of police, in the sum of five thousand dollars.

Sec. 26. The council may at any time by ordinance, increase or decrease the penal sum of any bond or require bonds of other officers and employees and fix the amounts thereof.

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, other than surety company 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 acts and omissions of his deputies, assistants, clerks and employees appointed by him and of each of them, 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 election 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 TERM 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. Every elective or appointive officer of the city shall hold office during the term prescribed by this charter, or as prescribed by ordinance, if such office is hereafter created, and until his successor is elected or appointed and has qualified.

Sec. 32. 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. 33. 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. 34. Whenever it is provided in this charter that the members of any board, department or commission shall so classify themselves by lot that their terms of office shall expire at different times, such members shall, on the day of making such classification, cause the same to be entered on the record of their proceedings and a copy of such record, certified by the secretary of said board and signed by all the said members, shall be filed with the city clerk.

Sec. 35. Any officer appointed by the mayor shall hold office at the pleasure of the mayor and may be by him removed at any time but in case of any such removal the mayor shall file his reasons therefor with the council. The approval of the council shall not be necessary.

The qualification for office of any mayor at any time shall end the term of any appointive officer then in office 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. 36. 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 election shall be called by the council and shall be held not more than thirty 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 except vacancies in the office of councilman, the officer so appointed shall hold office until the next succeeding general municipal election, at which time the office shall be filled for the balance of the term by election. Vacancies in all appointive offices shall be filled

by appointment of the mayor and the person so appointed shall hold office for the unexpired term. All persons elected or appointed to fill vacancies must possess the qualifications required of the office so filled.

SEC. 37. 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.

SEC. 38. All departments and offices which may hereafter be created by the council shall be subject to the same provisions as to appointment and removal of heads of departments and other officers by the mayor as are respectively the executive officers and appointive boards herein provided for.

CHAPTER 5.

SUNDRY DUTIES OF VARIOUS OFFICERS.

SECTION 39. All city officers except the mayor, 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. 40. 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 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 such successor.

SEC. 41. 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. 42. 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 immediately paid over to the treasurer.

SEC. 43. Every executive and judicial officer of the city, except the mayor and city attorney, and every other 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. 44. 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, unless otherwise provided by ordinance.

SEC. 45. 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, has 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 willful failure so to do shall be 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. 46. 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. 47. 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 witnesses sought to be summoned before the mayor, council or the attend-
pective board, commission or committee, requiring the attend-

ance 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 subpoenas 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 so to do.

SEC. 48. After the adoption of this charter, each appointive board of the city shall meet and organize immediately upon the qualification of all members of said board or a majority thereof. Thereafter they shall organize annually on the second Monday in January at 10 o'clock, A. M., or as soon thereafter as the new members shall have been appointed and have qualified.

SEC. 49. Whenever special meetings of the council or of any other 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 postoffice 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.

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. 50. 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 51. 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 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. 52. 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. 53. 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. 54. 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 forfeit his office.

SEC. 55. 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. 56. 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 the 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. 57. Any officer or employee of the city may be suspended or removed for notorious non-payment of his debts or gross disregard of his financial obligations.

Sec. 58. 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, 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. 59. 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 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 60. 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. 61. He shall be elected by the qualified electors of the city at each general city election and shall hold office for two years and until his successor is elected and has qualified.

Sec. 62. When a vacancy occurs in the office of mayor, it shall be filled for the unexpired term by the council, assembled for that purpose, and any person possessing the necessary qualifications may be chosen mayor at such election by a majority vote of the whole council. A member of the council during the term for which he shall have been elected or appointed shall be ineligible to fill such vacancy.

Sec. 63. 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. 64. 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 259, of Article XXI of this charter.

Sec. 65. 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. 66. 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. 67. 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 officers 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, willful 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 by the mayor it shall be his duty at once to remove him according to the provisions of this charter.

SEC. 68. 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 report the result of such count to the council at its next meeting.

SEC. 69. He shall have the books and records of all public departments pertaining to the finances of the city and may of all institutions, objects or causes which are in part or wholly maintained or assisted by money appropriated by the city, audited by a competent person expert in such matters, at least once in every year. Such person shall make a full written report to the mayor and council of the results of such examination and of recommendations based thereon. The mayor may at any time, with or without notice, investigate in person or through one or more competent persons appointed by him for the purpose, the offices and accounts of any department, board or officer of the city or of any employee and the official acts and conduct of any official or employee in the service of the city, and the money, securities and property belonging to the city in the possession or charge of such department, board, officer or employee. Any person refusing to permit such examinations or purposely delaying or impeding the same, may be removed from office by the mayor if removable by him under this charter, or if not removable by the mayor may be suspended from office by the mayor and removed for malfeasance in office. The expense of any such investigation 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 invest-

igations and examinations shall be reported to the council and such report filed with the city clerk.

SEC. 70. 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. 71. 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 of Riverside, and shall have the right to sit in such body and take part therein, but shall not have the right to vote, except as specifically provided herein.

SEC. 72. 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 at once to the mayor.

SEC. 73. The mayor may at any time, and at his own pleasure, remove from office or position any officer not elective, 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 on request of the officer so removed.

SEC. 74. The mayor shall have the power to suspend, pending an official investigation, any officer of the city, except councilmen, or any employee thereof after refusal of the head of his department to so suspend him, for any official delinquency, dereliction, refusal to act, willful 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.

SEC. 75. Any elective officer, except councilmen and mayor, may be removed by the council upon charges preferred by the mayor; *provided*, that such charges are, by law, by this charter or the ordinances of the city, made sufficient cause for removal from office. Such charges may originate, however, in the council or from any citizen and shall be presented in writing to the council and a copy furnished to such officer, who shall have the right to appear before the council in person and by counsel and be heard in his defense. If such charges be sustained by an affirmative vote of not less than five members of the council and approved by the mayor, the officer shall be deemed removed and his place filled as in case of other vacancies, or the council may, with the mayor's approval, continue

such suspension for such time as it deems proper. Otherwise the charges shall be dismissed and such officer, if he has been suspended, shall thereupon be restored to office.

Sec. 76. The mayor shall 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. 77. 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. 78. 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. 79. 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. 80. 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 acknowledgement, and shall sign demands as elsewhere provided herein.

Sec. 81. 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. 82. 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. 83. The mayor may contract such bills for typewriting and necessary clerical work as are required in the performance of his duties.

Sec. 84. The mayor shall perform such other duties and exercise such other authority and powers as may be prescribed by this charter.

Sec. 85. 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 86. The city clerk 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 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. 87. 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. All papers and documents shall be filed under appropriate heads. He shall be the custodian of, and be responsible for, the city hall unless otherwise provided for by ordinance, and of all personal property, the custody of which has not been otherwise provided for.

Sec. 88. 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, posted or printed and mailed 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 instant access to any record, action or paper, whether looking in the index for the name of the officer, person, thing or place concerned, or the nature of the action desired, attempted or taken.

