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Council or other authority as in this Charter provided.

Section 5. Removals:

The Mayor shall have plenary power to remove any of said officers at any time; but in event of such removal he shall immediately file a written report with the City Council of his reasons therefor, and such report shall be open to inspection by the public.

Upon the removal of any officer by the Mayor, he shall within thirty days thereafter, nominate another person to take the place of the officer removed.

Section 6. Duties:

The Mayor shall have and perform the following powers and duties:

(a) To supervise the enforcement of all city ordinances and laws of the State of California and advise the Police Commission in regard thereto.

(b) To exercise general supervision and control over all officers, heads of departments and employees.

(c) To exercise general supervision over all privately owned public utilities operated within the city so far as the same are subject to municipal control.

(d) To see that the provisions of all franchises, leases, contracts, permits, and privileges, granted by the City, are fully observed and to report to the Council any violation thereof.

(e) To keep the City Council advised as to the needs of the City, and to make recommendations in connection therewith.

(f) To examine or cause to be examined, without notice, the affairs of any department, or division of the City government, the official conduct of any officer, assistant, deputy, clerk or employee in any of the departments of the City government, except of the City Council and Board of Education.

(g) To prepare and submit to the City Council annual budget estimates and such reports as may be required by that body, including the annual report of all the departments of the City.

(h) To prepare, or cause to be prepared, plans and specifications for work, which the City Council may order, coming under his supervision; and to provide such plans and specifications in sufficient number and in ample time to give full opportunity for all contractors who desire to bid thereon to do so.

(i) To have general supervision over all City property and its use by the public or City employees, except where such power is delegated to some other authority by this Charter.

(j) From time to time, in order to facilitate the prompt, economical and efficient dispatch of City business, to organize the work of the departments or other divisions of the government under his control, to assign assistants, deputies, and employees from one office or department of the City Government to perform such work or service in connection with any office or department thereof, or to work in more than one of said offices or departments; provided that no such change shall affect the powers and duties of any elective officer of the City.

(k) To inspect at any time, all books, records and official papers of all departments, divisions, officers and persons in the employ of the City.

(l) To see that all books, records, and official papers of all departments, officers and persons in the employ and service of the City are kept in a legal and proper form.

(m) He shall take all proper measures for the preservation of public order and the suppression of all riots and tumults, for which purpose he is authorized to use and command the police force, or if such police force is insufficient, it shall be his duty to call upon the Governor of the State for military aid in the manner provided by law, in order that such riots or tumults may be properly and effectively suppressed.

(n) He shall have the general supervision of all the departments and public institutions of the City and shall see that they are honestly, carefully, economically and lawfully conducted.

(o) Special Meetings of City Council: To call special meetings of the Council; to be notified by the City Clerk of all special meetings of the Council, when called by its members, and the time and place of all regular and special meetings of the standing or special committees thereof, and shall have the right and privilege of being present at all such meetings.

(p) To cause with the consent of the City Council legal proceedings, civil or criminal, to be commenced and prosecuted in the name of the City against all persons, companies, firms or corporations failing to fulfill their agreements, or contracts with the City, or violating any of its ordinances, permits.

(q) To exercise general supervision and control over all public utilities owned, operated, or controlled by the City of Torrance.

(r) To select and appoint the chairmen of the various committees of the City Council and he may consult with all such chairmen relative to City affairs within the jurisdiction of such committees.

(s) To perform such other duties as may be imposed on him by this Charter, or ordinance or resolution of the City Council.

ARTICLE XXIX. CITY COUNCIL

Section 1. Creation—Membership:

The City Council of the City of Torrance, which is hereby created, shall consist of five councilmen to be elected as in this Charter provided. The term "Councilman" shall be construed to include any person, male or female, who shall be elected or appointed a member of the City Council.

Section 2. Eligibility to Other Offices—Councilmen:

No member of the City Council shall, during the term for which he shall have been elected or appointed, be eligible to any office or appointment to be filled, which is subject to confirmation or approval by the City Council; nor shall any member of the City Council be selected to fill any vacancy in any other office, where the appointee of such vacancy is subject to confirmation or approval by the City Council, except to fill a vacancy in the office of Mayor, said councilman having first resigned as a member of the City Council.

