



2020 CANDIDATE GUIDE
A Municipal Election Guide for Candidates
General Municipal Election of November 3, 2020

EFFECTIVE JULY 13, 2020



City of Pride and Purpose

First District Election
Districts up for election:
District 1
District 5
District 6
Four-Year Full Terms



OFFICE OF THE CITY CLERK

July 13, 2020

Dear Candidate for Richmond City Council:

Thank you for your interest in becoming a Richmond City Council candidate. The General Municipal Election will be held **November 3, 2020**, to fill the four-year term of three councilmembers for Districts 1, 5, and 6.

This guide has been revised and updated to assist candidates with the necessary information needed to successfully run for office during the **COVID-19 pandemic**. Whereas this guide is not all encompassing, it does cover all of the essential information that you will need for a smooth filing with the City Clerk's Office, the Fair Political Practices Commission (FPPC), and/or the Secretary of State.

The nomination filing period is Monday, July 13, 2020, through Friday, August 7, 2020, 5 p.m. The nomination period extends to Wednesday, August 12, 2020, 5 p.m. if an incumbent does not file for re-election by Friday, August 7, 2020, 5 p.m. (Elections Code 10225). In order to practice social distancing, **All** candidates will be required to make an appointment to obtain and file nomination papers; **masks are required**.

As a candidate, you are required to file campaign reports. Please note that all campaign reports may be filed **electronically for free using NetFile**; more information about that process is in this guide under the "Campaign Statement Filings" tab. To file **manually**, please obtain official forms from the FPPC website at www.fppc.ca.gov. The deadlines for filing statements may also be found in this guide under the "Campaign Statement Filings" tab. For deadline dates that fall on a Saturday, Sunday or a holiday, use the next regular business day for transactions.

For additional election related information not answered in this booklet, feel free to contact our office with the understanding that our staff cannot provide legal advice or legal interpretations. For your own protection we urge you, for those types of questions, to consult an attorney that specializes in election law. Our office hours are Monday through Friday, 8:30 a.m. – 5:00 p.m.; phone (510) 620-6513, Ext. 9.

A handwritten signature in blue ink that reads "Pamela Christian". The signature is written in a cursive style and is positioned above a horizontal line.

Pamela Christian
Clerk of the City of Richmond

THIS CANDIDATE'S HANDBOOK IS INTENDED TO PROVIDE GENERAL INFORMATION FOR CANDIDATES AND COMMITTEES, AND DOES NOT HAVE THE FORCE AND EFFECT OF LAW, REGULATION OR RULE. IT IS DISTRIBUTED WITH THE UNDERSTANDING THAT THE CITY CLERK OF THE CITY OF RICHMOND IS NOT RENDERING LEGAL ADVICE. THEREFORE, THE HANDBOOK IS NOT A SUBSTITUTE FOR LEGAL COUNSEL FOR THE INDIVIDUAL, ORGANIZATION OR CANDIDATE USING IT. THE CITY CLERK STRONGLY RECOMMENDS THAT ANY PROSPECTIVE CANDIDATE OBTAIN LEGAL ADVICE, TO ASSIST IN COMPLYING WITH APPLICABLE CALIFORNIA LAWS, INCLUDING THE CALIFORNIA ELECTIONS CODE AND CALIFORNIA GOVERNMENT CODE

QUALIFICATIONS

Every candidate shall:

- A. Be a U.S. citizen. (Cal. Const., art. IV, § 2(c)1)
- B. 18 years of age by Election Day
- C. Be a registered voter in the district you wish to run for within the City of Richmond, and otherwise qualified to vote for that office, at the time nomination papers are issued to the person.
- D. Eligible to take the Oath of Office
- E. Not have been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes. (Elections Code §20)

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CITY INFORMATION/CONTACT INFORMATION

Candidates will be seen by APPOINTMENT ONLY. Mask are required. To schedule an appointment, please send an email or call the Clerk's Office at the number listed below. If sending an email, please include in the subject line: "APPOINTMENT REQUEST"

CONTACT INFORMATION

- City Clerk's Office (510) 620-6513, Ext: 9
E-mail:
 - cityclerkdept@ci.richmond.ca.us
- Fair Political Practice Commission – (866) ASK-FPPC, (866) 275-3772
 - E-mail Advice: advice@fppc.ca.gov
 - FPPC Website: www.fppc.ca.gov
- Secretary of State – Political Reform Division (916) 653-6224

CITY OF RICHMOND
QUALIFICATIONS FOR CANDIDATES
ELECTION 2020

**(PLEASE BE ADVISED THAT
SOME OF THE FOLLOWING INFORMATION
MAY CHANGE AS
NEW INFORMATION DEVELOPS)**

The City of Richmond will hold a Municipal Election on Tuesday, November 3, 2020, to elect a three Councilmembers by for Districts 1, 5, and 6.

QUALIFICATIONS

Commencing with the City's regular election in 2020, any candidate for the City Council must reside in, and be a registered voter of, the district which he or she seeks to represent and shall maintain status as a registered voter there during his or her service on the Council. Unless applicable law otherwise requires, to be eligible for office, a candidate must be such a resident and registered voter of the district at the time nomination papers are issued to the candidate as provided in Elections Code section 10227.

**INCUMBENTS WITH POSITIONS
FOR ELECTION
ON
NOVEMBER 3, 2020**

Ben Choi, Councilmember
Jael Myrick, Councilmember
Melvin Willis, Councilmember

NOMINATION/FILING PERIOD

The Nomination/Filing Period for candidates for Councilmember is Monday, July 13, 2020, through Friday, August 7, 2020, 8:30 a.m. to 5:00 p.m. If an incumbent does not file for re-election to office by 5:00 p.m. on Friday, August 7, 2020, the Nomination/Filing Period will be extended for only non-incumbent candidates for five calendar days to 5:00 p.m., Wednesday, August 12, 2020.

Nomination Packets will be available during the Nomination/Filing Period, July 13, 2020, through August 7, 2020. Individuals interested in becoming a candidate for City Council or Mayor must make an appointment by calling (510) 620-6513 to personally obtain the Nomination Packet from the Clerk's Office. The Clerk's Office is located at:

Office of the City Clerk
Richmond City Hall
450 Civic Center Plaza, Suite 300
Richmond, CA 94804

CANDIDATE INTENTION STATEMENT
(FORM 501)

A candidate must file a [Form 501](#) for each election, including re-election to the same office. File the Form 501 before you solicit or receive any contributions or before making expenditures of any personal funds used for your candidacy. The Candidate Intention Statement must be filed in the City Clerk's Office.

STATEMENT OF ORGANIZATION
**RECIPIENT COMMITTEE/
IDENTIFICATION NUMBER**
FORM 410

Officeholders or candidates, organizations, groups, recipient committees, or other entities that raise contributions from others totaling \$2,000 or more in a calendar year must file a [Form 410](#) to register with the Secretary of State. A Form 410 must be filed within 10 days of receiving \$2,000 in contributions with the Secretary of State as well as a copy with the City Clerk. Include a \$50.00 fee payable to the Secretary of State. The Secretary of State will assign an identification number to the committee. File the original and one copy of the Statement of Organization, Form 410, with the Secretary of State and City Clerk as shown below:

Original and a copy:

Secretary of State
Political Reform Division
1500 11th Street, Room 495
Sacramento, CA 95814

One Copy:

City Clerk
City of Richmond
450 Civic Center Plaza, Suite 300
Richmond, CA 94804

The Fair Political Practices Commission (FPPC) website is www.fppc.ca.gov.

OATH OF OFFICE
FOR
ELECTED CANDIDATES

The newly-elected Mayor and Councilmembers will take the Oath of Office on Tuesday, January 12, 2021.

Key Dates
November 3, 2020, General Election

	APPLIES TO	
Last day to file a resolution ordering an election for boards/council members	City and Special Districts	Jul. 1 E-125
	School Districts	Jul. 3 E-123
Candidate Filing Period	All Cities, School and Special Districts	Jul. 13 – Aug. 7 E-113 – 88
Last day to place a measure on the ballot	All Cities, School and Special Districts	Aug. 7 E-88
Extended Filing Period	If no incumbent files nomination papers by August 7, the filing period is extended for non-incumbents only - EC §8022 & §8024.	Aug. 8 – 12 E-87 – 83
Public Review of “Ballot Designations” and “Candidate Statements”	All candidates	Aug. 8-17 E-87 – 78
	For “Candidate Statements” and “Ballot Designations” filed during the extended period	Aug. 13 –22 E-82 – 73
Last day to withdraw “Candidate Statement”	All candidates	Aug. 10 E-85
	Candidates who filed during the extended filing period	Aug. 13 E-82
Last day to amend or withdraw a measure	All Cities, School and Special Districts	Aug. 12 E-83
Measure letter assignment	Local Measures	Aug. 13 E-82
Randomized alphabet drawing for ballot placement	All candidates	Aug. 13 E-82
Impartial Analyses Due	Local Measures	Aug. 14 E-81
Last day to file Primary Arguments	Local Measures	Aug. 19 E-76
Last day to file Rebuttal Arguments	Local Measures	Aug. 24 E-71
Write-in Period	All offices	Sept. 7 - Oct. 20 E-57 - E-14
Election Day	Polls are open from 7:00am to 8:00pm	November 3, 2020

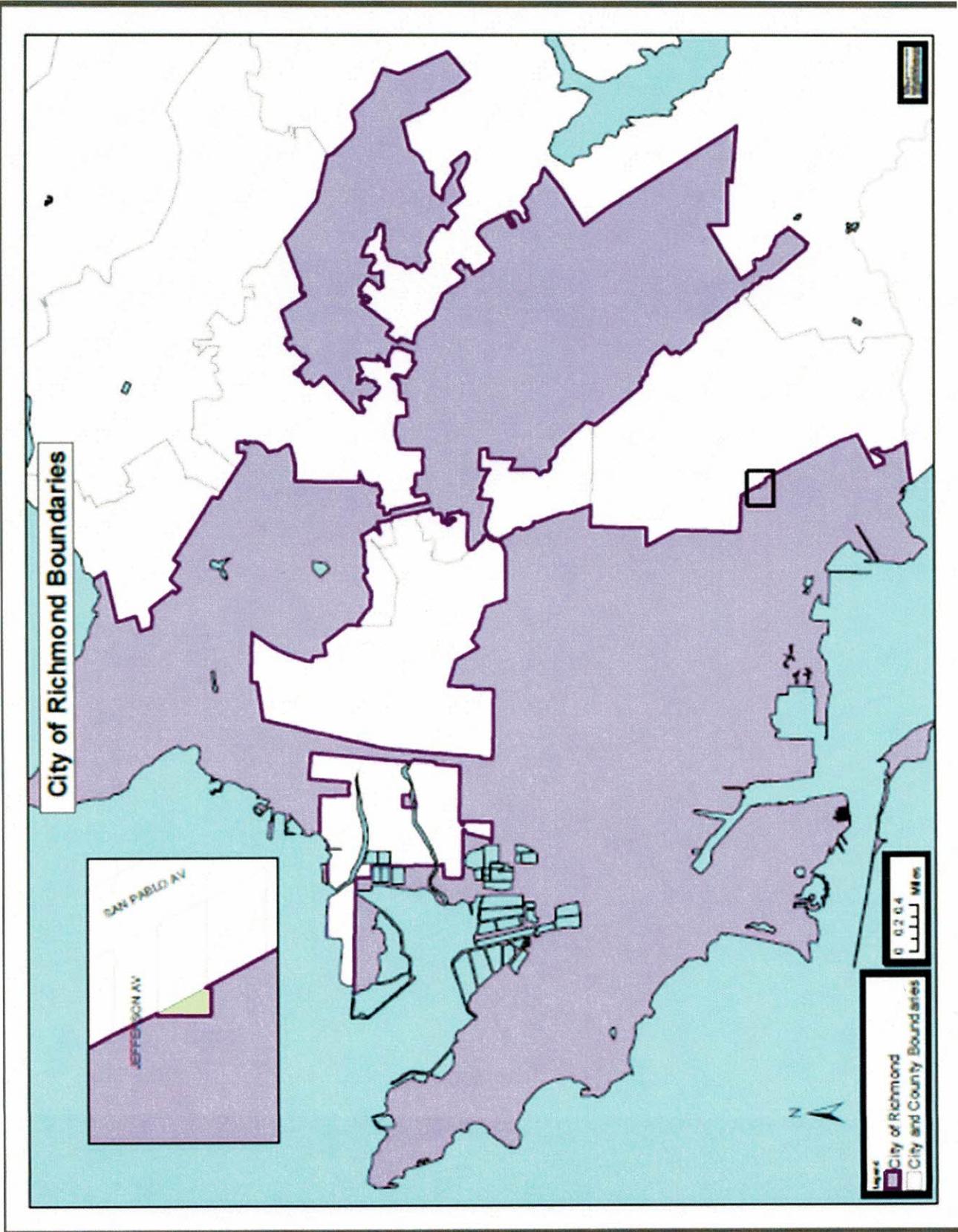
Key: sample
E-125 = 125 days from the Election

ELECTION KEY DATES

Military and Overseas Voters Ballots Mailed	September 18, 2020
Voter Information Guide Mailing	Approx. September 24, 2020
Vote by Mail Mailing	October 5, 2020
Registration Deadline	October 19, 2020
Supplemental Voter Information Guide Mailing	October 22, 2020
Last Day to Request a Vote by Mail Ballot	October 27, 2020
Last Day to Return or Mail a Vote by Mail Ballot	November 3, 2020
Election Day	November 3, 2020
Canvass Period	November 4 – December 3, 2020
Certification Deadline / Final Results Transmitted	December 3, 2020

NUMBER OF POSITIONS TO BE ELECTED

CITIES	NUMBER OF POSITIONS TO BE ELECTED	TERM OF OFFICE	NOMINATION SIGNATURES REQUIRED
Antioch	City Clerk Treasurer Mayor 1 Councilmember, District 1 1 Councilmember, District 2 1 Councilmember, District 3 1 Councilmember, District 4	4 years	20
Brentwood	Mayor 1 Councilmember, District 1 1 Councilmember, District 3		
Clayton	3 Councilmembers		
Concord	1 Councilmember, District 2 1 Councilmember, District 4		
Danville	3 Councilmembers		
El Cerrito	3 Councilmembers		
Hercules	3 Councilmembers		
Lafayette	3 Councilmembers		
Martinez	City Clerk Treasurer 1 Councilmember, District 2 1 Councilmember, District 3		
Moraga	3 Councilmembers		
Oakley	3 Councilmembers		
Orinda	2 Councilmembers		
Pinole	Treasurer 2 Councilmembers		
Pittsburg	2 Councilmembers		
Pleasant Hill	Treasurer 3 Councilmembers		
Richmond	1 Councilmember, District 1 1 Councilmember, District 5 1 Councilmember, District 6		
San Pablo	3 Councilmembers		
San Ramon	Mayor 1 Councilmember, District 1 1 Councilmember, District 3		
Walnut Creek	3 Councilmembers		



CITY OF RICHMOND VOTING DISTRICTS

On January 21, 2020, the City of Richmond adopted Ordinance No. 40-20 N.S. changing the system for electing members of the City Council from an at-large system to an election by district.