Sec. 89. He shall make out, sign and deliver to the city auditor all licenses other than building permits.

Sec. 90. The city clerk shall make monthly and annual reports to the council showing the number of licenses issued and the amounts, the condition of the property under his care and the expenses and receipts of his office.

Sec. 91. 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, the provisions of this charter or by the mayor and council.

Sec. 92. 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. 93. During such period as the city shall continue to avail itself of the provisions of the act of the legislature approved March twenty-seventh, eighteen hundred ninety-five, relating to the assessing and collecting of the city taxes by the county officials, said act being particularly referred to in Article XV, Section 284, 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 94. The city auditor shall be at least twenty-five years of age, a citizen of the state, and shall have been a resident of the city for a period of two 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. 95. 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. 96. It shall be his duty to be constantly acquainted with 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, not otherwise by law or ordinance specifically apportioned and appropriated, and forthwith notify the city treasurer of such apportionment or appropriation.

Sec. 97. 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 inter-

ests 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, and 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 XV, Section 229.

SEC. 98. He shall keep a complete set of books, in which he shall set forth in a plain and business-like manner, as herein-after 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, so that he can tell at any time the exact condition of the city finances. 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. 99. 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, and shall examine their accounts and books at least once in each month and if they be found incorrect, he shall at once notify the mayor in writing. He shall keep or cause to be kept under his direct control, all financial and property records, books and accounts of departments, boards and officers of the city government, except those of the city clerk, ex-officio city assessor, city treasurer, ex-officio city tax collector and board of education. Monthly and annual reports shall be made to the council of the financial transactions and condition of each department. His authority over such records, the manner of keeping the same and the control 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 hereinafter referred to.

SEC. 100. There is hereby constituted and appointed a board of city accounting consisting of five members, and the following citizens are hereby appointed to serve on said board:

W. G. Fraser, W. B. Clancy, Stanley J. Castleman, William L. Peters and Frank F. Chaso, who shall serve without com-

penation. For the purpose of this section this charter shall take effect immediately upon its approval by the legislature and the members of the board of city accounting herein appointed shall, within ten days thereafter, qualify by taking the oath of office before the city clerk of Riverside then in office. It shall be the duty of the said board by a majority vote thereof to originate and adopt such a system of accounting, books, records, reports, vouchers, receipts and blanks relating to the financial and property records and transactions of every department and office of the city government and prescribe such duties for the officers, deputies and employees therein concerned, as will clearly and systematically show the transactions of such departments and offices, and will harmonize one department with another, to the end that the accounts, books, records and reports in the auditor's office will show the financial and property records of the city as a whole and in detail, as clearly as would be the case in a private corporation conducted on modern business lines. To this end the board is authorized to employ expert advice, if thought wise by them, to incur other necessary expenses and to order the proper books, blanks and supplies. All expenses shall be certified to, and allowed by, the council elected under this charter and such bills shall be allowed and paid by the auditor and treasurer. The said board shall submit to said council a duly certified report of such system of accounts, books, records, reports, vouchers, receipts and blanks and such duties prescribed for such officers and employees. Said report shall be spread on the book of ordinances by the city clerk and shall thereafter have the full force and effect of a duly enacted ordinance of the city, requiring compliance by all departments, officers and employees of the city. Thereafter such system of accounts, books, reports, vouchers, blanks and receipts shall be changed only by a duly enacted ordinance of the council approved by the mayor except as otherwise provided in Article XVI, Section 246 of this charter. In minor matters of detail such report, if it so states, may supersede provisions of this charter relating to any matter herein committed to said board. The said board shall lapse with the entering of such report on the book of ordinances by the city clerk.

SEC. 101. The city auditor shall countersign all licenses and permits issued by any city officer or board, wherein money is to be paid for the use of the city and shall charge the proper officers with the proper amount. No such license or permit shall be valid unless countersigned by him.

SEC. 102. He shall keep in his office in a place accessible and open at all times during office hours to the public, a book containing a list of the names of all persons or corporations who are bondsmen for the officers of the city, giving the names

of the officers for whom they are bondsmen and the amounts for which they are severally holden. He shall keep publicly posted in his office a list of all persons receiving salaries or wages from the city, with the amount of monthly salaries or wages received by each opposite his name, which list shall be revised and corrected by him monthly.

SEC. 103. 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 104. The city treasurer shall be ex-officio tax collector. He 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 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. 105. 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 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. 106. 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. 107. He shall receive no money into the city treasury unless accompanied by the certificate of the city auditor, provided for in Article V, Section 96 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. 108. He shall make such reports to the city auditor as may be 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 may be 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. 109. 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 by the mayor and removed from office as provided herein.

SEC. 110. 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 under the treasurer's control or on special deposit elsewhere.

SEC. 111. It shall be in the power of the council, by ordinance, at any time to require the city treasurer to devote his entire time to the duties of his office during office hours.

SEC. 112. 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. 113. 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 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. 114. 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 XV, Section 234, 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. 115. In case of suspension from office of the treasurer for any cause, the mayor shall appoint a treasurer who shall give the same bond as treasurer and who shall take charge of the office and funds and perform the duties of the treasurer during such suspension.

Sec. 116. The mayor and council shall have power to pass an ordinance in accordance with the provisions of section sixteen and one half 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 sixteen and one half, and 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 sixteen and one half. 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. 117. 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 super-sede 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 118. The city attorney shall have been a qualified elector of the city for a period of two years next preceding the day of his appointment. 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.

Sec. 119. 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 to 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 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. 120. He shall attend meetings of the council when so requested by the mayor or by the council or any member thereof, 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. 121. 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 the drafts of all contracts before the same are entered into by or on behalf of the city. 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. 122. 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. 123. 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

in the superior and supreme courts 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. 124. He shall do and perform such other things as may be required of him by the provisions of this charter and all such things touching his office as the council or mayor may require of him.

CHAPTER 6.

CITY ENGINEER.

SECTION 125. The city engineer shall have had not less than five years practical experience as a civil engineer, next preceding the day of his appointment. He shall be appointed by the mayor.

SEC. 126. He shall perform such duties as the council may prescribe by ordinance.

CHAPTER 7.

SUPERINTENDENT OF STREETS.

SECTION 127. The superintendent of streets shall be at least twenty-five years of age, a citizen of the state and a resident of the city. He shall be appointed by the mayor.

SEC. 128. He shall perform such duties as the council may prescribe by ordinance.

ARTICLE VI.

EDUCATIONAL DEPARTMENT.

