

IMPORTANT POINTS of the CITY CHARTER

By JUDGE C. T. RIPPY
Chairman of Board of Freeholders

(Third article in a series dealing with salient points of proposed charter.)

TAXES, SPECIAL ASSESSMENTS AND BONDS UNDER PROPOSED CHARTER

Forty-Cent Tax Reduction
A forty-cent tax reduction was discussed in the article appearing in the March 3rd issue of the Torrance Herald. A further article on the same subject will appear in a subsequent issue. IF THERE IS ANY DOUBT THAT IT IS POSSIBLE TO REDUCE TAXES BY FORTY CENTS BY ADOPTING THE PROPOSED CHARTER, WRITE ME OR THE TORRANCE HERALD A LETTER AND CONCLUSIVE FIGURES WILL BE FURNISHED YOU.

Limitations On Taxes
The charter fixes a limitation on the annual tax levy of \$1.00 on each \$100.00 of assessed valuation. The exceptions to this limitation are the special taxes provided for in the charter and a levy to pay principal and interest on bonds or other sums borrowed. The importance of this provision does not require argument.

Limitations On Bonded Indebtedness
The limitation on the bonded indebtedness of the city is 15 per centum of the assessed valuation. The exception to this is the amount of the water bonds voted September 15, 1930. Bonded indebtedness cannot be created or assumed without a two-thirds vote of the electors. No argument is needed here to show the value of this provision.

Limitation On Special Assessments
The limitation on ALL special assessments AT ANY ONE TIME against private property is 50% of the true value of the lot, NOT THE HOUSE AND LOT. The assessed value is 40% of the true value. As an illustration, if the assessed value of a lot upon which it is proposed to place a special assessment is \$200.00, the true value for special assessment purposes would be \$500.00, and the limit on ALL special assessments would be \$250.00.

Special Assessment Fund for Public Improvements
THIS PROVISION IS VERY IMPORTANT AND IS ENTITLED TO CAREFUL CONSIDERATION. The primary object of the fund is to have a fund available for the acquisition of land necessary to the widening or opening of a public street or way. At the present time the law affecting cities of the Sixth Class such as Torrance, is to the effect that unless deeds can be secured from all the owners of property affected by such improvement that it is necessary to institute condemnation proceedings in the Superior Court, and have all the land condemned for public use. This procedure is expensive and involves the expense of printing complaints and summonses, the cost of serving the summonses and complaint on all the parties involved, the payment of fees for attorneys and appraisers, and the like, and delay ranging from 18 months to two years.

Under the Charter, the City would have a right to take deeds to all lands affected without assuming any liability for the purchase price of the land unless the City should acquire all the land in the district, or should otherwise wish to acquire the land at any time within one year. This procedure would practically assure the City of acquiring the land much cheaper and with much less delay. It has been estimated that the saving to the City upon an improvement as large as the Sepulveda Boulevard Improvement would be approximately \$11,000.00.

Advertising and Promotion Fund
An advertising and promotion fund is created by the Charter to be raised by an annual tax levy of FIVE CENTS. This is five cents less than the present annual tax levy of TEN CENTS. This provision will reduce the taxes in Torrance by approximately \$10,000.00 to \$12,000.00. The purposes for which the fund may be used are limited solely to advertising and promoting the City. The provision of the present ordinance authorizing the use of the fund for music and park purposes is eliminated. Except where the amounts involved are small, parks and playgrounds under the charter undoubtedly would be acquired by a bond issue requiring a two-thirds vote of the electors.

Gasoline Tax Fund
This provision is to the effect that all funds received by the City from the County of Los Angeles or State of California out of gasoline taxes, and all funds authorized by the City Council to be transferred to the Gasoline Tax Fund will be used exclusively upon major or submajor highway (any highway that is not local) and shall be applied first to the cost of paying interest, and secondly upon the cost of the remainder of the improvement. The balance of the cost if any is to be defrayed by special assessments upon the property involved.