City Council Members are elected by six districts.

A person is not eligible to hold office as a City Council Member unless he or she resides within the designated district boundary.

Persons signing nomination petitions or voting for a City Council Member shall be registered to vote in the district from which the Council Member is to be elected.

Dates of election:

District 1	November 2020
District 2	November 2022
District 3	November 2022
District 4	November 2022
District 5	November 2020
District 6	November 2020

ORDINANCE NO. 04-20 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND
ADOPTING SECTION 2.16.050 (CITY COUNCIL ELECTION DISTRICTS AND
SEQUENCING) AND SECTION 2.16.060 (CITY COUNCIL RESIDENCY) OF
CHAPTER 2.16 (ELECTIONS) OF ARTICLE II (ADMINISTRATION AND CITY
GOVERNMENT) OF THE RICHMOND MUNICIPAL CODE TO TRANSITION
FROM AT-LARGE TO BY-DISTRICT ELECTIONS OF CITY
COUNCILMEMBERS AND REPEALING ORDINANCE NO. 03-20 N.S.**

Section 1. Findings

WHEREAS, under the City Charter, members of the City Council are elected at large;
and

WHEREAS, on September 11, 2019, the City received a certified letter from Attorney
Scott Rafferty asserting the City's at-large councilmember electoral system violates the
California Voting Rights Act ("CVRA") and threatening litigation if the City declines to
voluntarily change to a district-based electoral system; and

WHEREAS, the City denies that its at-large electoral system violates the CVRA, or any
other law, and continues to support the full participation of all voters in its elections; and

WHEREAS, the City Council concludes the public interest is served by transitioning to
by-district elections to avoid the cost of disputing the matter; and

WHEREAS, the City Council adopted Resolution No. 99-19 on October 22, 2019,
stating its intention to transition to by-district elections pursuant to Elections Code section 10010
and section 3 of article III of the Richmond City Charter; and

WHEREAS, any provision of the City Charter conflicting with the CVRA is preempted
under *Jauregui v. City of Palmdale* (2014) 226 Cal.App.4th 781, 802, which held the dilution of
votes of a protected class and the transition to district-based elections are matters of statewide
concern; and

WHEREAS, Resolution No. 99-19 triggered Elections Code section 10010's 90-day safe
harbor provision, which shields the City from litigation under the California Voting Rights Act
while it holds public hearings and considers proposed maps regarding its intention to transition to
district-based elections; and

WHEREAS, 90 days from October 22, 2019 is January 20, 2020, Martin Luther King Jr.
Day, a legal holiday, and under Civil Code section 11, the 90-day deadline is extended to the next
business day which is January 21, 2020; and

WHEREAS, the City held public hearings on November 5, 2019, November 19, 2019,
December 3, 2019, December 17, 2019, and January 14, 2020 as required under Elections Code
section 10010, subdivision (a)(2), to receive input regarding communities of interest and the
composition of districts; and

WHEREAS, the City held five supplementary community workshops on November 14,
2019, November 18, 2019, December 5, 2019, December 10, 2019, and January 6, 2020 to
receive input regarding communities of interest and the composition of districts; and

WHEREAS, the City created a separate page on its website to inform voters of the
process to transition to by-district elections, and posted a description of the process, the schedule
of hearings and meetings, frequently asked questions, draft maps, notices, correspondence,
presentations, resolutions, and staff reports; and

WHEREAS, the City contracted with National Demographics Corporation (“NDC”) to draw district maps and analyze submissions by the public and contracted with Compass Demographics to provide a peer review of NDC’s work; and

WHEREAS, the City provided a link on its website to data kits which allow members of the public to propose maps for NDC’s consideration; and

WHEREAS, the City received 17 proposed maps from members of the public, and NDC determined 5 were duplicates; and

WHEREAS, NDC proposed three additional maps; and

WHEREAS, the City timely published 15 draft maps on November 26, 2019; and

WHEREAS, after its third public hearing on December 3, 2019, the City received three more maps from the public, and NDC proposed one additional map; and

WHEREAS, the City timely published 19 revised draft maps on December 10, 2019; and

WHEREAS, on December 17, 2019, the City Council identified four maps, plus a fifth to be submitted by Compass Demographics, as those to be the focus of further community dialog and directed further efforts to seek community input before the Council’s January 14, 2020 meeting; and

WHEREAS, the adoption of districts will not affect the term of any sitting Councilmember, each of whom will serve the term to which he was elected; and

WHEREAS, The Council adopted an Ordinance substantively identical to this as an urgency ordinance in one reading and with immediate effectiveness on January 14, 2020, and it is now appropriate to replace that urgency ordinance with this ordinance adopted on two readings and with 30-day effectiveness.

NOW THEREFORE, the Council of the City of Richmond does ordain as follows:

Section 2. Amendment of Municipal Code

Chapter 2.16 (Elections) of Article II (Administration and City Government) of the Richmond Municipal Code is hereby amended to add a new Section 2.16.050 as follows:

2.16.050 City Council Election Districts; Sequencing

- (a) **District Boundaries.** Commencing with the City’s regular election in 2020, the City Council will be elected from the six districts described on the map attached hereto as Exhibit A and incorporated by this reference. The districts identified in Exhibit A shall be subsequently reapportioned as required by law.
- (b) **Election Sequencing.** Commencing with the City’s regular election in 2020 and every four years thereafter, voters in Districts 1, 5, and 6 will elect members of the City Council for four-year terms. Commencing with the regular election in 2022 and every four years thereafter, the voters in Districts 2, 3, and 4 will elect members of the City Council for four-year terms.

Section 3. Amendment of Municipal Code

Chapter 2.16 (Elections) of Article II (Administration and City Government) of the Richmond Municipal Code is hereby amended to add a new Section 2.16.060 as follows:

2.16.060 Residency; Vacancies

- (a) **City Council.**

- 1) Commencing with the City's regular election in 2020, any candidate for the City Council must reside in, and be a registered voter of, the district which he or she seeks to represent and shall maintain status as a registered voter there during his or her service on the Council. Unless applicable law otherwise requires, to be eligible for office, a candidate must be such a resident and registered voter of the district at the time nomination papers are issued to the candidate as provided in Elections Code section 10227.
- 2) If a City Council member elected by district ceases to be a registered voter in that district, that fact creates a vacancy unless he or she obtains another domicile within the district within 30 days after cessation of residency. Any vacancy arising for that reason, or otherwise under Government Code section 1770 or other applicable law, must be filled pursuant to section 2.16.090 of this Code and section 10 of article III of the City Charter by the remaining members of the City Council appointing a qualified resident and registered voter of the district to which the vacancy pertains.

(b) **Mayor.** Qualifications for and vacancies in the office of Mayor are governed by article III, sections 3 and 5 of the City Charter.

Section 4. Recordation; Publication

The City Clerk shall file a copy of the Ordinance with the Contra Costa County Clerk-Recorder's office within 30 days of its passage and adoption and shall give notice of it as required by section 2.08.010 of the Municipal Code and record it in the Ordinance Book as required by section 2.08.020 of that Code.

Section 5. Severability

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid by a decision of any court of competent jurisdiction, that decision will not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have adopted the Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any other portion of the Ordinance would be subsequently declared invalid.

Section 6. Effective Date

The Ordinance shall be effective 30 days after passage and adoption.

Section 7. Repealer

Ordinance No. 03-20 N.S. is hereby repealed.

First read at a meeting of the Council of the City of Richmond held on January 14, 2020, and finally passed and adopted at a regular meeting thereof held on January 21, 2020, by the following vote:

AYES: Councilmembers Bates, Martinez, Myrick, Willis.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmember Johnson III, Vice Mayor Choi, and Mayor Butt.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
TOM BUTT
Mayor

Approved as to form:
BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of Ordinance No. 04-20 N.S., passed and adopted by the City Council of the City of Richmond at a regular meeting held on January 21, 2020.