SECTION 129. The school department of the city shall comprise all the schools within the City of Riverside, including the present Riverside, Palm Avenue, Magnolia and Victoria school districts, the Riverside high school district, and all the territory that is now or 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 former districts as above named, and shall consist of primary, grammar and high schools as now established and may, at the discretion of the board of education, include kindergarten, manual training and domestic science schools; provided, that no school money shall be used for kindergarten, manual training and domestic science schools when such use will prevent the board of education from maintaining primary, grammar and high school for nine months of each year. All territory included within the limits of the Riverside city school district, but not within the city limits, shall be deemed a part of said city for the purpose of holding the general municipal elections and shall constitute one or more sepa-

rate election precincts, and the qualified electors therein shall vote only for the board of education and on questions submitted to a vote of the people pertaining to school matters; and said outside territory shall be deemed a part of said city for all matters connected with the school department, and with the levying and collecting of all taxes for school purposes.

SEC. 130. The government of the school department of the city shall be vested in a board of education and shall consist of five members, to be elected from the school district at large, as herein provided, to be called members of the board of education who shall serve without compensation; provided, that the present school districts as above named in section 129 shall each continue as such until the election and qualification of the first members of the board of education elected at large. The members of this board shall be elected at the first regular municipal election held under this charter. At their first meeting the members so elected shall so classify themselves by lot that two of the members shall go out of office on the first Monday in January, nineteen hundred ten, and three on the first Monday in January, nineteen hundred twelve, and thereafter said members shall hold office for a period of four years, and until their successors are elected and have qualified. At the second regular election held under this charter two members shall be elected and at the third regular election three members, to fill the places of those members whose terms expire, and thereafter, alternating, two and three shall be elected at the succeeding elections.

SEC. 131. No person shall be eligible to become a member of the board of education who is not at least twenty-five years of age and who has not been a resident of the school district for the two years next preceding the day of his election.

SEC. 132. The officers for all elections called by the board of education shall receive not more than three dollars each as compensation for their services.

SEC. 133. The board of education shall enter upon the discharge of their duties on the second Monday after the second Tuesday in May, nineteen hundred seven; and the board shall meet upon said day and on the second Monday of January, nineteen hundred nine, and annually thereafter, and organize by electing one of their members president and his term of office shall be for one year and until his successor is elected. They shall hold regular meetings at least once each month, at such time and place as may be determined by their rules. Special meetings may be called by the president or by written request of any two members as herein provided. No business shall be transacted at special meetings that has not been distinctly stated in the call. A majority of the members shall constitute a quorum, but a smaller number may adjourn from time to time; but the vote of three members shall be required

for passing all orders for the expenditure of money and allowance of demands and for the election of teachers. The sessions of the board shall be public and its minutes open for inspection. The board may determine its rules for its proceedings, and the ayes and noes be taken when demanded by any member and entered upon the record of the board.

Sec. 134. The powers and duties of the board of education are as follows:

1. To establish and maintain public schools, including high schools, as herein provided; and at its discretion to establish kindergartens, manual training and domestic science schools; to change, consolidate and discontinue the same and to establish boundaries for each or any school building or any grade or grades in each or any school building, within which boundaries pupils must attend their respective building or grades.

2. To manage and control the school property; including the power to grade, fence and improve all school lots and the sidewalks and streets bordering the same; to select plans for and supervise and control the construction of school houses; to alter, repair, rent and provide school houses and to furnish the same with proper school furniture, apparatus and appliances and to provide the same with fire escapes, fuel, lights, water and all necessary supplies; to insure the same, including the contents, against fire, and to incur such other incidental expenses as may be deemed necessary.

3. To employ and dismiss the superintendent of schools and such teachers, janitors, school census marshals and other employees and laborers as may be deemed necessary to carry into effect the powers and duties of the board; to prescribe the duties to be performed by each and all of such employees, and to fix, alter, allow and order paid, their salaries or compensation; and to withhold for good and sufficient cause, the whole or any part of the salary or wages of any person or persons employed as aforesaid; *provided*, that no election or appointment of a teacher or other person employed by the board of education shall constitute or be construed as a contract, either as to the duration of time or of wages to be paid; but no teacher shall be dismissed before the end of any school year in order to make place for another, or for any other reason than insubordination, immoral or unprofessional conduct or evident unfitness for fulfilling the requirements of the position.

4. To make, establish and enforce all necessary and proper rules and regulations for the government of public schools, the teachers thereof, pupils therein, and for carrying into effect the laws relating to education; also to establish and regulate the grade of schools and determine what text books, course of study and the mode of instruction that shall be used in said schools.

5. To take advantage of and follow the line of procedure of any law now in force or which may be hereafter enacted allow-

ing municipalities, or any board or commission of the same, including boards of education, to insure their public buildings and school houses by other methods or means than through insurance companies.

6. The board of education shall have power, under this charter, to set aside a certain amount of money each year as an insurance fund, which amount shall be submitted to a special election of the qualified electors of the Riverside city school district, and may be raised by special tax so voted or by a bond issue so voted, and all such money so raised shall be deposited in some reputable saving bank or banks, either within or without the city. Said money shall be kept intact, together with the interest thereon, for the payment of loss by fire, earthquake or other extraordinary calamity, until such time as the aggregate of such insurance fund will amount to twenty thousand dollars or more, when the board of education may then withdraw the interest and divert it to the school fund. Such special or bond elections, shall be held under the general school laws of the state for such elections; and it shall be the duty of the county treasurer after receiving such moneys to pay the same to the board of education on demand, and the county treasurer is hereby empowered and directed so to do. The board of education shall then at once deposit such moneys in the name of the Riverside city school district, and as above outlined and designated, and shall, as soon thereafter as possible, certify to the council where such money has been deposited and the purpose of such deposit; and thereafter, in order to withdraw any of the principal of said sum, the council must approve the order of the board of education withdrawing same or any part thereof, either to pay loss by fire or to transfer the funds from one bank to another.

7. To take and hold in fee or otherwise, in trust for the city, any and all real estate and personal property that may have been acquired or may hereafter be acquired by purchase, bequest or donation, for the use and benefit of the public schools of the city or for any educational purpose; to dispose of, at private or public sale, such personal property as shall be no longer required by the department, and to sell, exchange or lease any of such property; and to make, in the name of the district, conveyances of real property sold under the provisions hereof; *provided*, that all acts of the board of education relating to the sale or exchange of school houses or real estate belonging to the district be first ratified and approved by the council in order to make such transfer legal.

8. To receive and manage property or money acquired by bequest or donation in trust for the benefit of any school, educational purpose or school property, including gymnasiums, museums and athletic parks or grounds.

9. To sue for any and all property belonging to, or claimed by the board of education for the district, and to prosecute and defend all actions at law or equity necessary to recover and maintain the full enjoyment and possession of said property, and to require the services of the city attorney, free of charge, in all such cases.

10. To prohibit any child under six years of age from attending the public schools, except where kindergartens are established, and to fix the age not less than five years at which they may attend the kindergarten.

11. To admit non-resident children to any department of the schools at their discretion, on the payment within the school year at such time as the board may direct, of tuition fees not less in amount than the per capita cost per pupil per year, based on the average attendance for the previous year.