The importance of this is best illustrated by reference to special assessments against corner lots in the "Shoe String" strip, where the assessments run from THREE TO FIVE TIMES the amount of the assessments on the inside lots.

"MUNICIPAL AFFAIRS"
The primary purpose of the proposed charter is to confer upon the City of Torrance plenary or absolute powers over "municipal affairs." The charter contains the provision regarding "municipal affairs" authorized by the amendment to the Constitution of California in 1914. This provision is sufficiently broad to cover all the powers conferred upon the city by the provisions of Article VIII relating to specific powers. It should be noted, however, that Article VIII contains certain limitations upon these powers.

The effect of conferring upon the city absolute control of its municipal affairs is to take this power away from the state legislature, which meets in Sacramento and is unfamiliar to a great extent with local conditions in Torrance. Why should senators and assemblymen elected from all parts of the State of California, and who are ignorant of local needs, have any control over our municipal affairs? There can be only one answer, and that is, that they should not have any such control, and if the charter is adopted this power will be taken away from the State Legislature and placed in the hands of the people in Torrance.

In order to furnish you with a clear conception of the effect of the "Municipal Affairs" provision of the proposed charter, I quote from the case of Bank v. Bell, 62, Cal. App. 329:

"The powers of the cities (referring to chartered cities) are not derived from the legislature but from a freeholders' charter directly provided for by the constitution. The city in its charter may make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters, and in respect to other matters they shall be subject to and controlled by the general laws. The powers of the city are all-embracing, restricted and limited by the charter only, and free from the interference of the state by general laws. The result is that the city has become independent of the general laws upon municipal affairs. Upon such affairs a general law is of no force. If its charter gives it powers concerning them, it has those powers. If its charter is silent as to any such power, no general law can confer it. As to municipal affairs, the charter, instead of being a grant of power, is, in effect, a limitation of powers. The city can exercise the power if the charter does not prohibit it. In a case... not involving a purely municipal affair, one in which the state is directly concerned, the city may exercise the power where its charter contains an express grant."

It is important to bear in mind that the charter provides that the city may operate under general laws if it so desires. This enables the city to take advantage of any general law that might be beneficial to the city, and at the same time excludes such laws becoming operative in the city without its consent.

The following matters have been held to be "municipal affairs": Police and sanitary laws and regulations for the protection of the property, lives and health of the city's inhabitants; the manner of enacting municipal ordinances and resolutions; prosecutions for violation of charter provisions or city ordinances; municipal elections; the membership of local boards of health; the compensation and removal of municipal officers; the disposition of municipal funds; the creation of an improvement district and the issuance of improvement bonds therefor; the issuance of bonds for the acquisition and improvement of parks and boulevards and for permanent municipal buildings and improvements; the matter of opening, widening and vacating of streets, the regulation of railroad crossings and the like.

Not only does control over municipal affairs, give you home-rule in the broadest sense of the term, but it eliminates a great deal of uncertainty that exists as to whether a certain general law is applicable to cities of the sixth class. As an illustration, a law was passed 1917, relative to zoning, and it was not until 1929, that it was finally decided that this law applied to initiative or ordinances of cities of the sixth class.

Another difficulty will be eliminated, and that is, the necessity of continuously studying all of the hundreds of laws passed by the legislature every two years to determine whether or not they are applicable to the city. These laws usually become effective at least ninety days before they are off of the press, and in the meantime, the city is compelled to function and trust to luck that it has not violated some state law that was passed at the last session of the legislature. It is quite a common occurrence for the general laws to be changed just about the time the city is beginning to properly function under the old law. In this

PROGRAM NEXT WEEK

TONIGHT, MARCH 17

"TWO KINDS
OF WOMEN"
with Miriam Hopkins and
Phillips Holmes

FRIDAY, SATURDAY, MAR. 18-19

JOE E. BROWN in
"FIREMAN SAVE
MY CHILD"
The 4-Alarm Comedy Riot

SUNDAY, MONDAY, TUESDAY
MARCH 20-21-22

EDWARD G. ROBINSON in
"THE
HATCHET MAN"

