

ORDINANCE NUMBER 1293

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 2.09 REGARDING THE DUTIES OF THE CITY CLERK

WHEREAS, Perris Municipal Code Section 2.09 codifies the duties of the elected city clerk; and

WHEREAS, the elected city clerk is charged with certain duties described generally in Government Code Sections 40801 through 40814, except such duties that have been transferred to others in accordance with state law; and

WHEREAS, the City Council desires to clarify the duties of the elected city clerk as well as the hours and places of work.

THE CITY COUNCIL OF THE CITY OF PERRIS HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals Incorporated. The foregoing Recitals are incorporated herein as if set forth in full.

Section 2. Amendment to Section 2.09.015 A of the Perris Municipal Code. Section 2.09.015A (Powers and Duties) of the Perris Municipal Code is hereby deleted and replaced in its entirety to read as follows:

"Section 2.09.015A Powers and Duties

A. The position of the city clerk is elected. The elected city clerk (hereinafter "city clerk") is not a city employee but rather an elected official charged with performing the following duties as required by state law:

1. Keep an accurate record of the proceedings of the city council in minute books that shall have a comprehensive general index (Government Code Section 40801);
2. Keep a book marked "Ordinances" wherein recorded are all city ordinances with an ordinance number and the city clerk's certification that the ordinance has been duly published and posted (Government Code Section 40806);
3. Maintain custody of the city seal (Government Code Section 40811);

4. Administer oaths or affidavits (Government Code Section 40814);
5. Perform duties expressly set forth in state statute;
6. Perform certain duties related to elections as set forth in the California Elections Code that are delegated to the city clerk, specifically, unless such duties are assigned by the City Council to another elections official as authorized by state law."

Section 3. Addition of Section 2.09.017 of the Perris Municipal Code. Section 2.09.017 of the Perris Municipal Code is hereby added to read in its entirety as follows:

"Section 2.09.017 Working Hours and Place of Work

A. The city clerk is expected to attend all regular and special City Council meetings and keep an accurate record of the proceedings.

B. Due to the limited duties of the city clerk, the city clerk will not be provided with a separate office and is not expected to be present at City Hall during normal working hours on a regular basis."

Section 4. No Repeal of other Provisions. Unless expressly modified or added herein, all provisions of Chapter 2.09 remain in full force and effect.

Section 5. Effective Date. This Ordinance shall take effect 30 days after its adoption.

Section 6. Severability. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portions thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

Section 7. Certification. The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City of Perris.

ADOPTED, SIGNED and APPROVED this 11th day of June, 2013.

Daryl R. Busch, Mayor

ATTEST:

Ron Carr, Deputy Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF PERRIS)

I, Ron Carr, DEPUTY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1293 was duly and regularly introduced at a regular meeting of the City Council held on May 28, 2013 and adopted by the City Council of the City of Perris at a regular meeting thereof held the 11th day of June 2013, and that it was so adopted by the following called vote:

AYES: LANDERS, RODRIGUEZ, YARBROUGH, BUSCH

NOES: NONE

ABSENT: ROGERS

ABSTAIN: NONE

Ron Carr, Deputy Clerk