12. To furnish books to children whose parents are unable to furnish the same, and all books so furnished shall be stamped with the name of the district, shall belong to the district, and shall be kept in the library when not in use.

13. To visit each school building in the district at least once in each three months and examine carefully into its condition, management and wants.

14. To discharge all legal incumbrances now existing or which may hereafter exist, upon any school property within the district.

15. To have uniform instruction given by all teachers throughout the entire school course, in manners and morals, and upon the nature of alcoholic drinks and narcotics and their effect upon the human system; to include in such teaching the principles of morality, truth, justice and patriotism; to teach pupils to avoid idleness, profligacy, and falsehoods; to instruct them in the principles of free government, and to train them up to a true comprehension of the rights, duties and dignity of American citizenship.

16. To prevent truancy and compel the attendance of school children between the ages of six and fourteen who may be found idle in public places during school hours.

17. To prepare in July of each year, a detailed report showing the income and expenditures of the department and such other information as will fully show the work accomplished by the department during the previous year. A copy thereof shall be delivered to the city clerk.

18. To enforce such rules and regulations as may be made by the board of health of the city.

19. To appoint a superintendent of schools, prescribe his powers and duties from year to year and fix his salary.

20. To determine annually the amount of money necessary to be raised by taxation for the maintenance of the public schools, in addition to the amount of money to be received from the

state and county; and the board shall, on or before the first day of August of each year, submit in writing to the board of supervisors of Riverside county, a careful estimate of all money to be received from the state and county and the amount required to be raised by taxation in addition thereto, and said county board of supervisors shall, and they are hereby authorized and directed so to do, in each year when fixing the annual tax rate, levy and assess as a school tax for the support and maintenance of the school department, such amount as the board of education shall report necessary for that purpose, *provided*, that the aggregate of the amount to be thus levied for school purposes shall not exceed thirty cents on each one hundred dollars valuation of property appearing on the assessment roll of the Riverside city school district; *provided further*, that the limit herein mentioned shall not be construed as including any money to be raised by taxation for the payment of bonds and the interest thereon for the Riverside city school district. The estimate of the board of education submitted to the county board of supervisors, as above specified, shall show the amount of money estimated to be received from the state for high school purposes and the amount needed for such purposes in addition thereto; and this amount when assessed and collected as above stated, shall be paid into the county treasury and placed to the credit of the high school fund and shall be used for high school purposes. Likewise the said estimate shall show the amount of money estimated to be received from the state and county for other than high school purposes and the amount needed for such purposes in addition thereto; and this amount when assessed and collected as above stated shall be paid into the county treasury to the credit of the school fund of the district and shall be used only for the purposes of schools other than high schools as herein outlined, and none of such money shall be used for high school purposes. All school moneys shall be paid out by the county treasurer in accordance with the methods of the general school laws, when not inconsistent with the provisions of this charter.

21. To establish regulations for the just and equitable disbursement of all money belonging to any fund of the Riverside school district.

22. And generally, to do and perform such other acts as may be necessary and proper to carry into force and effect the powers conferred on said board and to increase the efficiency of the public schools in said city.

Sec. 135. The board of education may, prior to the fifteenth day of August in any year when in their judgment it is advisable, call an election and submit to the electors of the district the question whether a tax shall be levied to furnish additional school facilities for the district or to maintain any school in such district or for building one or more school houses or for

any or all of these purposes. Such election shall be called, and money employed in accordance with the general laws of the state governing elections for district school tax.

Sec. 136. The board of education for district school tax, at which it elects its president in each year, appoint a clerk who may, or may not, be one of their own number, and shall prescribe the duties and fix the salary of such clerk.

Sec. 137. The city superintendent of schools, each member of the board of education and the clerk thereof, shall have power to administer oaths and affirmations in all matters connected with the school department.

Sec. 138. The board of education shall be the judge of the qualifications of teachers in all departments in the Riverside city school district, and said board may provide for special examinations for any or all positions in said schools. In the selection of teachers the board shall in all cases advise with the city superintendent, and in so far as possible they shall select teachers who by education and natural ability are best fitted for the positions; but said board shall in no case employ any teacher who does not, when so requested by the board, present a certificate of good health from the city health department, or from some reputable and known physician.

Sec. 139. The board of education shall have power to make suitable rules and regulations for the promotion of pupils from primary and grammar schools and from high schools and from all other departments of the schools when pupils have completed the respective courses of study therein, and to grant diplomas to such pupils in the name of the district.

Sec. 140. All buildings costing over one thousand dollars shall be built by contract and all contracts for buildings shall be given to the lowest responsible bidder offering adequate security, to be determined by the board after due public notice published for not less than five days in the official newspaper of the city, if there be such, and if there be no official newspaper, then in any newspaper published in said city; *provided*, that the board of education may reject any and all bids under this section. Any order for supplies in excess of two hundred dollars shall be advertised for and purchased in same manner as outlined in this section.

Sec. 141. In all matters not specifically provided for in this charter the board shall be governed by the provisions of the general law relative to such matters.

ARTICLE VII.

THE PUBLIC LIBRARY.

SECTION 142. 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 directors of said library, hereinafter provided. All property, real and personal, belonging to said library shall be turned over to the charge, custody and administration of said board, with like powers and liabilities as if such library had been established under this charter.

Sec. 143. The public library and the reading rooms and branches connected therewith shall be under the control and management of a board of five directors known as The Board of Directors 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. 144. Said directors shall be appointed by the mayor immediately after his qualification under this charter, and thereafter as their terms expire, as hereinafter provided. Each director shall be at least twenty-five years of age and shall have been a resident of the city for a period of at least three years next preceding his appointment. Men and women shall both be eligible.

Sec. 145. Those directors first appointed shall so classify themselves by lot at their first meeting, that one director shall go out of office on the second Monday in January, nineteen hundred nine, one at the end of one year thereafter, one at the end of two years thereafter and two at the end of three years thereafter. Thereafter said directors shall hold office for a period of four years and until their successors are appointed and have qualified; *provided*, that the mayor may at any time remove members of said board and thereupon shall file with the council a written message giving the names of the directors removed and the actual reasons for such removals. Such removals shall not need the approval of the council.

Sec. 146. The office of director of the public library shall be honorary and the members shall serve without compensation.

Sec. 147. Said directors shall organize at their first meeting, and on the second Monday in January, nineteen hundred nine, and annually thereafter, 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 elected; *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 directors; 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. 148. The board of directors 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 herein provided for and that no business shall be transacted at any special meeting except that mentioned in the call, unless five directors shall consent thereto. Three directors shall constitute a quorum for the transaction of business but a less number may adjourn from time to time.

Sec. 149. 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 by the auditor of said city.