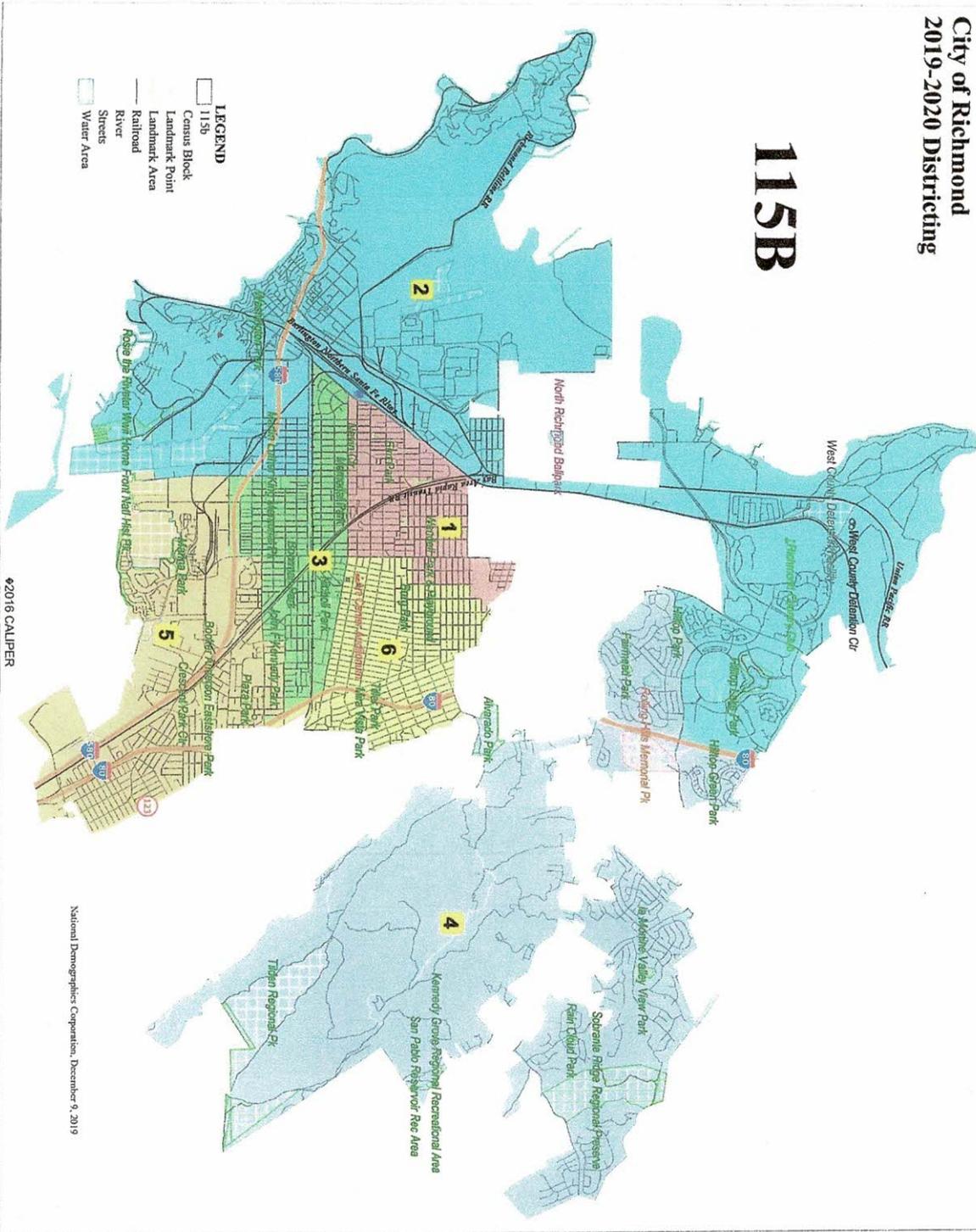


Pamela Christian, City Clerk of the City of Richmond

Exhibit A
District Map

**City of Richmond
2019-2020 Districting**

115B



City of Richmond - Draft Map 115

District		1	2	3	4	5	6	Total
	Total Pop	17,445	17,919	16,306	17,131	17,618	17,282	103,701
	Deviation from Ideal	161	635	-978	-153	334	-2	1,613
	% Deviation	0.93%	3.67%	-5.66%	-0.89%	1.93%	-0.01%	9.33%
Total Pop	% Hisp	69%	30%	53%	20%	22%	43%	39%
	% NH White	4%	21%	5%	24%	23%	24%	17%
	% NH Black	19%	27%	35%	28%	35%	15%	27%
	% Asian-American	6%	20%	4%	24%	15%	15%	14%
Citizen Voting Age Pop	Total	7,271	11,670	8,206	12,621	11,767	10,997	62,532
	% Hisp	47%	18%	33%	20%	15%	23%	24%
	% NH White	9%	31%	12%	28%	32%	34%	26%
	% NH Black	28%	29%	47%	23%	33%	21%	29%
	% Asian/Pac.Isl.	13%	20%	6%	27%	19%	18%	18%
Voter Registration (Nov 2018)	Total	6,100	7,982	7,126	10,369	10,454	8,852	50,882
	% Latino est.	52%	19%	33%	19%	14%	31%	26%
	% Spanish-Surnamed	47%	17%	29%	17%	12%	28%	23%
	% Asian-Surnamed	3%	9%	2%	10%	8%	7%	7%
	% Filipino-Surnamed	1%	2%	1%	3%	2%	1%	2%
	% NH White est.	11%	39%	13%	40%	38%	40%	32%
	% NH Black	34%	32%	51%	31%	39%	22%	34%
Voter Turnout (Nov 2018)	Total	2,750	5,061	3,423	6,763	6,806	5,709	30,511
	% Latino est.	53%	15%	30%	17%	12%	28%	22%
	% Spanish-Surnamed	48%	14%	27%	15%	11%	25%	20%
	% Asian-Surnamed	2%	7%	2%	9%	7%	6%	6%
	% Filipino-Surnamed	1%	2%	1%	3%	2%	1%	2%
	% NH White est.	12%	46%	15%	44%	46%	44%	38%
	% NH Black	32%	30%	52%	30%	33%	23%	32%
Voter Turnout (Nov 2016)	Total	3,539	5,825	4,068	7,813	7,643	6,456	35,344
	% Latino est.	54%	16%	31%	18%	13%	30%	24%
	% Spanish-Surnamed	49%	14%	28%	16%	12%	27%	21%
	% Asian-Surnamed	2%	7%	2%	9%	7%	6%	6%
	% Filipino-Surnamed	2%	2%	1%	3%	1%	1%	2%
	% NH White est.	12%	43%	11%	40%	41%	41%	35%
	% NH Black est.	30%	30%	53%	30%	36%	22%	32%
ACS Pop. Est.	Total	17,557	18,944	17,110	17,383	18,836	18,052	107,882
Age	age0-19	31%	23%	31%	20%	22%	22%	25%
	age20-60	59%	57%	56%	55%	60%	59%	58%
	age60plus	11%	20%	13%	25%	18%	18%	18%
Immigration	immigrants	44%	35%	36%	28%	30%	37%	35%
	naturalized	29%	46%	26%	65%	41%	41%	40%
Language spoken at home	english	26%	45%	40%	58%	62%	45%	46%
	spanish	64%	33%	54%	21%	18%	39%	38%
	asian-lang	7%	12%	4%	13%	14%	11%	10%
	other lang	2%	10%	1%	7%	6%	6%	6%
Language Fluency	Speaks Eng. "Less than Very Well"	38%	23%	30%	17%	17%	27%	25%
Education (among those age 25+)	hs-grad	47%	48%	51%	57%	51%	50%	51%
	bachelor	8%	20%	9%	22%	23%	18%	17%
	graduatedegree	2%	12%	3%	10%	13%	9%	9%
Child in Household	child-under18	44%	28%	36%	25%	23%	27%	30%
Pct of Pop. Age 16+	employed	61%	59%	53%	58%	63%	65%	60%
Household Income	income 0-25k	22%	16%	29%	15%	20%	19%	20%
	income 25-50k	32%	20%	33%	17%	21%	21%	23%
	income 50-75k	20%	17%	16%	16%	19%	14%	17%
	income 75-200k	25%	39%	20%	44%	34%	40%	34%
	income 200k-plus	2%	8%	1%	8%	6%	5%	5%
Housing Stats	single family	69%	58%	62%	79%	57%	78%	67%
	multi-family	31%	42%	38%	21%	43%	22%	33%
	rented	58%	54%	63%	33%	54%	45%	51%
	owned	42%	46%	37%	67%	46%	55%	49%

Total population data from the 2010 Decennial Census.
Surname-based Voter Registration and Turnout data from the California Statewide Database.
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2013-2017 American Community Survey and Special Tabulation 5-year data.

FILING AS A CANDIDATE

“GETTING STARTED”

- Review the Fair Political Practices Commission (“FPPC”) [Campaign Disclosure Manual 2](#), which is available online at www.fppc.ca.gov. This manual provides information on campaign disclosure rules as required under the Political Reform Act. If you have any questions, the FPPC provides advice by phone at 1-800-275-3772 or by e-mail at advice@fppc.ca.gov.
- File [FPPC Form 501 Candidate Intention Statement](#) with the City Clerk before receiving contributions or spending own funds. (Blank forms are available at www.fppc.ca.gov and [Campaign Disclosure Manual 2](#) gives detailed instructions for completing Form 501).
- Keep a record of all expenditures and contributions of \$25 or more (refer to [Campaign Disclosure Manual 2](#) for record keeping guidelines).
- Never accept or spend \$100 or more in *cash*.
- Open a bank account if you plan to receive contributions from others or you plan to expend personal funds totaling \$2,000 or more. All money used for campaign purposes, including the candidate’s personal funds, must be deposited in the campaign bank account prior to the expenditure. The only exception is the filing fee and candidate statement deposit.

File [FPPC Form 410 Statement of Organization](#) with the Secretary of State along with a filing fee of \$50.00, made payable to the Secretary of State, within 10 days of receiving \$2,000 in contributions. File a copy of the form 410 with the city clerk. (Blank forms are available at www.fppc.ca.gov and [Campaign Disclosure Manual 2](#) gives detailed instructions for completing Form 410).

“PULLING PAPERS” Jul 13 – Aug 7 (5 p.m.*)

The following papers are included in the nomination packet and must be filed with the City Clerk before the close of the nomination period: (*The filing period extends to 5 p.m. Wednesday, August 12, 2020, if an incumbent does not file by Friday, August 7, 2020, 5 p.m.)

- Nomination Paper (**mandatory**)
- Ballot Designation Worksheet (**mandatory**)
- [FPPC Form 700](#) – Statement of Economic Interest (**mandatory**)
- Candidate’s Statement and filing fee Deposit (**optional** – must be filed w/Nomination Paper)
- Subscription to Code of Fair Campaign Practices (**optional**)
- Statement of Responsibility for Political Signs (**mandatory**)
- Candidate acknowledgement of sign regulation (**mandatory**)
- Declaration of Candidacy (**mandatory** – does not leave office file)
- Filing Fee - \$336.60 (**mandatory** - Council seat), Pursuant to Article V, Section 2 of the City Charter (please refer to Appendix A, Ordinance No. 6-81 N.S. in this guide).

INSTRUCTIONS FOR COMPLETION OF PAPERS
INCLUDED IN NOMINATION PACKET

“Nomination Papers” (mandatory)

Nomination papers hold 10 signatures per form. You will need not less than 20 nor more than 30 registered voters residing in the district of which you are running for within the City of Richmond to sign your Nomination Paper. You will need approximately three nomination papers to gather the required signatures. Each signer: (1) must be a registered voter residing in the district of which you are running for within the City of Richmond; (2) must sign his/her name, print his/her name, and print his/her address; and (3) must not sign more than one nomination paper—otherwise the signature is not counted. Only one person can circulate the Nomination Paper. The circulator **must** reside within the district you are running for. You may circulate your own paper. Have the circulator complete the Declaration of Circulator. Leave the Affidavit of Nominee blank; this will be completed at the time you file your Nomination Paper with the City Clerk.

“Ballot Designation Worksheet” (mandatory)

Complete the Ballot Designation Worksheet (included in your Candidate Packet when your Nomination Paper is issued. Your ballot designation is your name and occupation as it will appear on the official ballot. Your occupation must be your principal profession, vocation, or occupation and may be no more than three words; however, you may use the full title of the elective office you currently hold.

Ballot designations may be rejected if they do not comply with the rules set by the California Election Code 13107. The candidate will be notified by phone or by registered or certified mail, with a return receipt, addressed to the mailing address appearing on the candidate’s ballot designation worksheet. If an alternative designation is not provided within the time allowed, no designation will appear on the ballot. (EC 13107, 13107.3, 13107.5)

Public Review Period:

After the close of the filing period, anyone may examine any candidate’s ballot designation. During a 10-calendar-day period commencing the day after the close of the filing period, any voter of the jurisdiction in which the election is being held may seek a writ of mandate or an injunction challenging a ballot designation. No challenges may be submitted to or will be considered by the Registrar. (EC 13313, 13314)

“Statement of Economic Interest” (mandatory - File in duplicate)

Complete the FPPC Form 700 – Statement of Economic Interests. The report should cover the 12-month period prior to filing your Nomination Paper. (Blank forms are available at www.fppc.ca.gov and Campaign Disclosure Manual 2 gives detailed instructions for completing Form 700.)

“Candidate’s Statement of Qualifications” (optional)

Candidate’s Statement (optional) - This is a 250 word statement which will be printed in the sample ballot and mailed to voters. The “Candidate Statement” is designed to

familiarize voters with a candidate's qualifications and is mailed to registered voters. Candidate Statements may include the following: •Bullets, •Underlines, •Bold, •All Caps, and •Italics. The cost of the statement is: District (1) \$261.00; District (5) \$337.60; and District (6) \$306.00 - and is paid by the Candidate. **The Statement shall contain no more than 250 words (see Appendix B for word count chart)** relating to the candidate's education and qualifications. The statement will be mailed to voters along with the sample ballot and other official election material; the candidate must e-mail the text of the Statement to the City Clerk prior to filing his or her Nomination Petition. Statements must be e-mailed to Statements@ci.richmond.ca.us. **The Statement cannot be changed, but may be withdrawn until 5:00 p.m. on the next working day following the close of the nominating period.**

The statement of each candidate will be printed block form, in type of uniform size and darkness, and with uniform spacing.

Public Review Period:

After the close of the filing period, anyone may examine "Candidate Statements." During a 10-calendar day period, commencing the day after the close of the filing period, any voter of the jurisdiction in which the election is being held or the county elections official may seek a writ of mandate or an injunction challenging any or all of the material in a "Candidate Statement." No challenges may be submitted to or will be considered by the Registrar. (EC 13313, 13314)

IMPORTANT POINTS TO REMEMBER – STATEMENT OF QUALIFICATIONS

- Candidate Statements are optional.
- Statement shall not refer to opponents in any manner and may not include party affiliation of the candidate, nor membership or activity in partisan political organization.

Candidate must select one:

- Candidate Statement of Qualifications agreement or
- Do not wish to file a Candidate Statement.

Candidates are encouraged to:

- Carefully review the Candidate Statement Guidelines.
- Thoroughly review and proof the statement before filing. It cannot be changed after it has been officially filed.

"Subscription to Code of Fair Campaign Practices (optional)

By subscribing to the "Code of Fair Campaign Practices," a candidate vows to follow the principles of decency, honesty, and fair play.

“Statement of Responsibility for Political Signs” (mandatory)

A completed Statement of Responsibility must be submitted to:

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001

Copy to candidate file

This statement will be mailed to the above address by the Filing Official

“Candidate acknowledgement of sign regulation” (mandatory)

A completed and signed Statement of Acknowledgement must be submitted when filing campaign documents.

“Declaration of Candidacy” (mandatory) EC 8001, 8800, 8801 (completed upon filing papers – remains in office file)

The “Declaration of Candidacy” is filed by a candidate for Federal, State, County, County Central Committee/County Council, **City**, School and Special District offices. The “Declaration of Candidacy” is an official document in which the candidate indicates how his/her name and ballot designation is to appear on the ballot. The candidate declares that he/she meets the statutory and/or constitutional qualifications for the office sought, and that if nominated, the candidate will accept the nomination and not withdraw.

* - A candidate may, in a written statement signed and dated by the candidate, designate a person to receive a declaration of candidacy form from the elections official and deliver it to the candidate. The statement shall include language indicating that the candidate is aware that the declaration of candidacy must be properly executed and delivered to the City Clerk, the elections official, by the 88th day, August 7, 2020, prior to the direct primary election. That statement shall be retained by the elections official.

“Filing Fee” - \$336.60 (mandatory - Council seat); \$930.00 (mandatory – Mayoral seat) refer to Article V, Section 2 of the City Charter (please refer to Ordinance No. 6-81 N.S. in Appendix A of this guide).

