

URGENCY ORDINANCE NO. 22-0007-U

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH
AMENDING MANHATTAN BEACH MUNICIPAL CODE SECTION
4.120.055 TO AMEND THE EXISTING PROHIBITION ON THE USE
OF PUBLIC RESOURCES FOR POLITICAL ACTIVITY AND
DECLARING THE URGENCY THEREOF

THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES AS
FOLLOWS:

SECTION 1. The City Council hereby amends Manhattan Beach Municipal
Code Section 4.120.055 to read as follows:

“4.120.055 – Political Activity

- A. “Political activity” means activity directed at the success or failure of any ballot measure or candidate for elective office in a future election and includes but is not limited to: endorsing a candidate; engaging in fundraising; developing, displaying, or distributing campaign materials; conducting research; or posting comments on social media or other Internet sites.
- B. It shall be unlawful for any person to use the City seal, City logo, official City badges or insignias, equipment, vehicles, supplies, or resources, including but not limited to mailing and distribution lists, electronic mail, and electronic data for political activity.
- C. City officials shall not engage in political activity in any of the following scenarios:
 - 1. While on duty for the City.
 - 2. In any manner that states or implies the City official is speaking on behalf of the City or communicating a City position. This may include but is not limited to engaging in political activity in the following scenarios:
 - a. While wearing a City uniform or official City badge, insignia or logo;
 - b. Using a City title or position; or
 - c. While in a room or building that is owned by the City or primarily paid for or used by the City.

D. The City will not accept reservations for the use of Manhattan Beach City Council Chambers, Police/Fire Conference Room, Joslyn Community Center, Scout House, Marine Avenue Rocketship Hall, Manhattan Heights Community Center, or Manhattan Beach Art Center, within the 90-day period prior to any election date for an election in which a resident of Manhattan Beach can vote.

E. This Section does not prohibit the use of City resources to provide information to the public about the possible effects of a bond issue or ballot measure relating to City activities, operations, or policies when the use of public resources is otherwise legally authorized.

SECTION 2. Pursuant to Manhattan Beach Municipal Code Chapter 1.6 (Administrative Citations), the City Council hereby provides that the City may issue an administrative citation for any violation of Section 4.120.055.

SECTION 3. INTERNAL CONSISTENCY. Any provisions of the Municipal Code, or any other resolution or ordinance of the City, to the extent that they are inconsistent with this Ordinance are hereby repealed, and the City Clerk shall make any necessary changes to the Municipal Code for internal consistency.

SECTION 4. SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or their application and, to this end, the provisions of this Ordinance are severable.

SECTION 5. URGENCY. The next municipal election is scheduled for November 8, 2022. Therefore, the immediate preservation of the public health, safety, and welfare requires that this Ordinance be enacted as an urgency ordinance pursuant to Government Code section 36937(b) and that it take effect immediately upon adoption pursuant to Government Code section 36934, and its urgency is hereby declared.

SECTION 6. CERTIFICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

ADOPTED on August 16, 2022.

AYES:
NOES:
ABSENT:
ABSTAIN:

STEVE NAPOLITANO
Mayor

ATTEST:

LIZA TAMURA
City Clerk