Sec. 150. 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 describe their powers, duties and hours of employment; to fix the salaries and wages of all such employees; all appointments shall be made without regard to political belief but solely with regard to fitness;

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 directors may from time to time prescribe; *provided*, that non-resident 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 this state or else- of the same for the benefit of said 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 directors 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; property;

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

Sec. 151. The board of directors shall annually, on or before the first day of August, 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 XV, Section 228, 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. 152. At the request of the board of directors of a public library, as expressed in the annual estimate and budget of the board, the council shall in making the annual tax levy otherwise provided for, levy a tax sufficient to establish and 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 directors of the public library as herein before provided.

Sec. 153. 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 directors of the public library, subject to the general provisions herein contained relating to the allowance of demands.

Sec. 154. 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 directors 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 directors of the public library.

Sec. 155. The council shall have the power to appropriate and authorize the use, either in whole or in 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. 156. 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.

Sec. 157. The board shall have the power to require the secretary of state and other state officials to furnish the library with copies of any or all reports, laws, and other publications of the state not otherwise disposed of by law.

ARTICLE VIII.

DEPARTMENT OF PUBLIC UTILITIES AND ELECTRICAL DEPARTMENT.

SECTION 158. There is hereby created a department of public utilities which shall be under the control and management of a

board of public utilities, consisting of five commissioners, four of whom shall be appointed by the mayor immediately after his qualification and thereafter as their terms expire as hereinafter provided. Each of the four thus appointed 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. The fifth member of the board shall be the mayor who shall be the presiding officer of the board. Those members first appointed under this charter shall so classify themselves by lot at their first meeting that one shall go out of office on the second Monday in January, 1909, one at the end of one year thereafter, one at the end of two years thereafter, and one at the end of three years thereafter; and there- after their successors shall hold office for four years until their successors are appointed and have qualified; *provided*, the mayor may at any time remove from office members of said board and thereupon shall file with the council a written mes- sage giving the names of the members removed and the rea- sons therefor. Such removals shall not need the approval of the council. The members shall serve without compensation. Unless otherwise provided by ordinance, the city clerk shall act as secretary of said board and keep the minutes and records thereof and shall, whenever required so to do, 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. 159. The board shall hold regular meetings at least once in every month at such times and place as it may deter- mine by resolution. Special meetings may be called at any time by the mayor or by any two members; *provided*, written notice is served as herein provided for, and that no business shall be transacted at any special meeting except that mentioned in the call, unless five members consent thereto. Three members shall constitute a quorum for the transaction of business but a less number may adjourn from time to time.

Sec. 160. The board of public utilities shall have the exclu- sive control and management of all electric and other light and power works, gas works, telegraph or telephone systems, water works, ice works or other systems of providing and dis- tributing 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, exten- sion, maintenance, operation and improvements of such works and systems; the management, rental, use, sale and distribu- tion of the 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.

Sec. 161. The board may appoint, transfer, remove, dis- charge, suspend or require bonds of superintendents, engineers, laborers and all other persons employed in or by said depart- ment 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.

Sec. 162. The rates to be charged for the use, rental and sale of electricity, light, power, heat, gas, water, telephone or telegraph service, or for any other service supplied by such de- partment 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 to 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 173 of this arti- cle, unless approved by two-thirds of all the qualified electors voting on such proposition at any election, and *further pro- vided*, that the board shall have power by a vote of four mem- bers, approved by a vote of five 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 dis- criminating rates and contracts which may or may not be less than the said cost.

Sec. 163. 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, not- withstanding 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.

Sec. 164. Said board shall have the 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. 165. The city through its department of public utilities 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. The rates so charged shall be fixed by the board, but must be approved by the council.

Sec. 166. The city, through its department of public utilities, 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 the customers of the city wherever located. Such service to persons outside of the city shall be subject to the provisions of Section 165 of this article. When the board deems it to be to the profit and best interest of the city, it may furnish, free of charge, or give away to its customers, under proper restrictions, apparatus, lamps, and other articles intended to consume or make use of electricity, gas, power or other commodities furnished by the department.

Sec. 167. 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. 168. 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. 169. The board shall, as soon as practicable, cause to be made by the city engineer, a map or maps, showing full details of the distributing system, connections therewith and of all street lights, which maps shall be kept posted up to date or additional maps made as the service increases.

Sec. 170. The city auditor, as provided in Section 99 of Article V, Chapter 3, 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 the electric fund the wages of the deputies and clerks so employed in the department, which wages shall be fixed by the council. The auditor shall make, as soon as practicable after the adoption of this charter, with the assistance of the superintendent, a complete detailed list with an inventory at the present value of all property belonging to the department, in order to determine the net value of the city's investment therein. The values in said inventory shall be set by the board, and it may engage a competent person to set same or to assist therein. The auditor shall keep this record posted up to date, and shall annually make a new inventory. 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 the department that this see that this provision is complied with.

Sec. 171. 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 the electric fund, which shall be kept separate and apart from all other moneys of the city, and shall only be drawn from said fund 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 electric fund. 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 the said board. Money may be temporarily transferred from the electric fund 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 electric fund by the first day of the following May.

Sec. 172. None of the money in the electric fund shall be apportioned and used for any purpose or purposes other than for the following:

1. For the necessary expenses of conducting the electric department, operating the electric plant 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 the electric department, including purchase of necessary lands, water rights and other properties;
3. Any unused balance in the electric fund, after deducting for the depreciation sinking fund as provided in Section 173 of this Article, may with the approval of both the board and the council, be used for payment of principal and interest of any electric department bonds 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 electric fund at the end of the fiscal year, from the operation of the plant for such year, may, with the consent of both the council and the board of public utilities, be transferred, in whole or in part, into the general fund for the use of said fund.

Sec. 173. At the end of each fiscal year the auditor shall take the total value of property belonging to the electric department as obtained from the inventory and property record; he shall deduct not less than five per cent therefrom, which shall represent the estimated depreciation of the whole plant and system for the year. Said per cent shall thereupon be transferred from the electric fund to the credit of the fund to be known as the "depreciation sinking fund." He shall then charge to such sinking fund and credit to the electric 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 savings banks organized under the laws of California, at interest, and the interest thereon shall accrue to said fund. If the per cent deducted from the

electric 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 savings banks, and said cash transferred to the electric 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 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 five-sixths 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 plant, 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 said sinking fund by the electric fund or other fund, as the case may be, in annual installments not less than ten in number, with five per cent interest on same, computed semi-annually, 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 fund.

The auditor may take expert advice other than that of the electric department, as to the proper per cent of depreciation to be charged to the electric fund and credited to the depreciation sinking fund, as above provided; if, from such advice he believes five per cent to be too small, he shall make use of such per cent as he believes conservative and safe. If the money in the electric fund be insufficient to provide the amount of the depreciation charge the auditor shall create a deficit in the electric fund 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 five per cent unless approved by a majority of the electors voting on such proposition at any election.