Total fees due when filing candidate papers: Without Candidate’s Statement (Council \$336.60); With Candidate’s Statement (District (1) - \$597.60; District (5) - \$674.20; and District (6) - \$642.60).

CAMPAIGN STATEMENT FILINGS

If you raise or spend money in connection with your election, you will be required to file Campaign Statements ([FPPC Form 460](#) or [FPPC Form 470](#)). The filing deadlines for the City of Richmond are below; information may be obtained on-line at www.fppc.ca.gov (click onto “learn” then “campaign rules,” then “Where and When to File Campaign Statements,” then “When to File Campaign Statements: State & Local Filing Schedules”). Review the [FPPC Campaign Disclosure Manual 2](#) for instructions on campaign filings. Please be advised that the City of Richmond required three pre-election statements which may be filed electronically for free at <https://www.netfile.com/Filer>

Filing Schedule for Candidates and Controlled Committees for Local Office Being Voted on November 3, 2020

Deadline	Period	Form	Notes
Jul 31, 2020 <i>Semi-Annual</i>	1/1/20 – 6/30/20	460	<ul style="list-style-type: none"> ▪ All committees must file Form 460
Within 24 Hours <i>Contribution Reports</i>	8/5/20 – 11/3/20	497	<ul style="list-style-type: none"> ▪ File if a contribution of \$1,000 or more in the aggregate is received from a single source. ▪ File if a contribution of \$1,000 or more in the aggregate is made to <i>another</i> candidate or ballot measure being voted on the November 3, 2020. ▪ The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 within 48 hours from the time the contribution is received. ▪ File by personal delivery, e-mail, guaranteed overnight service, fax or online, if available.
Sep 24, 2020 <i>1st Pre-Election</i>	7/1/20 – 9/19/20	460 or 470	<ul style="list-style-type: none"> ▪ Each candidate listed on the ballot must file either Form 460 or Form 470 (see below).
Oct 22, 2020 <i>2nd Pre-Election</i>	9/20/20 – 10/17/20	460	<ul style="list-style-type: none"> ▪ All committees must file this report. ▪ Paper copies must be filed by personal delivery or guaranteed overnight service only.
Oct 30, 2020 <i>3rd Pre-Election</i>	10/18/20 – 10/29/20	460	<ul style="list-style-type: none"> ▪ City Ordinance No. 4-91 N.S.
Feb 1, 2021 <i>Semi-Annual</i>	10/18/20 – 12/31/20	460	<ul style="list-style-type: none"> ▪ All committees must file unless the committee filed termination Forms 410 and 460 before December 31, 2020.

- **Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to 24-hour independent expenditure reports (Form 496) and the deadline for the Form 497 that is due the weekend before the election. Such reports must be filed within 24 hours regardless of the day of the week. Statements filed after the deadline are subject to a \$10 per day late fine.

- **Method of Delivery:** All paper filings are filed by personal delivery, or first class mail unless otherwise noted.

- **Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.

- **Form 460:** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.
- **Form 470:** Candidates who do not have an open committee and do not raise or spend \$2,000 or more may file Form 470 on or before September 19, 2020. If later during the calendar year, a campaign committee must be opened, a Form 470 Supplement and a Form 410 must be filed.
- **Candidates:** After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 2](#) for additional information.
- **Committees** making independent expenditures totaling \$1,000 or more to support or oppose candidates or ballot measures also file:
 - **462:** This verification form must be e-mailed to the FPPC within 10 days of making an independent expenditure of \$1,000 or more.
 - **496:** This form is due within 24 hours when made in the 90-day period before an election or on the date of the election. Refer to the candidate or ballot measure election filing schedule.

Campaign manuals and instructional materials are available at www.fppc.ca.gov

FILING ELECTRONICALLY – USING NETFILE

ACCESS TO NETFILE

The City Clerk’s Office will create a NetFile account using the information provided on your Form 410. The individual who will be managing the NetFile campaign account must create a user ID and then link it to the campaign account by following the following instructions:

Step 1: Create a User ID

- Go to <https://netfile.com/Filer>
- Click on “Create a New NetFile User”
- Complete the form
- Receive email from NetFile to confirm registration and receive a password

Step 2: Link User ID to Campaign Account

- Go back to <https://netfile.com/Filer>
- Log in using the username and password created in Step 1
- Click on “Link Local Campaign Filer Account”
- Enter committee information

PLEASE NOTE:

1. You are not required to file a paper copy of your campaign statement if you file electronically.
2. The FPPC is very pro-active in monitoring if candidates file campaign statements on time; please file reports by the due date.

RECORD KEEPING

Candidates should review the FPPC [Campaign Disclosure Manual 2](#) regarding record keeping. All money used for campaign purposes, including your personal funds, must be deposited into a separate campaign bank account prior to the expenditure. The only exception is the filing fee and candidate statement deposit.

Detailed records need to be kept for expenditures and contributions of \$25 or more. Your records should include:

Date
Amount (record the amount of each transaction and also the total cumulative amount)
Name and Address of Contributor (or Payee)
Contributor's Occupation and Employer (for contributions of \$100 or more)
Description

Be sure to keep originals of canceled checks, vouchers, invoices, and keep photocopies of checks. Also be sure to keep dates and daily totals of all expenditures and contributions. Records must be kept for four years after the election.

CAMPAIGN SIGNS

Display of Signs

ALL CANDIDATES MUST OBTAIN A SIGN PERMIT BEFORE DISPLAYING OR ERECTING POLITICAL SIGNS.

Political signs can be displayed 90 days before the election. It is illegal to display or erect signs in state, county, or city right-of-ways or on City property.

Complaints and Removal of Illegally Posted Signs

Complaints about the location of political signs must be reviewed quickly to determine if signs have been posted on public or private property. The City of Richmond does not have authority to remove signs posted on private property, i.e. residence or business.

Candidates who illegally post political signs will receive a letter from the City Clerk informing them that their signs have been posted illegally. The letter will include the location and request that removal be completed within three days. Signs that are not removed with the three-day period will be removed by Code Enforcement and the candidate will be billed for the cost.

Removal of Signs Following The Election

All political signs must be removed within 10 days after the election.

**ELECTIONEERING
AT POLLING PLACES
November 3, 2020, Election**

Pursuant to California Elections Code Section 18541, the following regulations and rules will be enforced for all polling places in the City of Richmond:

- 18541. (a)** No person shall, with the intent of dissuading another person from voting, within 100 feet of a polling place, do any of the following:
- (1)** Solicit a vote or speak to a voter on the subject of marking his or her ballot.
 - (2)** Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240 (Section 14240 is attached).
 - (3)** Photograph, video record, or otherwise record a voter entering or exiting a polling place.
- (b)** Any violation of this section is punishable by imprisonment in a county jail for not more than 12 months, or in the state prison. Any person who conspires to violate this section is guilty of a felony.
- (c)** For purposes of this section, 100 feet means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Further, a polling place includes a residential garage, church, or school. Signs will be posted at the entrance of each polling site to indicate where the 100 feet restricted area begins.

COMMON QUESTIONS/RESOURCES

Filing Nomination Papers on Behalf of a Candidate

If a candidate is unable to file in person, he/she may designate a person to act on his/her behalf. A written statement, signed and dated by the candidate, authorizing a person to receive the “Declaration of Candidacy” form and all other nomination papers from the Elections Office is required. See Attachment E for a sample of the “Authorization Form”. If the candidate will not be filing in person, the “Declaration of Candidacy” must be notarized before filing. Because an original signature is required, nomination documents may not be filed by fax. The candidate’s designee may only receive and deliver papers and may not make any changes on the nomination documents. EC 8028

Notification of Qualification or Non-Qualification of Candidate

The County Election Department will notify the City Clerk by letter whether or not a candidate has or has not qualified as an official candidate. A copy of the confirmation letter will be faxed from the Election Department and the original will be mailed.

Upon receipt of confirmation of the candidate’s qualification or non-qualification, the City election official will send a letter informing the candidate of the status of their candidacy.

Election Cycle

An election cycle begins January 1 following the last November election for Mayor or Councilmember and ends December 31 of the same year of the following election for the same offices. (Section 10, Appendix A, Ordinance 29-94 N.S., Chapter 2.42.040 (i) of this guide).

Example: Mayor or Councilmembers seeking office in the November 3, 2020, election (successfully elected in November 2018 - served a four-year term)

The election cycle started January 1, 2019, and will end December 31, 2022.

How Names Appear on the Ballot

A randomized alphabet drawing by the Secretary of State is the basis for determining the order of candidates on the ballot. Each candidate will be placed on the ballot in the order that each of the letters of his/her surname was drawn. For example, the placement of candidates with the surnames of Campbell and Carlson will depend on the order in which the letters M and R were drawn.

Six calendar days after the end of the filing period, the Secretary of State conducts a drawing of the letters. In 2020 the drawings will be conducted on:

August 13, 2020 – General Election

Candidates Elected at November General Election

The candidate(s) for a school district, special district or city office that receive(s) the highest number of votes from all the ballots cast in his/her district for that office shall be elected to that office.

Election Night Results

Election results are available on the County website at www.cocovote.us beginning at 8:00 p.m. on Election Night. Results will be updated periodically, until all Election Day ballots are counted.

Candidates and/or members of their campaigns are welcome to observe the Election Night processes.

Observer guidelines will be issued upon arrival.

Final Official Results

Beginning the day after the election, a complete audit of all returns is performed. Any uncounted Vote-by-Mail ballots are processed and counted.

Additionally, provisional ballots are processed and counted and votes cast for qualified write-in candidates are counted.

Election code requires the canvass to be completed by 30 days following the election.

What is the deadline to register to vote in the November 3, 2020, election

October 19, 2020, is the deadline to vote in the November 3, 2020, election.

Vote by mail ballots are obtained from the County Election Office, 555 Escobar Street, Martinez, CA, or if requested in writing, P.O. Box 271, Martinez, CA 94553. Vote by mail ballots will be mailed October 5, 2020. Applications will be included with the sample ballots and may also be obtained from the County Elections Office. For information regarding voting by mail, call the County Elections Office at (925) 335-7800.

Are there procedures for filing in-lieu petition for indigent candidates?

The City Council has adopted procedures for filing in-lieu petitions for indigent candidates who are unable to pay the filing fee. (See Section 10, Appendix A, Ordinance No. 6-81 N.S. of this guide).

WRITE-IN CANDIDATES

A person who did not file during the regular filing period may file for office as a write-in candidate. There is no fee or charge required of a write-in candidate, except in the case of some city offices.

Any person who desires to be a write-in candidate and have votes cast for him/her counted shall file a "Statement of Write-In Candidacy".

Forms are available at the City Clerk's Office between the following dates:

General Election: September 7 - October 20, 2020

Election Code 8600, 8601

Some offices require nomination signatures to be collected for a valid write-in candidacy. Signers of nomination papers for write-in candidates shall be voters in the district in which the candidate is to be voted on. The required number of nomination signatures is 20, no more than 30.

The same forms required of other candidates who have filed during the regular filing period, must also be filed by write-in candidates. Write-in candidates may not submit a "Candidate Statement".

Election Code 8605, 8606

Votes cast for official write-in candidates will be reported at the time of certification.

APPENDIX A - CITY GUIDELINES, RESOLUTION, AND ORDINANCES

Resolution:

- **Resolution No. 58-20 - Resolution calling for the November 3, 2020, Election Including Regulations for Candidates**

Ordinances:

- **Ordinance No. 11-16 N.S. - Use and Display of Signs**
- **Ordinance No. 6-81 N.S. - Filing Fee**
- **Ordinance No. 3-85 N.S. - Candidate's Statement**
- **Ordinance No. 4-91 N.S. - Campaign Disclosure**
- **Ordinance No. 29-94 N.S. - Fair Elections**
- **Ordinance No. 13-10 N.S. - Enforcement of Fair Elections Ordinance and Penalties for Violating Fair Elections Ordinance**

RESOLUTION NO. 58-20

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A
MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR
THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS
OF THE CHARTER OF SAID CITY; REQUESTING THE BOARD OF
SUPERVISORS OF THE COUNTY OF CONTRA COSTA TO CONSOLIDATE THE
MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE
HELD ON NOVEMBER 3, 2020, AND ADOPTING REGULATIONS FOR
CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES'
STATEMENTS SUBMITTED TO THE VOTERS, COSTS OF CANDIDATES'
STATEMENTS AND OTHER FEES, WORD LIMIT FOR CANDIDATES'
STATEMENTS, AND ACTION TO BE TAKEN IN CASE OF A TIE VOTE**

WHEREAS, the Council of the City of Richmond California, has ordered as follows:

1. Pursuant to the requirements of the Charter of the City of Richmond, there is called and ordered to be held in the City of Richmond, California, on Tuesday, November 3, 2020, a Municipal Election for the purpose of electing three members of the City Council for the full term of four years.
2. That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed.
3. That the notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to sign and publish said Notice of Election, in time, form, and manner as required by law in the EAST BAY TIMES, a newspaper of general circulation circulated within the City of Richmond, in accordance with the provisions of Sections 12101 of the Elections Code of the State of California.
4. The City Council directs the City Clerk to file a certified copy of this Resolution with the Registrar of Voters; and,

WHEREAS, it is desirable that the Municipal Election be consolidated with the Statewide General Election and other elections which may be held in whole or in part of the territory of the City, as provided in Section 10400 of the Elections Code of the State of California and that within the City, the precincts, polling places, and election officers be the same.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council of the City of Richmond does resolve, declare, determine and order as follows:

1. Pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Contra Costa is hereby requested to consent and agree to the consolidation of a Municipal Election with the Statewide General Election and other elections held whole or in part of the territory of the City on Tuesday, November 3, 2020, for the purpose of electing three Members of the City Council for the full term of four years.
2. That the County Election Department is authorized to canvass the returns of the Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.
3. That the City of Richmond recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.
4. That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Department of the County of Contra Costa.