WEDNESDAY, THURSDAY
MARCH 23-24

Big Double Feature Bill
"The Silent Witness"
with Lionel Atwood, Greta Nissen
—Also—
"NO ONE MAN"
with Carole Lombard

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**Stampers Leave
On Indiana Trip**
Mr. and Mrs. D. M. Stamper left this week for an extended motor trip to their old home in Indiana. Mr. Stamper resigned last Saturday as store manager of the Continental Store on Torrance boulevard in order to take a long desired vacation. M. A. Griffith of Carson street has been appointed manager of the Torrance Blvd. Continental Store.

Mr. Stamper stated that he regretted leaving Torrance because he had never lived in a more friendly community and he spoke very highly of the Continental Store organization.



Spring Garden Magic

With favorable moisture conditions prevalent on the entire Pacific coast, gardening operations may be expected to yield splendid results. To conserve the moisture and to get fullest benefit of present favorable conditions, careful soil preparation should be made. In most home gardens intensive farming is practiced, making a constant drain on soil fertility. It is available an application of barnyard fertilizer spaded in will revitalize your soil and provide the necessary plant foods. During the growing season a light application of commercial fertilizer will stimulate your growth. Another important soil builder is humus, which is decomposing organic matter. Spade in or bury all the leaves, straw, weeds and

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any other organic materials which will decay and provide humus. If gardening is new to you, do not be over-awed by the bigness of the job, just start, and in the long run you will find your garden has developed naturally. It isn't necessary to have an elaborate plan—more important is a simple knowledge of plants. Do they require sun, shade, much or little moisture? Are they tall or dwarf, etc., etc? The following suggestions may assist you in making your selections. For background use the Annual Larkspurs. They may be had in great variety of colors. Some of the newer varieties include the Empress-Salmon rose; La France, and Miss California—also in the salmon shades. Lustrous in the salmon blue and others. For best results the seeds of annual larkspurs should be sown where the plants are to remain. Poppies in great variety—Double Carnation Flowered, Double Penny Flowered, and American Flowered, are tall growing sorts. More dwarf

varieties include the Flanders Poppy, Tullip Poppy and perennial Poppies such as Iceland, Oriental, etc. After the soil is thoroughly warm in the spring Dahlia-flowered Zinnias may be added to the list of tall growing annuals. They like the warm soil and will grow rapidly and produce a brilliant array of color. In the immediate foreground may be planted the Lilliput Zinnias, which somewhat resemble the Pompon dahlia. The Lilliputs are available in great variety of colors and make a charming complement for the dahlia-flowered Zinnias. Easily grown plants from seed include Aretotis Grandis; Calendula, Candytuft, Cheiranthus, Celosia, Bachelor Button, Stocks, etc. Accent your other plantings with a contrasting border, using such plants as Ageratum, Alyssum, Dimorphotheca, Dianthus, etc., for this purpose.

**Unofficial Poll
Gives Garner Lead**
The latest unofficial poll on presidential possibilities was reported today from Fullerton, where out of 164 secret votes cast by registered voters, Speaker John N. Garner, of the House of Representatives, was the choice of 91. Garner received more votes than all other candidates put together. As compared to Garner's 91, President Hoover obtained 37, Governor Roosevelt of New York 12, and Newton D. Baker, former secretary of war, 11, with 17 scattered.

NEW BEAUTY SHOP OPENS
Mrs. Lydia Teel, formerly of Lancaster, has opened a beauty shop in Gardena, known as the Helena Beauty Shop, located at 2416-2 West Palm street. Mrs. Teel is an experienced beauty shop manager and offers her patrons satisfactory service, done with modern equipment in the latest modes.