Sec. 174. The board shall present to the council a monthly report showing expenditures for operating expenses, fuel, power, wages, repairs, replacements, betterments and 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

whom shall be practicing physicians and one shall be a citizen other than a physician. The physicians shall have practiced their profession for at least five years next preceding their appointment. The fourth member shall be the city engineer. The fifth member shall be the mayor who shall be the presiding officer of the board. Those members of the board first appointed under this charter shall so classify themselves by lot that one shall go out of office on the second Monday in January, 1910, one at the end of one year thereafter and one at the end of two years thereafter. Thereafter their successors shall hold office for four years and until their successors are appointed and have qualified.

SEC. 180. Three of the members of the board shall constitute a quorum for the transaction of business.

SEC. 181. The board shall at its first meeting and annually thereafter, or at the will of the board, 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. 182. 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, and may be by telephone.

SEC. 183. The board shall have power to appoint and remove at pleasure a regularly certificated physician to serve as city physician, who may or may not be the health officer.

SEC. 184. The health officer and city physician shall receive such compensation as may be fixed by the council. The other members of the board, acting as such, and appointed as in this charter provided, shall receive no compensation for their services.

SEC. 185. The board of health shall have such other powers and perform such other duties as may be prescribed by ordinance.

ARTICLE X.

PARK DEPARTMENT.

SECTION 186. There shall be a board of park commissioners, consisting of five persons, whose appointment, term and tenure of office shall be the same as provided for directors of the Riverside Public Library in Article VII of this charter, and who shall receive no compensation for their services as commissioners, but any of the members of the commission shall be eligible to serve as superintendents under said commission. The compensation of such superintendents shall be fixed by the council.

SEC. 187. The board shall elect a president who shall hold office during its pleasure. Unless otherwise provided by ordinance, the city clerk shall act as secretary of the board and keep the minutes thereof. It shall hold regular meetings at

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 228, Article XV, 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 electric fund. Duplicates of all reports shall be filed in the auditor's office.

SEC. 175. 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. 176. 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. 177. It is understood that at the time of the adoption of this charter, the electric department is the only public utility operated by the city. In case any other public utility herein mentioned in Section 160 of this Article 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 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. 178. 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, 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 179. 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

least once in 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 herein; 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. 188. 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 people of the city as public parks or pleasure grounds, and of any boulevard that may be acquired, dedicated or constructed as a portion of the park system of the city. The board shall have authority to purchase all articles and materials for and have all work and labor performed upon said parks, pleasure grounds and boulevards, and to that end may appoint, remove, discharge or suspend superintendents, laborers and all other persons employed upon or about said parks, pleasure grounds and boulevards. The board shall have the authority to establish rules and regulations for the use and government of such parks, pleasure grounds and boulevards, and shall have the right to prohibit the use of the drives in any of said parks or pleasure grounds or the said boulevards for teaming 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. 189. The commission shall make monthly and annual reports to the council of expenditures and of other matters deemed wise by the commission. They shall annually submit an itemized estimate of the money needed for the work of the commission during the ensuing year. The council shall levy such tax for such purposes as it deems wise, 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 commission.

ARTICLE XI.

JUDICIAL DEPARTMENT.

SECTION 190. 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.

Sec. 191. 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. 192. 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. 193. The police court shall have jurisdiction concurrently with the justices' courts of all civil actions and proceedings, arising within the corporate limits of the city and which might be tried in said justices' courts.

Sec. 194. Proceedings in criminal actions triable in such courts shall be in conformity with the provisions of Part II, Title XI, Chapter I of the Penal Code of this state; proceedings in civil actions shall be in conformity with the provisions of Part II, Title XII of the Code of Civil Procedure.

Sec. 195. 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. Abstracts of judgment from said court may be filed with the county clerk and county recorder, and liens created, and said judgments enforced in the same manner as judgments in 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. 196. 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. Separate dockets shall be kept for civil and criminal cases.

Sec. 197. All fines, penalties and forfeitures collected by said police court shall be the property of the city and shall be immediately deposited in the city treasury for the use of the said city.

Sec. 198. 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. 199. In the absence, or upon the disqualification or disability of the judge of said police court, any qualified justice of the peace of Riverside Township 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. 200. The mayor shall have power to appoint any justice of the peace for Riverside Township as police judge, notwithstanding any other provision in this charter contained.

Sec. 201. The council shall have power to prescribe by ordinance, additional duties and powers for the police judge.

ARTICLE XII.

POLICE DEPARTMENT.

SECTION 202. 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. 203. The chief of police shall be at least thirty years of age and a qualified elector of the City of Riverside for at least two years preceding his appointment. He shall be appointed to his office by the mayor.

Sec. 204. 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. If 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 and for neglect of duty or for conduct unbecoming a member of the police force. He shall immediately file with the mayor written charges, specifying the grounds upon which such suspension or removal is made. 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. 205. 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 for cause.

Sec. 206. The council, subject to the provisions of this charter, shall have 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 207. 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. 208. 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. 209. 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 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. 210. 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 depart-

ment, and do all other acts necessary to the efficient equipment and operation of the fire department of the city.

ARTICLE XIV.

ELECTIONS.

SECTION 211. Elections to be held in said city for the purpose of electing the officers thereof and for all other purposes, are of two kinds:

- 1. General municipal elections;
- 2. Special elections.

SEC. 212. General municipal elections shall be held in the said city as follows: the first election shall be held on the second Tuesday of May, nineteen hundred seven; the second election shall be held on the third Tuesday in November, nineteen hundred nine; the third election shall be held on the third Tuesday in November, nineteen hundred eleven, and general municipal elections on the third Tuesday in November every two years thereafter.

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

One member of the city council from each of the wards of the city shall be elected by the electors of said ward and the five members of the board of education shall be elected by the electors at large at the first general municipal election. The members of the council from the third, fourth and sixth wards first elected, shall hold office until the first Monday in January, nineteen hundred ten, and the members from the first, second and fifth wards until the first Monday in January, nineteen hundred twelve.

The successors of the members of the council from the third, fourth and sixth wards and of two members of the board of education shall be elected at the second general municipal election and every four years thereafter. The successors of the members of the city council from the first, second and fifth wards and of three members of the board of education shall be elected at the third general municipal election and every four years thereafter.

The officers elected at the first general municipal election instead of holding office for the regular two and four year term, elsewhere specified, shall hold office until the first Monday in January, nineteen hundred ten, and nineteen hundred twelve respectively. Every officer shall hold office until his successor is elected or appointed, and has qualified.

SEC. 213. 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, except that the officers elected at the first general municipal election shall take office and enter upon the discharge of their duties at ten o'clock A. M., on the second Monday after their election.

SEC. 214. 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. 215. 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 on 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 is required by the general school laws of the state for school elections.

SEC. 216. All candidates for city offices shall be nominated in the manner only as provided in section 1188 of the Political Code of the State of California, as now in force.