5. That the boundaries of the City of Richmond have changed since the November 2018 General Municipal Election. A minor detachment of a parcel from Richmond to El Cerrito – EXHIBIT A.

IT IS FURTHER RESOLVED AND ORDERED THAT, pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at the November 3, 2020, Municipal Election may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than 250 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the Office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period. Additionally, the following terms and conditions shall apply:

1. **FILING PERIOD:** The filing period for all candidates for elective office to the City Council will open Monday, July 13, 2020, at 8:30 a.m. and close on Friday, August 7, 2020, at 5:00 p.m. If an incumbent does not file his or her nomination papers by 5:00 p.m. on Friday, August 7, 2020, the nomination period will extend to Wednesday, August 12, 2020, 5:00 p.m., for non-incumbents only.
2. **PAYMENT OF FILING FEES:** Each candidate shall submit the following:
 - (a) Candidates for City Council shall pay at the time he or she files nomination papers a fee in the amount of: District (1) - \$597.60; District (5) - \$674.20; and District (6) - \$642.00. Said fee includes: District (1) \$261.00; District (5) \$337.60; and District (6) \$306.00 cost for the printing, handling, translating, and mailing of the optional candidate's statement and a filing fee in the amount of \$336.60, which is equal to two percent (2%) of the annual Councilmember's salary as required in Section 2 of Article V of the Charter of the City of Richmond.
 - (b) Any candidate who is financially unable to pay the filing fee may submit a petition containing signatures of registered voters in lieu of the filing fee. The City Clerk shall furnish an in-lieu petition for securing signatures to any indigent candidate upon request; provided that such candidate completes an affidavit, supplied by the City Clerk, certifying under penalty of perjury that he or she is financially unable to pay the filing fee. The substitution of signatures for filing fees shall be subject to the following provisions:
 - (1) The in-lieu petition shall contain four signatures of registered voters for each dollar of filing fee (a total of 1,344 valid signatures required).
 - (2) Registered voters signing an in-lieu petition must live in the district of the candidate running for office and must be eligible to vote for the candidate.
 - (3) A registered voter may sign both a candidate's nomination papers and his/her in-lieu petition, but the signature appearing on the candidate's in-lieu petition shall not count toward the number of signatures required to be submitted on the nomination papers.
 - (4) In-lieu petitions shall be filed with the City Clerk 15 days prior to the close of the nomination period. After the signatures on an in-lieu petition have been verified, the City Clerk shall immediately notify the candidate of any deficiency. The candidate may submit a supplemental petition

with the necessary number of valid signatures at any time prior to the close of the nomination period.

- (5) A candidate may submit a greater number of signatures to allow for subsequent losses due to invalidity of some signatures, but the validity of a greater number of signatures than that required by subsection 1, above, shall not be determined.

IT IS FURTHER RESOLVED AND ORDERED THAT, if two or more candidates in a district receive an equal and the highest number of votes, the City Clerk shall summon the candidates receiving the tie vote to appear before her, at the time designated by the City Clerk, in the Council Chamber. The City Clerk shall place the name of each candidate in a sealed unmarked envelope and the tie vote shall be broken by lot.

IT IS FURTHER RESOLVED AND ORDERED THAT, the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the original Resolutions.

IT IS FURTHER RESOLVED AND ORDERED THAT, the City Clerk shall provide each candidate a copy of this Resolution at the time nominating petitions are issued.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF RICHMOND

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held June 16, 2020, by the following vote:

AYES: Councilmembers Choi, Johnson, Martinez, Myrick, Willis,
Vice Mayor Bates, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

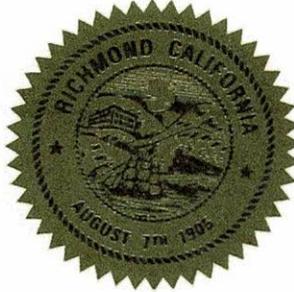
PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

TOM BUTT
Mayor

Approved as to form:

RACHEL SOMMOVILLA
Interim City Attorney

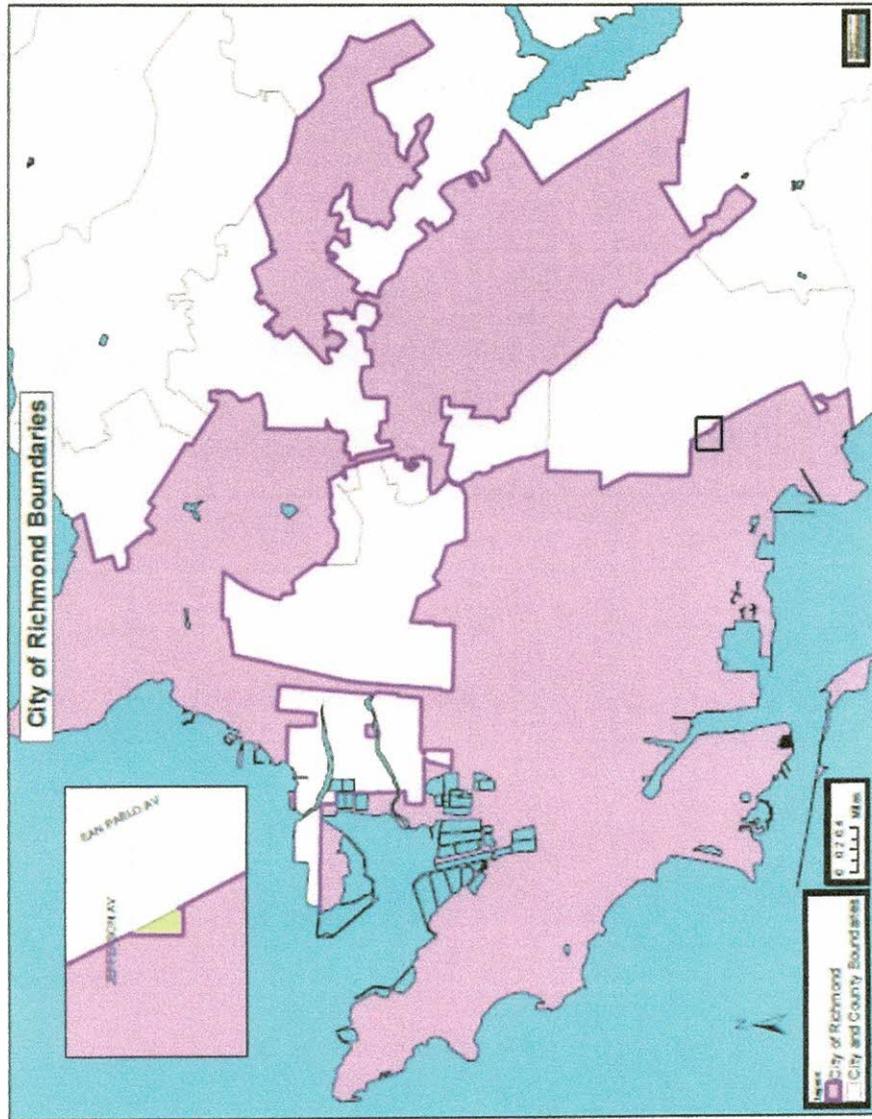


State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 58-20**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on June 16, 2020.

Pamela Christian
Pamela Christian, Clerk of the City of Richmond

EXHIBIT A



ORDINANCE NO. 11-16 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND
AMENDING CHAPTER 15.06 - USE AND DISPLAY OF SIGNS, REPEALING
EXISTING CHAPTERS 4.04, 4.08, AND 4.12 THAT RELATE TO SIGNS AND OTHER
MINOR SIGN-RELATED CLEAN UP CHANGES TO CHAPTER 15.04.860 OF THE
RICHMOND MUNICIPAL CODE**

WHEREAS, in accordance with federal law, including the United States Supreme Court's decision in *Reed et al. v Town of Gilbert, Arizona et al.* (135 S. Ct. 2218), ideological, political and religious signs are deemed as "content based" and therefore any regulations of same are subject to "strict scrutiny" meaning they must further a compelling governmental interest and be narrowly tailored to that end; and

WHEREAS, to conform with the Court's ruling, the City desires to amend its regulations pertaining to signs so that signs are subject only to content neutral regulations, which include but are not limited to; safety, aesthetics, size, building materials, lighting, moving parts, portability, and the prohibition of posting on public rights of way; and

WHEREAS, the update of the Sign Ordinance has been identified as a priority for the City so approvals for signage associated with new development will not be unreasonably delayed or withheld; and

WHEREAS, on March 17, 2016 and April 21, 2016, the Planning Commission of the City of Richmond held duly noticed public hearings to consider the proposed amendments, and heard testimony regarding the proposed amendments; and

WHEREAS, on April 21, 2016, the Planning Commission adopted Resolution 16-10 recommending the City Council adopt an ordinance amending the sign related ordinances of the City as shown in Exhibit A; and

WHEREAS, on June 7, 2016, the City Council of the City of Richmond held a duly noticed public hearing to consider the proposed amendments, and heard testimony regarding the proposed amendments; and

WHEREAS, the City Council reviewed the agenda report and all oral and written information presented before and at the hearing; and

WHEREAS, the City Council finds and determines the proposed amendments are exempt from the California Environmental Quality Act (CEQA) per the State CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the activity in questions may have a significant effect on the environment. The proposed zoning text amendments are administrative in nature, and are intended to improve the aesthetic, visual environment within the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND does ordain as follows:

SECTION I. Chapter 15.06 entitled "Use and Display of Signs" of the Richmond Municipal Code is hereby amended as shown in Exhibit A, incorporated herein by reference.

SECTION II. Sections 15.0415.04.860.010 and 15.04.860.020 of the Richmond Municipal Code are hereby amended as follows:

15.04.860.010 Title, Purpose and Applicability. The provisions of this section shall provide guidelines for the types and placement of signs in the districts that are governed by the provisions of the Sign Ordinance. The intent is to implement the goals and objectives of the Richmond General Plan and improve the visual appearance of streets and the image of the City.

15.04.860.020 Sign Ordinance Compliance. All signs must be in compliance with the provisions of Ordinance 15.06 of this Code, Use and Display of Signs, which provide specific regulations on the types, contents and number of signs allowed in each district. Chapter 15.06 also specifies the procedures and conditions under which various signs are permitted and/or conditionally permitted.

SECTION III. Chapters 4.04 Sign Code, 4.08 Signs and Posters Upon Private Premises, and 4.12 Signs On Utility Poles Or Public Property of the Richmond Municipal Code are hereby repealed in their entirety.

SECTION IV. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, the remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, paragraph, sentence, clause or phrase.

SECTION V. Effective Date. All applications filed after or pending upon the date of final passage and adoption of this Ordinance shall be subject to this Ordinance. This Ordinance becomes effective thirty (30) days after its final passage and adoption.

First read at a regular meeting of the Council of the City of Richmond held June 7, 2016, and finally passed and adopted at a regular meeting thereof held June 21, 2016, by the following vote:

AYES: Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé, Vice Mayor Martinez, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

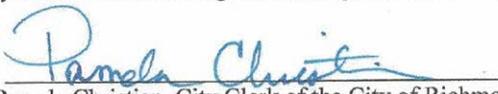
PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
TOM BUTT
Mayor

Approved as to form:
BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Ordinance No. 11-16 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on June 21, 2016.


Pamela Christian, City Clerk of the City of Richmond

Article 15.06 Use and Display of Signs

Sections:

- 15.06.010 Title and Purpose
- 15.06.020 Relation to the Zoning Ordinance
- 15.06.030 Applicability; Severability; Enforcement Authority
- 15.06.040 Sign Types and Definitions
- 15.06.050 Rules for Sign Measurement
- 15.06.060 Exempt Signs
- 15.06.070 Prohibited Signs
- 15.06.080 Sign Design Principles
- 15.06.090 General Standards for All Signs
- 15.06.100 Sign Regulations by Zoning District
- 15.06.110 Readerboard and Electronic Message Center Signs
- 15.06.120 Temporary Signs
- 15.06.130 Historic Signs
- 15.06.140 Closed Business Signs
- 15.06.150 Permits Required; Application Contents and Review Process
- 15.06.160 Permits for Multiple Temporary Signs
- 15.06.170 Master Sign Program
- 15.06.180 Variances
- 15.06.190 Appeals
- 15.06.200 Uniform Sign Code Adopted
- 15.06.210 Sign Maintenance
- 15.06.220 Nonconforming Signs
- 15.06.230 Violations; Declaration of a Nuisance; Abatement

15.06.010 Title and Purpose

This Ordinance shall be known as the Sign Ordinance of the City of Richmond. The purpose of this Ordinance is to regulate signs as an information system that preserves and enhances the aesthetic character and environmental values of Richmond, its residential neighborhoods, its Downtown, and commercial/industrial areas. These regulations recognize the importance of business activity to the economic vitality of the City as well as the need to protect the visual environment. More specifically, this Ordinance is intended to achieve the following objectives:

- A. To implement the purposes, policies and programs of the Richmond General Plan and adopted Specific Plans;
- B. To promote and maintain strong commercial and industrial centers and corridors and their property values by regulating the size, location, design, and illumination of

signs, thereby avoiding unsightly signs that are incompatible in design and detract from the aesthetics of these centers and corridors;

- C. To protect and enhance the character of residential neighborhoods and their property values, by avoiding the erection of signs that are grossly incompatible with their surroundings;
- D. To provide adequate opportunity for the exercise of free speech by display of a message or image on a sign, while balancing that opportunity with other public interests;
- E. To improve the visual appearance of city streets and the image of the city derived by residents and visitors;
- F. To ensure that commercial signs are accessory or auxiliary to a principal business on the site, rather than functioning as general advertising for hire;
- G. To protect public safety by ensuring that signs are not constructed, located, erected, and maintained in a hazardous manner and do not distract motorists and other users of streets and highways;
- H. To restrict signs that may create visual clutter or a nuisance to nearby properties, violate privacy, or create hazards for pedestrians and drivers;
- I. To protect the rights of residents and businesses to communicate ideas and messages through signage as guaranteed by the United States and California constitutions; and
- J. To provide clear, objective guidelines for minimizing the visual clutter of signs and maintaining the aesthetic integrity of Richmond neighborhoods and shopping districts.