Section 3. City Council to Continue in Office Until Election—Powers and Duties:

The Mayor and the four members of the Council of the City of Torrance, the City Clerk and City Treasurer in office on the date this Charter becomes effective, shall respectively be the first Mayor, four members of the City Council, City Clerk and City Treasurer of said City under this Charter, until the election and qualification of their respective successors. The Mayor and said four members of said City Council shall elect a fifth Councilman to hold office until the first general municipal election hereunder.

Section 4. First General Municipal Election:

For the purpose of calling the first general municipal election under this Charter, the City Council of the City of

Torrance referred to in Section 3 of this Article, shall cause a first general municipal election to be called on the second Monday in April, 1934, and shall canvass the votes and declare the result thereof. Said City Council as so constituted shall be the judge of all contested elections at said first general municipal election and its decision shall be final.

Section 5. Term of Office and Compensation:

(a) Term of Office:

The term of office of Councilmen shall be four years, except as in this section provided. Each Councilman shall be elected at a general municipal election. The first elected City Council shall consist of two members elected for two years and three members elected for four years. Before calling the first general municipal election referred to in Section 4, Article XXIX, of this Charter, the City Council, also referred to therein, shall first decide, by lot, which two Councilmanic Districts shall be represented by a Councilman elected for two years. After the first general municipal election all Councilmen shall be elected for four years.

(b) Compensation:

Each Councilman shall be entitled to receive as compensation \$10.00 for each meeting attended by him, but such compensation shall not be allowed for more than three meetings per month, and all other meetings shall be attended without compensation.

Section 6. Powers, Duties and Meetings of the City Council—Quorum:

(a) Quorum—Adjournment—Attendance:

A majority of the Councilmen shall constitute a quorum for the transaction of any business at any meeting, except as herein otherwise provided; and no business shall be properly before such body unless a majority of such Councilmen are present, but a less number of members may adjourn from time to time and compel the attendance of absent members, in such manner, and under such penalties as may be prescribed by ordinance.

(b) Presiding Officer of City Council in Absence of Mayor:

In the event of the absence of the Mayor, who shall be the presiding officer, from the meetings of the Council, the Council shall nominate and appoint one of its members to act as presiding officer of the Council during the absence of the Mayor. The Councilman so selected to act as presiding officer of the Council shall, as such presiding officer, be privileged to vote on all matters before the Council.

Section 7. Resignation—No Vote on Successor:

In the event that a member of the City Council shall resign, or offer his resignation, he shall not be eligible to vote on the selection of his successor.

Section 8. Meetings of the Council:

(a) Regular meetings of the City Council shall be held on the first and third Tuesdays of each month at the hour of 7:45 P. M. in the City Hall or at such other place as the City Council may by ordinance designate; and such other regular meeting of the City Council shall be held as may be provided by ordinance. Any regular meeting may be adjourned to a time certain, which adjourned meeting shall be a regular meeting for all purposes.

(b) Special meetings may be called by the mayor or three Councilmen at any time by written notice delivered personally to each member of the City Council, if call is made by the Mayor, and in case where the call is made by the City Council, by delivering a proper notice to the Mayor and each member of the City Council at least three hours before the time specified for the meeting.

(c) All meetings of the City Council shall be held at the City Hall unless by reason of fire, or other disaster the City Hall cannot be used for that purpose, or unless the City Council shall by ordinance designate some other place for holding such meetings. All meetings shall be open to the public. The City Council shall adopt rules for conducting its meetings.

(d) In the absence of the Mayor and of all the Councilmen from any meeting of the City Council: the City Clerk, or a Deputy City Clerk, may declare the meeting postponed and adjourn to a stated day and hour, and must thereupon give the Mayor and each of the Councilmen written notice of the date and time to which the meeting has been adjourned, which notice may be delivered personally to the Mayor and to the members of the City Council or may be left at his known residence or place of business at least twelve hours before the time to which the meeting was postponed.

Section 9. City Council As Judge of Elections:

The City Council shall be the judge of elections; of the qualifications of its members; of all election returns; of the election qualifications of all elective officers, and shall hear and determine all contested elections of elective officers, and its decision in regard thereto shall be final.