SEC. 217. When candidates for any office are nominated as specified in accordance with the provisions of section 1188 of the Political Code of the State of California, 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. 218. 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 notice thereof.

Sec. 219. 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. 220. At each city election each of the election officers shall receive not to exceed the sum of three dollars for his services.

Sec. 221. 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, the 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. 222. The present officers of the city, and the school trustees of the Riverside, Palm Avenue, Magnolia and Victoria school districts, and of the Riverside high school district, shall hold, continue to hold and exercise their respective offices until the election or appointment and qualification of the first officers to be elected or appointed under this charter, with the powers and duties vested in and imposed upon them under the laws and the ordinances under which they were elected.

Sec. 223. The board of trustees of the City of Riverside, in office at the time this charter is approved by the legislature, shall provide for the holding of the first general municipal election of officers under this charter, shall canvass the votes, declare the result, and approve the bonds of all officers elected at such election, the amounts of said bonds and the provisions relating thereto to be as herein provided.

If for any reason, the first general municipal election is not held on the day herein provided for, the validity of this charter and of such election is not affected thereby, and the board of trustees of the City of Riverside then in office must provide for the holding of said election as soon as possible thereafter.

Sec. 224. 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 six months and no person shall have access to them, except on the order of a court of general juris-

Sec. 225. On the first Monday after the election and at their usual time and place of meeting, the council shall meet and canvass the returns and declare the result.

Sec. 226. 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 postoffice 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.

ARTICLE XV.

REVENUE AND TAXATION.

SECTION 227. 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. 228. On or before the third Monday 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 year. Duplicates of these estimates shall be submitted to the auditor.

SEC. 229. On or before the fourth Monday 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; 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. 230. The council shall have the power and it shall be their duty to fix by ordinance the amount of money necessary 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, if there be such limit, 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 Monday 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. 231. 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 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 any assessment upon notice to the parties whose assessment is to be raised. 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. 232. 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 234 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. 233. 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 assessor and the treasurer 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. 234. The mayor and council shall, during the month of January, nineteen hundred eight, and the month of January, nineteen hundred nine, and may, annually thereafter, 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 twenty-seventh, eighteen hundred ninety-five; *provided*, said 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. 235. On the first Monday 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 234 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. 236. The city taxes for the fiscal year 1907-8 shall be assessed by the city clerk and ex-officio assessor of the City of Riverside holding office prior to the second Monday after the second Tuesday in May, nineteen hundred seven; said assessor shall continue in office as assessor of the City of Riverside incorporated under this charter until said assessment roll has been completed and shall be entitled to such compensation therefor as may be fixed by the council. Such assessment shall be as valid and binding as if made by the ex-officio assessor elected under this charter. This provision shall take precedence over any other provision of this charter in conflict

therewith. Said assessment shall be made under the existing ordinances of the City of Riverside, except as to the amount of tax levy which shall be governed by the provisions of this charter.

SEC. 237. 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 259, of Article XXI.

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 election and such ordinance may originate in the council or may be proposed by initiative petition.

ARTICLE XVI.

CLAIMS AND DEMANDS.

SECTION 238. Bonds and interest coupons shall be paid by the treasurer and demands shall not be necessary therefor.

SEC. 239. 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 the same, and by a majority of all the members of any board over such department.

SEC. 240. All demands on the library fund, the electric or other public utility fund, must be approved by a majority vote of all the members of the board of directors 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 242 of this Article.

SEC. 241. All demands except those referred to in Section 240 of this Article must be approved by a majority of the finance committee of the council, by a majority vote of all the members of the council, by the mayor and by the auditor.

SEC. 242. The council may approve any demand over the disapproval of the finance committee or of any head of depart-

ment by a majority vote of all the members. The council or other board specified in Section 240 of this Article may approve any demand over the disapproval of the mayor by a vote of five members and four members, respectively. Every such demand must be voted on separately, the aye and no vote recorded and the reason for any disapproval attached to the demand.

SEC. 243. Any demand in the fire or the police departments must be approved by the chief of such department and by the mayor.

SEC. 244. Salaries of elective officers, except those of members of the council, shall not require demands.

SEC. 245. 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, together with interest from the date of registration at the rate of five per cent per annum.

SEC. 246. The board of city accounting shall prescribe forms, records and duties relating to demands and their approval and payment, and such shall not be changed except on a vote of the electors.

ARTICLE XVII.

BONDED INDEBTEDNESS.

SECTION 247. 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 directors 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 ordinance 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 248. The City of Riverside shall not be and is not 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 III, Chapter 1, Section 9; *and provided further*, that the approval, as to form of such contract, by the city attorney, as required by Section 121 of Article V 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 five hundred 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. 249. The council shall not have 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 for in Section 259 of Article XXI.

SEC. 250. 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. 251. If no newspaper published in the City of Riverside will accept advertising at the rate so fixed as provided in Section 250 of this Article, or if for other reasons the council so decides, the said council in lieu of newspaper advertising may issue and publish a bulletin containing such matter as they, or any officer or board of the city are required to publish, and shall cause a copy thereof to be addressed to each of the registered voters of the city, to their addresses as the same shall appear on the last great register of Riverside county, and the same shall be deposited in the United States postoffice with the postage duly prepaid, and shall also post printed copies of such advertisement in three public places in the city. Action shall not be taken in regard to any matters so advertised for such period after such postage and mailing as may be required herein or by law to elapse after regular advertising in the official newspaper, or for five days thereafter if no time is so specified. Such mailing and posting shall be conclusively deemed to be of the same effect as if the advertisement had been fully published the required number of times in such newspaper as may be required by law or this charter. All provisions of this charter are subject to the provisions of this section.

SEC. 252. 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 to be provided therefor; 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 purchasing 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, without advertising for bids, and the provision so made shall take precedence of the provisions of Section 248 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 250 of this Article relating to job printing.

ARTICLE XIX.

STREETS AND SEWERS.

SECTION 253. 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, now in force, or which may hereafter be adopted by the legislature of this state 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 resolution or 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. A repeal of any such ordinance will revive the operation of any such general law so repealed in whole or part, with amendments thereto, provided said law be still in force in the state.

SEC. 254. The council shall have power by duly enacted ordinance to provide rules and regulations for having sewers, drains and conduits laid in the streets, alleys and places of the city, under private or public contract, to require that the owner of any property which has not contributed to the payment of the cost and expenses of such construction, must before being allowed to connect with and use such sewers, drains and conduits, pay into the city treasury or to some designated officer, the proper portion of such cost and expense which such property should have borne had it participated in said payment, with interest thereon to said date, or in lieu thereof a stated sum of money. The ordinance may provide that the money so collected shall be paid into the sewer fund, or returned to the present owners of the property participating in such original cost, pro rata.

SEC. 255. 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. The city may do any such work on application of a petition signed by the owners of a majority of the frontage of the property fronting on any proposed improvement, even though no bid was submitted by said city, or without said petition if the council deems that the city can do such work at less cost than the lowest bid therefor. Any such work may be done by day labor, or sublet by contract, or both. Assessments for such work shall be collected as designated by the council.