15.06.020 Relation to the Zoning Ordinance

This Ordinance is supplemental to the Zoning Ordinance of the City of Richmond, and any term not defined in this Ordinance has the same definition and the same meaning as it has in Ordinance 15.04.

15.06.030 Applicability; Severability; Enforcement Authority

This Ordinance regulates signs that are located or mounted on private property within the jurisdictional boundaries of the City of Richmond. The provisions in this Ordinance apply in all Zoning Districts within the City and in all areas subject to Specific Plans except as specifically superseded by regulations adopted for individual Specific Plans. No sign within the regulatory scope of this Ordinance shall be erected or maintained anywhere in the City except in conformity with this Ordinance. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause term or word in this Ordinance is declared invalid,

such invalidity shall not affect the validity or enforceability of the remaining portions of the Ordinance.

- A. **Signs Must Comply With This Code.** In all zones, only such signs as are specifically permitted in this Ordinance may be placed, erected, maintained, displayed or used, and the placement, erection, maintenance, display or use of signs shall be subject to all restrictions, limitations and regulations contained in this Ordinance. The placement, erection, maintenance, display or use of all other signs is prohibited.
- B. **Design Review Required.** Unless exempt from the requirements of this Ordinance, the design and placement of any permanent sign erected for a non-residential use is subject to design review, and the level of review (Director or Design Review Board) shall be that for the use with which the sign is associated.
- C. **Enforcement Authority.** The Zoning Administrator is authorized and directed to enforce and administer the provisions of this Ordinance.

15.06.040 Sign Types and Definitions

A-Frame sign (also known as A-Board sign). A temporary freestanding sign that is composed of two panels hinged at the top and capable of standing on its own frame without external support or attachment. Sandwich board sign and sidewalk sign have the same meaning as A-Frame sign.

Advertising display, outdoor. A sign that directs attention to a business, profession, commodity, service or entertainment that is conducted, sold, or offered elsewhere than the lot or parcel where the sign is located. Also known as an Outdoor Advertising Sign and a Billboard.

Abandoned sign. A sign remaining in place or not maintained for 30 days that does not provide direction for, advertise, or identify a legally established business, product, or service available on the business premises where the sign is located.

Animated sign. A sign with messages that visually change, or images that move or appear to move, flash on or off, wink or blink with varying light intensity, show motion or create the illusion of motion, or revolve to create an illusion of being on or off. This definition does not include traditional barber poles or scoreboards, nor does it include commercial mascots, digital displays, and electronic signs, which are defined separately.

Awning. Any structure made of flexible fabric or similar material covering a metal frame attached to a building, whether or not the same is so erected as to permit its being raised to a position flat against the building when not in use.

Awning or canopy sign. A sign placed on an awning or any other projecting structure made of flexible fabric or similar material covering a metal frame supported by the ground or sidewalk.

Billboard. See Advertising display, outdoor.

Banner sign. A sign that is painted or printed on lightweight flexible material and hung from a staff or other device by ropes, wires or similar means in a manner to minimize movement. A banner sign may be temporary or permanent.

Building frontage. An exterior wall of a building that faces a public street (not including a freeway). If no exterior wall of a building faces a public street, the exterior wall of the building containing the main entry is the building frontage. The length of frontage shall be measured at the base of the building wall.

Changeable copy. A sign copy that is constructed or designed to allow for periodic changes of copy. Examples include signs for an auditorium, theater, school, church, meeting hall, or similar uses characterized by public assembly and changing programs or events, or gas station prices. This definition does not include animated signs or electronic signs.

Commercial mascot. A person or animal, whether or not costumed or decorated, intended to serve or function as a commercial advertising device. Includes sign twirlers, sign clowns, human sandwich boards, and persons or animals holding or supporting any sign or advertising device displaying commercial speech or conveying a commercial message. This definition also applies to robotic devices intended to simulate a live person and/or animal.

Commercial message. A message on a sign, or portion of a sign, that promotes, informs, or proposes an economic transaction, primarily concerns the economic interests of the sign sponsor and/or audience, or is intended to further discussion in the marketplace of goods and services.

Copy. Any letters, numerals, or symbols displayed on a sign face conveying a message to the public.

Digital display. A method of displaying a visual image that uses liquid crystal cells or other types of light emitting diodes (LEDs) or their functional equivalent to allow for the message or image to be easily changed, typically by remote control or computer programming. This definition applies to signs displaying a series of still images.

Electronic Message Center Sign. A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Electronic sign. A sign that is capable of presenting variable message displays by projecting an electronically controlled pattern and which can be programmed to periodically change the message display. See also Digital display.

Exempt sign. A sign which may be legally displayed, erected or maintained, but is not subject to a sign permit requirement.

Externally illuminated sign. Any sign that is lit by a light source that is external to the sign directed towards and shining on the face of the sign.

Face. That portion of a sign upon which the copy is mounted or displayed.

Finished grade. The elevation of the sign site after all site grading is completed.

Flashing illumination sign. See Animated sign.

Freestanding sign. A sign standing directly on the ground or attached to any support other than a building. Freestanding signs include A-board signs, monument signs, and pylon signs.

Flag. A piece of fabric or other flexible material, usually rectangular, of distinctive design, used as a symbol, which is capable of movement, or fluttering in moving air or wind.

General advertising for hire. The advertising or promoting of other businesses, establishments or causes using methods of advertising, typically for a fee or other consideration, in contrast to self-promotion or on-site advertising.

Hand-held sign. A sign that is designed to be held or carried by a person, rather than placed on or in the ground or other support.

Illuminated sign. An internally or externally illuminated business sign, which uses a source of light in order to make the message readable and the illumination is maintained at constant intensity, color or pattern during all times the sign is illuminated.

Inflatable sign. A form of inflatable device that includes a commercial or noncommercial message displayed, printed, or painted on the surface of an inflatable background, and is primarily installed outside a building. This sign type includes balloon signs.

Mansard sign. A sign attached below the deck line or principal roofline of a mansard roof or similar roof-like façade.

Marquee sign. A sign attached in any manner to, made part of, or painted on a hood or permanent construction that projects more than 18 inches from the wall of the building to which it is attached, usually above the entrance.

Master sign program. Signage included as part of new building construction or as part of building modification subject to design review by the Zoning Administrator or Design Review Board.

Mobile billboard. Any vehicle, or wheeled conveyance which carries, conveys, pulls, displays, or transports any sign or billboard for the primary purpose of advertising a commercial or noncommercial message, or other general advertising for hire.

Monument sign. A low-profile freestanding sign erected upon or supported solely by a planter, pedestal base, or similar ground structure approximately the same width as the sign and which is designed to incorporate the architectural theme and building material of the building on the premises. Internal supports, poles or pylons, if any, are enclosed by decorative covers or otherwise not exposed to view.

Moving sign. A sign any visible portion of which rotates or moves in any way.

Noncommercial message. A message or image on a sign, or portion of a sign, which displays noncommercial speech, e.g., commentary or advocacy on topics of public debate and concern. This definition shall be construed and interpreted in light of relevant court decisions. Noncommercial messages do not have a location factor, such as on-site or off-site.

Nonconforming sign. A sign lawfully erected and legally existing on the effective date of this Section, or of amendments thereto, but which does not conform to the provisions of this Ordinance.

On-site sign. Any sign or portion thereof that identifies, advertises, or attracts attention to a business, product, service, event or activity sold, existing or offered upon the same property or land use as the sign. The off-site/on-site distinction applies only to commercial messages.

Pennant. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a rope, wire, or string, usually in a series, designed to move in the wind and attract attention. Flags and banners are not within this definition.

Permanent sign. A sign that is intended to be and is so constructed as to be of a lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear) and position, and in a permanent manner affixed to the ground, wall, or building.

Portable sign. A temporary sign that is capable of being moved easily and is not affixed to the ground or a structure. Portable signs include A-Frame (or sandwich board) signs.

Projecting sign. A sign other than a wall, roof, or marquee sign that is supported by a building and projects outward therefrom.

Pylon sign. A freestanding sign that is supported and in direct contact with the ground or one or more solid, monumental structures or pylons and which typically has a sign face with a vertical dimension that is greater than its horizontal dimension.

FIGURE 15.06.040: PYLON SIGN



Readerboard sign. A sign structure or mounting device on which at least a portion of the display face may be used for changeable copy that may be either non-commercial or commercial, electronic or manual.

Roof sign. Any sign supported by or attached to or projecting through the roof of a building or structure, or projecting above the eave line or parapet wall of the building or structure. A sign attached to a mansard roof is not included within this definition, provided it does not project above the eave line of the mansard roof.

Sign. A device, structure, or fixture that incorporates graphics, symbols, or written copy that is visible to the public and is intended to communicate information. Graphics, art work, and seasonal decorations that do not relate to the use of a site or structure are not considered signs. A device, structure, or fixture is not “visible to the public” if it is located inside a building or structure and is not visible from a public street, park, walkway, or other public space through a window or building opening. Notwithstanding the generality of the foregoing, the following are not within this definition:

Architectural features. Decorative or architectural features of buildings (not including lettering, trademarks or moving parts), that do not perform a communicative function; foundation stones, cornerstones;

Fireworks, etc. The legal use of fireworks, candles and artificial lighting not otherwise regulated by this Code;

Cemetery markers. Grave markers, grave stones, headstones, mausoleums, shrines, and other markers of the deceased;

Certain insignia on vehicles and vessels. On street legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, non-commercial messages, messages relating to the business of which the vehicle or

vessel is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle or vessel;

Personal Appearance. Items or devices of personal apparel, decoration or appearance, including tattoos, makeup, wigs, costumes, and masks, but not including commercial mascots or hand-held signs; and

Symbols Embedded in Architecture. Symbols of noncommercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building, including stained glass windows on churches, carved or bas relief doors or walls, bells, and religious statuary.

Sign area. The area contained within a single continuous perimeter enclosing all parts of such sign copy, excluding any structural elements outside the limits of the sign required to support the sign.

Street frontage. That portion of a lot that faces a street, road, path or public right-of-way (but not freeway) providing direct pedestrian and/or vehicular access to the lot.

Temporary sign. Any sign, banner, pennant, valance or display constructed of cloth, canvas, light fabric, cardboard, wallboard or other like materials, with or without a frame, and any other type of sign not permanently attached to the ground or a structure, that is intended to be displayed for a limited period of time only.

Wall sign. A sign posted or painted on, suspended from or otherwise affixed in an essentially flat position to the wall of a building.

Wind sign. A display of streamers, pennants, whirligigs, windsocks or similar devices made of flexible lightweight material designed to move in response to air pressure. Banner signs and flags are not wind signs.

Window sign. A sign that is posted or painted on or otherwise affixed to and is visible through or upon a window, including signs in the interior of the building, within three feet of a window, intended to be viewed from the exterior of such building.