Section 10. City Council—Rules and Regulations:

The City Council may establish rules and regulations for conduct of its proceedings and may punish any member or other person for disorderly behavior or offensive conduct at any meeting, and may exclude any such other person from the meeting.

Section 11. Official Action How Taken:

The City Council may take official action only by the passage or adoption of ordinances, resolutions or motions, as may be prescribed by the Constitution, general laws of the State of California, and/or this Charter. In the absence of any express provision to the contrary in said Constitution or Charter, said City Council may choose any of the foregoing three methods of taking such action, providing that any action of said City Council fixing or prescribing a fine, punishment or penalty, or granting any franchise shall be taken by ordinance.

Section 12. Vacancies:

Any vacancy in the elected members of the City Council shall be filled by the vote of a majority of the City Council until the next general municipal election for municipal officers, when a member shall be elected to fill the unexpired term.

Section 13. Ordinances and Resolutions:

(a) Enacting Clause—Ordinances: The enacting clause of every ordinance passed or adopted by the City Council shall be "The City Council of the City of Torrance, California, does ordain as follows:" and the enacting clause of every ordinance initiated and adopted by the people of the City of Torrance shall be "The People of the City of Torrance, California, do ordain as follows:"

(b) Publication of Ordinances: All ordinances, before going into effect, must be published at least once in a paper designated as the official paper of the City of Torrance.

(c) Ordinances—Printed or Typewritten: All proposed ordinances introduced in the City Council or initiated or adopted by the people of the City of Torrance shall be in printed or typewritten form.

(d) Number of Votes Necessary to Adopt Ordinance, Resolution, etc.: The affirmative vote of not less than three members of the City Council shall be necessary to adopt any ordi-

nance, resolution, order or motion, including the approval and rejection of claims against the City, which are subject to approval or rejection by the City Council, which vote shall be taken by ayes and noes unless there is involved in such ordinance, resolution, order or motion the question of payment or appropriation of money from the Treasury of the City, or any fund thereof, in which case there shall be a roll call made and the result of such roll call shall be entered upon the minutes of said City Council.

(e) Passage of Ordinance: Except as herein otherwise provided, no ordinance shall be passed by the City Council on the day of its introduction, nor within five days thereafter, nor at any time other than at a regular meeting, or an adjournment thereof. Every ordinance introduced shall be read upon its introduction, and the same shall be read a second time upon its final passage and adoption; provided, however, that the second reading thereof may be by title only unless any Councilman demands that the same be read in full, or unless the same may have been amended or modified as hereinafter provided. A proposed ordinance may be amended or modified between the time of its introduction and the time of its final passage, provided the general scope and purpose thereof is retained.

(f) Effective Date of Ordinance: All ordinances, if approved by the Mayor, shall be signed by the Mayor and attested by the City Clerk, immediately upon the passage thereof. All ordinances passed over the veto of the Mayor, shall be so stamped by the City Clerk, and signed by the latter only. Except as herein provided, no ordinance shall become effective until the expiration of thirty days from and after the date of its first publication, and in computing said time the day of publication shall be excluded and said ordinance shall become effective at midnight on the 30th day thereafter.

(g) Emergency Ordinances—Election Ordinances, etc.—Effective Date: Ordinances calling for or otherwise relating to an election, or ordinances otherwise specially required by the general laws of the State of California, and/or ordinances declared by the City Council to be necessary as an emergency measure and/or for preserving the public peace, health, or safety and/or containing the reasons for its urgency and passed by not less than four members of the City Council and approved by the Mayor, and/or ordinances relating to bond issues and the annual tax levy, may be introduced and passed at one and the same meeting, and shall become effective immediately upon the publication thereof if the City Council shall therein so declare. No ordinance creating or abolishing any office or changing the salaries, term or duties of any officer or creating or granting any franchise or privilege or creating any vested right or interest shall be construed to be an emergency measure. Nothing herein contained shall be construed to mean that ordinances other than emergency ordinances shall require the approval of four members of the City Council and Mayor unless expressly so provided in this Charter. (See Art. VI, Section 3, Referendum.)