SEC. 256. 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 257. The council shall have power to designate the terms, conditions and duration of all franchises, *provided* that no exclusive franchise shall ever be granted.

ARTICLE XXI.

THE INITIATIVE.

SECTION 258. 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 hereinafter 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 the 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 date 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, cannot 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 259. No action providing for the sale or lease of any city property exceeding five hundred 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 five members of the council and approved by the mayor or the unanimous vote of all the members over the mayor's disapproval, but no grant of any franchise shall be construed to be urgency matter), 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 230. The holder of any elective office may be removed at any time by the electors qualified to vote for a successor for such incumbent. The procedure to effect the removal of an incumbent of an elective office shall be as follows: A petition signed by qualified electors entitled to vote for a successor to the incumbent sought to be removed, equal in number to at least twenty-five per cent of the entire vote for all candidates for the office, the incumbent of which is sought to be removed, cast at the last preceding general municipal election, demanding an election of a successor of the person sought to be removed, shall be filed with the city clerk, *provided* that the said petition shall contain a general statement of the grounds for which the removal is sought. 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 the street and number. One of the signers of each such paper 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 after the date 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 city 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 and the council shall thereupon order and fix a date for holding the said election, not less than thirty days, nor more than forty days from the date of the clerk's certificate to the council that a sufficient petition is filed.

The council shall make or cause to be made, publication of notice and all arrangements for the holding of such election, and the same shall be conducted, returned and the result thereof declared in all respects as other city elections. The successor of any officer so removed shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself, and unless he requests otherwise, in writing, the clerk shall place his name on the official ballot without nomination.

In any such removal election, the candidate receiving the highest number of votes shall be declared elected. At such election, if some other person than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed removed from the office upon qualification of his successor. In case the party who receives the highest number of votes shall fail to qualify within ten days after receiving notification of election, the office shall be deemed vacant. If the incumbent receives the highest number of votes he shall continue in office.

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

Sec. 261. 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 ordinance 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 XXII.

MISCELLANEOUS PROVISIONS.

SECTION. 262. The word "city" wherever it occurs in this charter, means the City of Riverside; and every commissioner, commission, department, board, officer or employee, wherever mentioned in this charter, means the commissioner, commission, board, officer or employee, as the case may be, of the City of Riverside. The word "council" or "city council" when used in relation to the legislative department of this city means the common council.

Sec. 263. The fiscal year mentioned in this charter shall commence on the first day of July and end on the thirtieth day of June following.

Sec. 264. 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. 265. 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. 266. This charter shall go into effect for all election purposes, for the purposes of taxation and for the purposes of the board of city accounting, as provided in Article V, Chapter 3, Section 100, on the day of its adoption by the legislature, and for all other purposes, unless otherwise herein provided, at ten o'clock A. M., on the second Monday after the second Tuesday in May, in the year nineteen hundred seven.

Sec. 267. In the event that this charter is not ratified and approved by the thirty-seventh session of the legislature of the State of California, but is ratified by the thirty-eighth session thereof, then the date at which this charter goes into effect, all the dates of the first, second and third general municipal elections and all dates of the commencement and ending of terms of officers and of their appointment, and of the first meetings of boards shall be set forward two years from the said dates as specified in this charter.

CERTIFICATE.

WHEREAS, The City of Riverside, a city containing a population of more than three thousand five hundred inhabitants, did on the ninth day of October, in the year of our Lord, nineteen hundred and six, at a special election and under and in accordance with the provisions of Section 8, Article XI, 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.

IN WITNESS WHEREOF, we have hereunto set our hands at the City of Riverside, in the State of California, this thirty-first day of December, in the year of our Lord, nineteen hundred and six.

- S. C. EVANS JR., President.
- J G BAIRD
- L. A. BRUNDIGE
- S. J. CASTLEMAN
- E. A. CHASE
- W. B. GLANCY
- L. H. EDMISTON
- W G FRASER
- L GILL
- W. P. GULICK
- JAMES MILLS
- C. L. McFARLAND.
- W. A. PURINGTON
- J A SIMMS
- W. L. PETERS, Secretary.

STATE OF CALIFORNIA,
COUNTY OF RIVERSIDE, } SS:
CITY OF RIVERSIDE. }

I, C. R. Stibbens, Clerk of the City of Riverside, do hereby certify that the foregoing is a full, true and correct copy of the proposed charter for the City of Riverside, prepared and proposed by a duly qualified board of freeholders, duly elected on

the ninth day of October, A. D., nineteen hundred and six; and that a copy of said charter was duly filed with the president of the Board of Trustees of the City of Riverside on the Thirty-first day of December, A. D., nineteen hundred and six, said copy having been duly signed by all of the members of said Board; that another copy, signed by all of the members of said Board, was on the Thirty-first day of December, A. D., one thousand nine hundred and six, duly filed with the Recorder of the County of Riverside; that thereafter said proposed charter was duly published in two daily newspapers of general circulation in said City of Riverside for at least twenty days, and the first publication thereof was made within twenty days after the completion of the said charter; and that within not less than thirty days after such publication, said charter was duly submitted to the qualified electors of said city at a special election called therefor, said election being held on Friday, the First day of March, A. D., nineteen hundred and seven, and that at said election a majority of such qualified electors voting thereat duly ratified the same.

And I further certify that said City of Riverside is a city containing 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 this Second day of March, A. D., nineteen hundred and six.

[SEAL.]

C. R. STIBBENS
Clerk of the City of Riverside.

Now, therefore be it
Resolved by the Assembly of the State of California, the Senate thereof concurring (the majority of all the members elected to each house voting for and concurring herein), That said Charter of the City of Riverside as presented to, and adopted and ratified by, the qualified electors of said city, be and the same is hereby approved as a whole, for and as the Charter of said City of Riverside aforesaid.

R. S. ...
Speaker of the Assembly.

M. ...
President of the Senate.

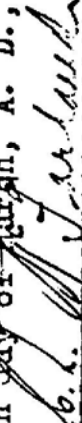
E. F. ...
Secretary of State.

Attest:

STATE OF CALIFORNIA, }
County of Riverside. } SS:

I, C. L. McFarland, President of the Board of Trustees and chief executive officer of the City of Riverside, County and State aforesaid, hereby certify that the foregoing is what it purports to be, a copy of the Charter of the City of Riverside, which was delivered to me, as stated in the preamble attached to and preceding the same, as required by Section 8, of Article XI, of the Constitution of the State of California; that the statements of said preamble are true. That said Charter has been approved by the Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the corporate seal to be affixed, at my office in the City of Riverside, this 16th day of March, A. D., 1907.


President of the Board of Trustees and chief executive officer of the City of Riverside.

Attest: 
City Clerk of the City of Riverside.