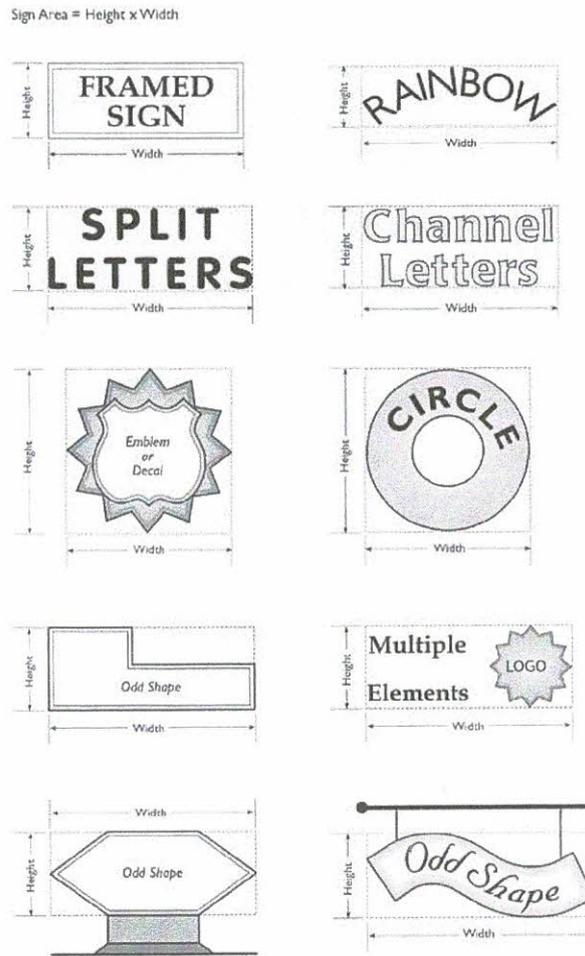
15.06.050 Rules for Sign Measurement

A. Calculation of Sign Area.

1. ***Single-Faced Signs.*** Sign area includes the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of all sign elements, including, but not limited to, sign structures or borders, written copy, logos, symbols, trademarks, illustrations, lighted surface, and color. Supporting structures such as sign bases and columns are not included in sign area, provided that they contain no lettering

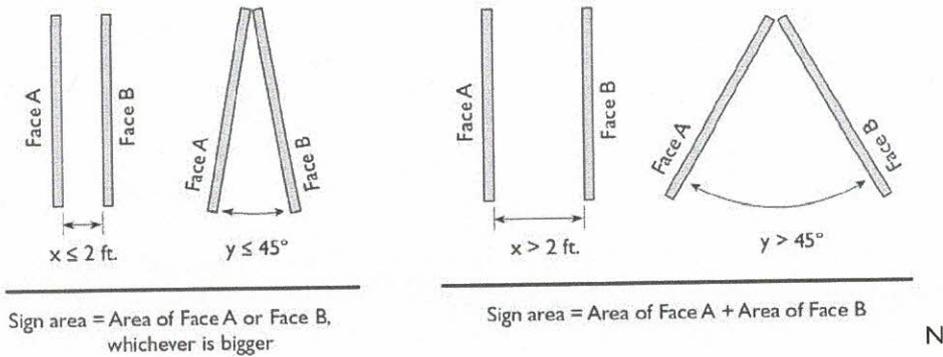
or graphics except for addresses or required tags. The calculation of sign area for various types of single-faced signs is illustrated in Figure 15.06.050.A.1.

FIGURE 15.06.050.A.1: CALCULATION OF SINGLE-FACED SIGN AREA



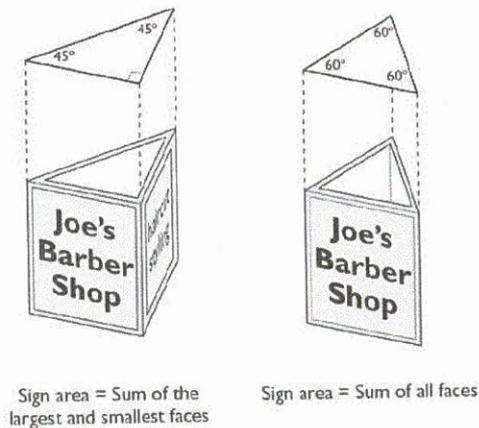
2. **Double-Faced Signs.** Where two faces of a double-faced sign are located two feet or less from one another at all points, or located at an interior angle of 45 degrees or less from one another, the area of only one face will be used to determine the sign area. Where the two faces are not equal in size, the larger sign face will be used. Where two faces of a double-faced sign are located more than two feet or 45 degrees from one another, both sign faces will be counted toward sign area. See Figure 15.06.050.A.2.

FIGURE 15.06.050.A.2: CALCULATION OF DOUBLE-FACED SIGN AREA



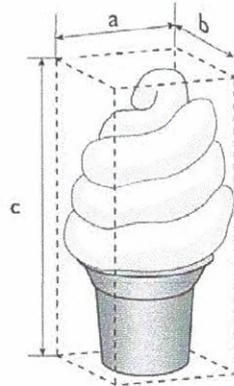
3. **Multi-Faced Signs.** On a three-faced sign, where at least one interior angle is 45 degrees or less, the area of two faces (the largest and smallest face) must be summed to determine sign area. In all other situations involving a sign with three or more sides, the sign area will be calculated as the sum of all faces. See Figure 15.06.050.A.3, which is the same number as referred to in double-faced sign provision.

FIGURE 15.06.050.A.3: CALCULATION OF MULTI-FACED SIGN AREA



4. **Three-Dimensional Signs.** Signs that consist of, or have attached to them, one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), may have a sign area that is the sum of two adjacent sides of the smallest cube that will encompass the sign. See Figure 15.06.050.A.4.

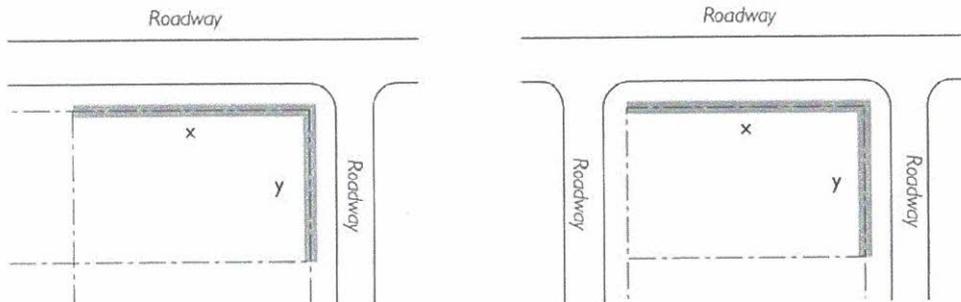
FIGURE 15.06.050.A.4: CALCULATION OF THREE-DIMENSIONAL SIGN AREA



Sign area = $2(a+b) \times c$

- B. **Calculation of Lot Frontage.** If a lot fronts on two streets, both frontages may be used for calculating the allowable sign area. On lots with three or more frontages on a public street, the length of only two contiguous sides shall be added together to determine allowable sign area. See Figure 15.06.050.B.

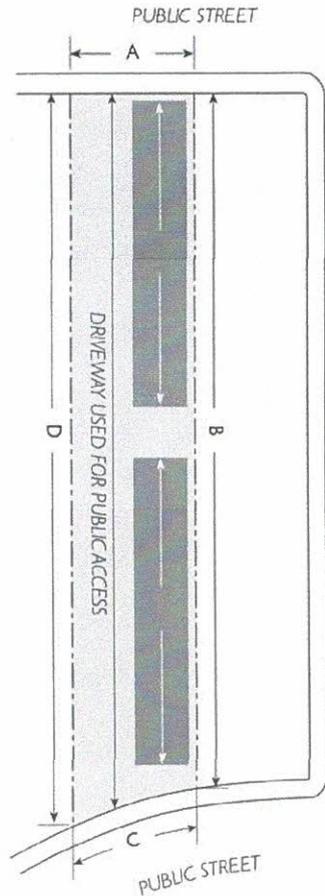
FIGURE 15.06.050.B: SITES WITH MULTIPLE FRONTAGES



Lot Frontage for Determining Allowable Sign Area = $x + y$

- C. **Calculation of Building Frontage.** Building frontage is the building facade that directly abuts a public street, private street, parking lot driveway, or parking spaces in which main customer access is provided to the business. A building's frontage is considered continuous if projections or recesses in a building wall do not exceed 10 feet in any direction. For buildings with two or more frontages, the length of the wall and allowable sign area shall be calculated separately for each building frontage. See Figure 15.06.050.C.

FIGURE 15.06.050.C: CALCULATION OF AGGREGATE SIGN AREA FOR MULTI-OCCUPANCY COMMERCIAL SITES WITH LIMITED FRONTAGE



Where a multi-occupancy commercial site has public street frontage of 20 percent or less the perimeter measurement of the site, or

$$\text{where } (A+C) < 20\% \times (A+B+C+D)$$

the maximum allowable sign area for the site is one square foot of sign area per one lineal foot of public street frontage, plus one lineal foot of exterior building walls facing driveways or parking lots used for public access, or:

$$\text{Total Sign Area (sq. ft.)} = 1 \times (A+C+E+F)$$

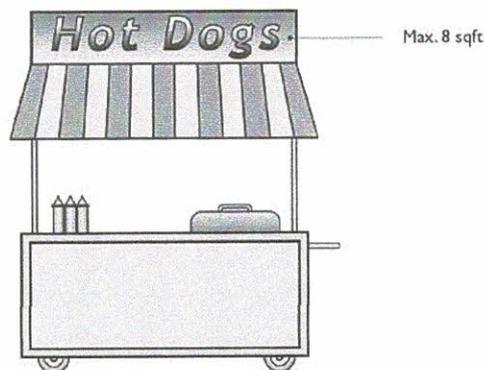
D. **Measuring Sign Height.** The height of a sign is the vertical distance measured from the ground level, at finished grade, directly beneath the sign to the highest point at the top of the sign, including any structural or architectural components of the sign. The height of freestanding signs is measured as the vertical distance from grade at the edge of the right-of-way along which a sign is placed to the highest point of the sign, including any structural or architectural components of the sign. When the grade at the edge of the right-of-way is higher than the site on which the sign is placed, that portion of the sign below the grade at the edge of the right-of-way is not included in determining the sign's overall height.

E. **Measuring Sign Clearance.** Sign clearance is measured as the smallest vertical distance between the finished grade and the lowest point of the sign, including any framework or other embellishments.

15.06.060 Exempt Signs

- A. **Address signs** that are required by and conform to the Building Code.
- B. **Commercial displays on vehicles**, provided that display is not outdoor advertising (“general advertising for hire”) and no changeable copy or special illumination is employed.
- C. **Flags** subject to the following standards:
 - 1. **Location on a lot.** not allowed within any required side yard setbacks.
 - 2. **Maximum number.** One per lot or lot equivalent.
 - 3. **Maximum pole height** 30 feet or the distance from the base of the pole to the closest lot line plus two feet, whichever is less, unless a permit is granted by the Zoning Administrator allowing greater height.
 - 4. **Maximum size:** 48 square feet
 - 5. **Pennants, banners, feather banners, strings of ornamental fringes and streamers** are not included in this exemption and are regulated as Temporary Signs.
- D. **Interior signs** located entirely within a building or enclosed structure and not visible from the public right of way.
- E. **Mobile vendor signs and menu display boards** fixed to mobile vending carts or food trucks that identify or advertise the name, product, or service provided by the vendor. Each mobile vending cart or food truck is limited to a maximum of eight square feet of sign area, plus a menu display board.

FIGURE 15.06.060.E: MOBILE VENDOR SIGN



- F. **Official notices** posted by public officers in performance of their duties.

- G. **Public carrier graphics** mounted on buses, taxicabs, limousines and similar vehicles for hire that legally pass through the City.
- H. **Signs** less than four square feet in area.
- I. **Traffic control and danger signs** erected by a governmental entity.
- J. **Window signs** in non-residential districts, provided they do not obstruct more than 25 percent of the area of any individual window or more than 10 percent of the total fenestration on the frontage of a building.

TABLE 15.06.060.J: WINDOW SIGN					
			Districts Allowed		
			C-1 C-2 C-3 C-B C-C P-C M-1 M-2 M-3 M-4		
Dimension					
Area	25% max. of the storefront bay window area	①	Width	5 ft. max.	②
			Height	3 ft. max.	③

15.06.070 Prohibited Signs

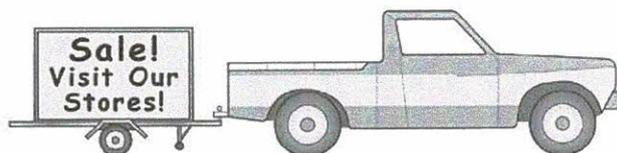
Unless expressly allowed by another section of this Ordinance or other applicable law, the following signs, locations, and materials are prohibited:

- A. **Animated or Moving Signs.** Animated, flashing, blinking, reflecting, revolving, or other similar sign with visibly moving or rotating parts or visible mechanical movement of any kind, unless expressly permitted under this Ordinance. This prohibition does not apply to signs using digital display technology, such as LED (light emitting diodes) or functionally equivalent display methods, which may be permitted, subject to the regulations of this Ordinance.
- B. **Air-Activated Graphics and Other Attention-Getting Devices.** Balloons and air activated graphics that serve as attention-getting devices, made of light-weight fabric or similar material, designed to rotate or move with the wind or activated

by forced air, that direct, promote, or that are otherwise designed to attract attention for outdoor advertising purposes are prohibited in all zoning districts.

- C. **Commercial Mascots.** All commercial signs held, posted or attended by commercial mascots, as defined, are prohibited in all zones.
- D. **Electronic Signs and Digital Displays.** All freestanding and building mounted electronic signs and digital displays, including digital billboards, are prohibited, except for fuel price signs and readerboards and electronic message center signs that meet the standards of the Article. Interior digital displays located within two feet of a window or door are exempt from this prohibition provided they do not exceed more than 20 percent of the allowable area for a window sign.
- E. **General Advertising.** Temporary or hand-held signs that publicize or promote other businesses or causes using methods of advertising (in contrast to self-promotion, on-site sales, or on-site advertising). General advertising is also known as “general advertising for hire.”
- F. **Outdoor Advertising Displays (“Billboards”).** Signs that display outdoor advertising for hire are prohibited in all zones. Existing billboards may be removed, and may be relocated with approval of a billboard relocation agreement by the City Council consistent with CA Business and Professions Code Section 5412 and other applicable state law.
- G. **Mobile Billboards.** The City prohibits any person to conduct, or cause to be conducted, any mobile billboard advertising upon any street, or other public place within the City in which the public has the right of travel. The purpose of this prohibition is to eliminate mobile billboard advertising within the City in order to reduce traffic congestion, promote the safe movement of vehicular traffic, to reduce air pollution, and to improve the aesthetic appearance of the City. This prohibition does not apply to signage on a licensed commercial vehicle that is related to the goods or services provided by the vehicle owner or operator and to public transit/public carrier graphics on properly licensed buses and taxicabs.