(h) Time to Publish Ordinances—Indices: Every ordinance, resolution, or other action of the City Council shall be filed and typically indexed in a separate book kept for that purpose and shall be authenticated as aforesaid, and ordinances within ten days after adoption and authentication as aforesaid, shall be published at least once in the official newspaper of the City, as aforesaid. In event, however, the publication of any ordinance shall not be made within said period of ten days, said ordinance shall not thereby be rendered void, but the effective date thereof shall be postponed until the full period of thirty days aforesaid shall have elapsed after the date of the first publication thereof.

(i) Action Required to be by Ordinance: All legislative action by the City Council must be by ordinance. Other action may be by resolution, order, or motion. All action providing for: (1) The appropriation, acquisition, sale or lease of public property; (2) The levying of any tax or assessment; (3) The granting of any franchise, (4) the establishment or changing of fire limits or districts, or (5) the imposition of any penalty, must be by ordinance, except in cases where the City Council takes action in pursuance of a general law of the State of California.

ARTICLE XXX. CITY CLERK

Section 1. Term and Compensation:

The City Clerk shall be nominated and elected at large every four years at a general municipal election. He shall be ex-officio Clerk of the Council, and Clerk of the Board of Equalization when and if such Board is created by the City. His salary and bonds required as such shall be fixed by ordinance. He shall have been a resident of the City for the two years preceding the date of his nomination and shall continue to reside within the City during his term of office.

Section 2. Duties: (a) The City Clerk shall have the custody of, and be responsible for the City Seal, the City Ordinances, and Resolutions. (b) He shall keep separate books, in which he shall record respectively ordinances, resolutions, contracts, and official bonds of the City, and shall keep all his books properly indexed and open to public inspection, when not in actual use. (c) He shall prepare copies or extracts, duly certified, from said books and records open for inspection, to any person demanding the same, who shall be charged for such copies or extracts, and for certification, the charge to be fixed by the City Council and paid into the City Treasury. (d) He shall have power to take affidavits and administer oaths in all matters relating to the business of the City, and shall make no charge therefor. (e) He shall see that the proper election rolls are furnished and shall have general supervision of all elections held within the City. (f) He shall sign as City Clerk and shall issue license certificates for all branches of business carried on within the City for which a license may be required, and he shall collect such fees as are prescribed by ordinance for issuing such licenses, except such as are collected by the Police Department. He shall keep a true list of all licenses issued by him, and a record of the amount of money received therefor, and shall deposit such money with the funds of the City. (g) He shall cause all ordinances, franchises, and other legal notices of the City to be published or posted as required by this Charter or general law. (h) He shall issue or cause to be issued permits for the private use of public streets or other public ways within the City where such use is granted by ordinance, and shall collect for the City such fees therefor as are provided by such ordinance. (i) He shall be present at each meeting of the City Council unless unavoidably absent, and shall keep a correct record or journal of all of said Council proceedings; and in case he shall, for any reason, be absent from any Council meeting, a deputy or assistant City Clerk may act

as City Clerk, or the Mayor, or acting presiding officer of the Council, may under such circumstances appoint one of the members of the Council to act as Clerk pro-tempore. (j) He shall have power to appoint such deputies and clerks as are provided by law or ordinance, subject to the approval of the City Council, which body shall fix the compensation to be paid such deputies and clerks. (k) The City Clerk shall perform such other duties as are or shall be imposed by the Charter or by ordinance.

ARTICLE XXXI. POLICE COURT

Section 1. Establishment:

There is hereby created a Police Court in and for the City of Torrance, which is vested with all the judicial powers granted by law to Police Courts of chartered municipalities, and which shall be presided over by a Police Judge.

Section 2. Qualification—Police Judge:

The Police Judge must be and remain a resident of the City of Torrance during his term of office, qualified to practice law in all courts of the State of California, and must have been so qualified for at least two years next preceding the day of his election. He shall be nominated and elected at large for a term of four years.

Section 3. Jurisdiction:

Said Police Court shall have jurisdiction in all civil cases concurrently with the justices' courts of all actions and proceedings, arising within the corporate limits of the City of Torrance, that are now or may hereafter be conducted by law upon justices' courts and/or justices of the peace in California and which might be tried in such justices' courts; and shall have exclusive jurisdiction of all actions for the recovery of any fine, penalty, or forfeiture actions for the breach of any ordinance of said City prescribed by the Charter, of all actions founded and of any provision of this Charter, of all actions founded upon any obligation or liability created by any ordinance, and/or any provision of this Charter, and of all misdemeanors punishable by a fine or imprisonment or by both such fine and imprisonment committed within the corporate limits of the City, and all prosecutions for any violation of any ordinance. The rules of practice and mode of proceeding in said Police Court shall be the same as are or ceeding in said 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 Los Angeles County, California, from all judgments of said Police Court in like manner and with like effect as in cases of appeals from justices' courts.

Section 4. Powers of Police Judge:

The Police Judge shall be judge of the Police Court and shall have the powers and perform the duties of a magistrate. He may administer and certify oaths and affirmations and may take and certify acknowledgments.

Section 5. Pending Actions, etc., Transferred:

All actions and proceedings, civil and criminal, pending in the City Court of the City of Torrance at the time this Charter becomes effective, shall on said date become automatically transferred and pending in the Police Court hereby established, and the City Judge of said City Court shall automatically become the Police Judge of said Police Court until his successor is elected and qualified as in this Charter provided.

Section 6. Employees and Attaches:

The City Council shall have full power to employ all employees and attaches of said court, and fix their compensation, and such employees and attaches shall hold their employment at the will of the City Council, provided, however, that the Police Judge shall have the right and power to employ the official court reporter of said court.

Section 7. Compensation Police Judge:

The compensation of the Police Judge shall be fixed by ordinance.

Section 8. Judicial Notice:

The Police Court shall take judicial notice of all ordinances involved in any criminal or civil proceeding pending before it, and it shall not be necessary to plead or prove the same in any such proceeding. Prima facie proof of such ordinances, however, may be made by the introduction of a certified copy thereof authenticated by the certificate of the City Clerk certifying that such copy is a full, true and correct copy thereof, and that the same was approved by the Mayor, or passed over his veto, and published or posted as required by law. The seal of the City of Torrance shall be impressed on said certificate.

ARTICLE XXXII. BOARD OF EDUCATION

Section 1. Membership, Qualifications:

The Board of Education shall consist of five (5) members, to be elected or appointed as in this Charter provided. Such members shall serve without compensation, except that the member chosen as Secretary of such Board may draw such salary as said Board may fix. Each member shall be a qualified elector and resident of the City of Torrance, and/or Torrance School District, for at least two years next preceding the date of his election or appointment as herein provided. Any member shall be subject to the recall provisions of this Charter.

Section 2. Appointment of First Board—Elections Thereafter:

The City Council shall appoint by a three-fifths vote the members of the first Board of Education to hold office until the date of the first general municipal election as in this Charter provided, at which time five members of said Board shall be elected. At said first general municipal election two members of said Board shall be elected for two years, and until their successors are elected and qualified, and three members thereof shall be elected for four years and until their successors are elected and qualified. The successors of said members so elected at said first general municipal election shall be elected for a period of four years, and until their respective successors are elected and qualified, two members and three members being elected alternately at each bi-ennial election thereafter.

Section 3. Nomination of Members:

Candidates for members of said Board of Education shall be nominated at large and elected in the manner as in this Charter provided for the nomination and election of elective City officers, except that said members shall be nominated by not less than ten nor more than twenty-five qualified electors of said City of Torrance, or said Torrance School District.

Section 4. Vacancy:

If a vacancy shall occur in the membership of said Board of Education by reason of death, resignation, incapacity to serve, for a period of four months, or voluntary absence from meetings of said Board for a period of four months, said Board of Education shall immediately elect his successor who shall hold office until the next general municipal election, subject to the recall provisions of this Charter. Any member appointed by the Board of Education to fill such vacancy shall possess the same qualifications as an elected member.

Section 5. Organization of Board—General Power:

The Board of Education shall elect one of its members President. It shall have power, by resolution adopted by a majority of all its members, and recorded in the minutes with the ayes and noes at length, to make rules and regulations for its proceedings, for the government and administration of the Board.

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