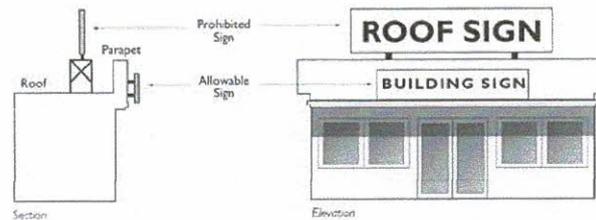
FIGURE 15.06.070.G: MOBILE BILLBOARDS



- H. **Outdoor Advertising Displays (“Billboards”).** Signs that display outdoor advertising for hire are prohibited in all zones. Existing billboards may be removed, and may be relocated with approval of a billboard relocate agreement by the City Council.

- I. **Roof Signs.** Roof signs, including signs mounted or painted on roofs, except those painted on a flat roof and not visible from the public right of way.

FIGURE 15.06.070.I.: ROOF SIGNS



- J. **Search Lights and Klieg Lights.** Search and Klieg lights when used as attention attracting devices for commercial uses. They may be allowed with a conditional use permit for special events.
- K. **Signs in the Public Right-of-Way without an Encroachment Permit.** Other than government signage, no sign can be placed in the public right-of-way in median strips or islands, sidewalks, on street trees or retaining walls, on bridges, public benches, traffic signals, public fences, street poles, utility poles and equipment, street lighting, traffic signs, or within a railroad right-of-way, unless it has been authorized by an encroachment permit issued by the City.
- L. **Signs on Doors, Windows, or Fire Escapes.** Signs shall not be located or installed on any door, window, or fire escape that will prevent free ingress or egress. No sign shall be attached to any standpipe or fire escape, except those required by other codes.
- M. **Signs that Create a Traffic Hazard or Affect Pedestrian Safety.** Signs located in such a manner as to constitute a safety hazard or to impede the public use of the public right of way. These signs include but are not limited to:
1. Signs located in such a manner as to constitute a traffic hazard or obstruct the view of traffic or any authorized traffic sign or signal device.
 2. Signs that may create confusion with any authorized traffic sign, signal, or traffic control device because their color, design, illumination, location or wording, or use of any phrase, symbol, or character which interferes with, misleads, or confuses vehicular drivers in their use of roads or conflicts with any traffic control sign or device.
 3. Signs within five feet of a fire hydrant, street sign, or traffic signal.
 4. Signs erected at or near the intersections of public and/or private rights-of-way in such a manner as to create a safety hazard by obstructing clear view of pedestrian and vehicular traffic or encroaching into sight triangles and sight distances, as defined in the Zoning Ordinance.

- N. **Signs that Produce Noise or Emissions.** Signs that produce visible smoke, vapor, particles, odor, noise, or sounds that can be heard at the property line, excluding voice units at menu boards and devices for servicing customers from their vehicles, such as drive up windows at banks or pharmacies, provided these latter units comply with the standards of the City's Noise Ordinance.
- O. **Snipe Signs.** Signs tacked, nailed, posted, pasted, glued, or otherwise attached to trees, utility poles, government signs, fences, trailers, temporary construction barriers or other supporting structures.

15.06.080 Sign Design Principles

The following sign design principles shall be used as criteria for review and approval of sign permits and Master Sign Programs.

- A. **Architectural Compatibility.** A sign, including its supporting structure, if any, should be designed as an integral design element of a building's architecture and be architecturally compatible, including color and scale, with any building to which the sign is to be attached and with surrounding structures. A sign that covers a window or that spills over "natural" boundaries or architectural features and obliterates parts of upper floors of buildings is detrimental to visual order and will not be permitted. Common indicators of compatibility include:
 - 1. Quality sign design and construction;
 - 2. Proportional size and scale; and
 - 3. Use of materials, shapes and colors that complement the building's architectural style and the surrounding environment.
- B. **Legibility.** The size and proportion of the elements of the sign's message, including logos, letters, icons and other graphic images, should be selected based on the average distance and average travel speed of the viewer. Sign messages oriented towards pedestrians may be smaller than those oriented towards automobile drivers. Colors chosen for the sign text and/or graphics should have sufficient contrast with the sign background in order to be easily read during both day and night. Symbols and logos can be used in place of words. Substantial contrast should be provided between the color and materials of the background and the letters or symbols to make the sign easier to read in both day and night.
- C. **Visibility.** A sign should be conspicuous and readily distinguishable from its surroundings so a viewer can easily see the information it communicates.
- D. **Placement.** Often, a building's architectural details create logical places for signage. Signs should not cover or interrupt architectural details or ornaments of a building's façade. On buildings with a monolithic or plain façade, signs can establish or continue appropriate design rhythm, scale and proportion. Well-designed and well-located

retail signs create visual interest and continuity with other storefronts on the same or adjacent buildings. Signs should not obstruct windows or doors.

15.06.090 General Standards for All Signs

- A. **Signs Must Comply With This Code.** In all zones, only such signs as are specifically permitted in this Ordinance may be placed, erected, maintained, displayed or used, and the placement, erection, maintenance, display or use of signs shall be subject to all restrictions, limitations and regulations contained in this Ordinance. The placement, erection, maintenance, display or use of all other signs is prohibited.
- B. **Message Neutrality.** It is the City's policy to regulate signs in a constitutional manner that is content neutral as to noncommercial messages that are within the protections of the First Amendment to the U.S. Constitution and the corollary provisions of the California Constitution.
- C. **Maximum Sign Area.** The maximum allowable, permissible sign area on a lot for permanent signs, exclusive of area of exempt signs, is based on the Zoning District in which the sign is located and the type of sign to be installed. The signs allowed and the dimensional standards for individual sign types are established in subsequent sections of this Ordinance.
1. **Residential Zoning Districts:** 1 ground sign and 1 building sign per lot
 2. **Commercial and P-C Zoning Districts:** 1 square foot of sign area per linear foot of building frontage per frontage.
 3. **Industrial Zoning Districts:** 0.5 square foot of sign area per linear foot of building frontage per frontage.
 4. **Form-Based Code Zones:** See applicable regulations in Division 15.05.330, Signage of the Richmond Livable Corridors Form-Based Code, as adopted by the City Council.
 5. **Other Zoning Districts:** as established in Chapter 15.04, Zoning of the Municipal Code.
- D. **Changes to Copy of Approved Signs.** Changes to the copy of approved signs that were legally established and have not been modified so as to become illegal are exempt from permitting pursuant to this Ordinance. Changes to copy do not include changes to the type or level of illumination of an approved sign.
- E. **Message Substitution.** A noncommercial message of any type may be substituted, in whole or in part, for any duly permitted commercial message, and any noncommercial message may be substituted, in whole or in part, for any other noncommercial message.
1. **No Additional Approval.** Such substitution of message may be made without any additional approvals. The purpose of this Section is to prevent

any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message.

2. **Limitations.** This message substitution provision does not: 1) create a right to increase the total amount of signage on a parcel, lot or land use; 2) affect the requirement that a sign structure or mounting device be properly permitted; 3) allow a change in the physical structure of a sign or its mounting device; or 4) authorize the substitution of an off-site commercial message in place of an on-site commercial message or in place of a noncommercial message.
- F. **Rules for Non-Communicative Aspects of Signs.** All rules and regulations concerning the non-communicative aspects of signs, such as location, size, height, illumination, spacing, orientation, etc., stand enforceable independently of any permit or approval process.
- G. **Sites of Non-Commercial Message Signs.** The onsite/offsite distinction applies only to commercial messages on signs.
- H. **Mixed Use Development and Mixed Use Zones.** In any zone where both residential and non-residential uses are allowed, the sign-related rights and responsibilities applicable to any particular use shall be determined as follows: residential uses shall be treated as if they were located where that type of use would be allowed as a matter of right, and nonresidential uses shall be treated as if they were located in a zone where that particular use would be allowed, either as a matter of right or subject to a conditional use permit or similar discretionary process.
- I. **Changeable Copy.** Non-electronic changeable copy shall represent no more than 20 percent of the total allowable sign area. Copy shall not be changed more than once every 24 hours.
- J. **Illumination.** The illumination of signs, from either an internal or external source, must be designed to avoid negative impacts on surrounding rights-of-way and properties. The following standards apply to all illuminated signs:
1. **Light Intensity.** Sign lighting must not be of an intensity or brightness that will create a nuisance for residential buildings in a direct line of sight to the sign.
 2. **Shielding Required.** External light sources must be directed, shielded, and filtered to limit direct illumination of any object other than the sign, according to Table 15.06.090.J.2 below.

TABLE 15.06.090.J.2: REQUIREMENTS FOR SHIELDING AND FILTERING		
Fixture Lamp Type	Shielding Required	Filtering Required
Low Pressure Sodium ¹	None	None
High Pressure Sodium	Fully	None
Metal Halide	Fully	Yes ⁴
Fluorescent	Fully ⁵	Yes ²
Quartz ³	Fully	None
Incandescent Greater than 100W	Fully	None
Incandescent 100W or less	None	None
LED	Fully	None
Mercury Vapor	Not permitted.	N/A (Not permitted.)
Fossil Fuel	None	None
Glass Tubes filled with neon, argon, or krypton	None	None
Other Sources	As approved by the Director.	
Notes:		
1. This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations.		
2. Warm white natural lamps are preferred to minimize detrimental effects.		
3. For the purposes of this Article, quartz lamps are not considered an incandescent light source.		
4. Most glass, acrylic, or translucent enclosures satisfy these filter requirements.		
5. Outdoor signs constructed of translucent materials and wholly illuminated from within do not require shielding.		

3. **Energy Conservation.** Light sources shall be hard-wired fluorescent or compact florescent lamps, or other lighting technology that is of equal or greater energy efficiency. Incandescent lamps are prohibited, except when used in signs of historic character as part of the architectural design.

4. **Light Sources Adjacent to Residential Areas.** Illuminated signs located adjacent to any residential area shall be controlled by a rheostat or other acceptable method to reduce glare that will create a nuisance for residential or mixed use buildings in a direct line of sight to the sign.

K. **Materials.** Signs shall be made of sturdy, durable materials. Paper, cardboard, or other material subject to rapid deterioration can only be used for signs that comply with applicable requirements for temporary signs. Fabric signs are restricted to awnings, canopies, flags, and temporary signs.

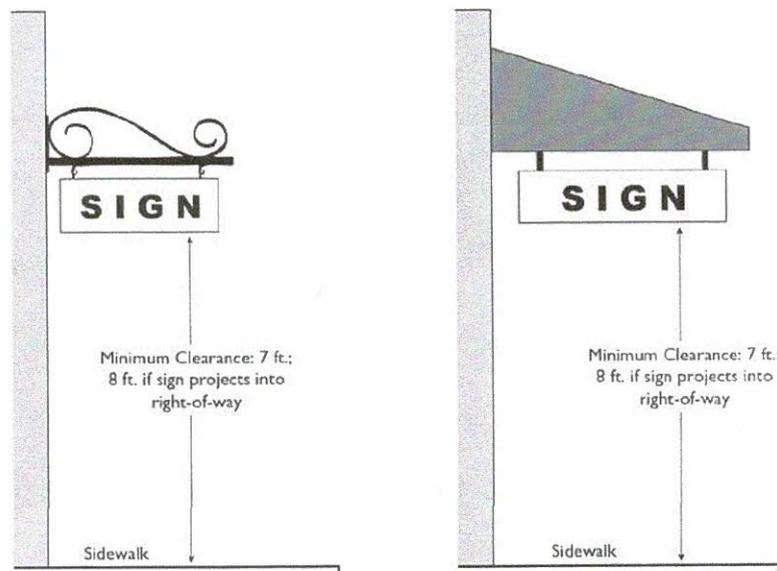
L. **Mounting Required.** All permanent signs shall be firmly anchored and comply with all requirements for public safety and building codes.

M. **Permitted Sign Locations.**

1. **Building Signs.** All building signs must be located on and directly parallel to a building wall, canopy fascia or mansard roof directly abutting the use or occupancy being identified and directly facing a parking lot, mall, street, driveway, alley or freeway.

2. **Window Signs.** Except for signs painted directly on the exterior surface of the window, all window signs must be located on or within 24 inches of the inner surface of a window directly used by the use or occupancy being identified and be directly facing a parking lot, mall, street, driveway, alley or freeway.
3. **Under Canopy and Shingle Signs.** All under canopy and shingle signs shall be suspended from the underside of a pedestrian canopy or awning directly adjacent to the business identified on the sign or a support attached to and projecting from the building wall. Such signs shall be oriented perpendicular to the adjacent wall of the business being identified and shall be attached with rigid supports of a type and in a manner acceptable to the Building and Safety Division. A minimum clearance of 7 feet shall be maintained between the grade level below the sign and the lowermost portion of the sign except when the sign is projecting over a public right-of-way, in that case the minimum clearance shall be 8 feet.

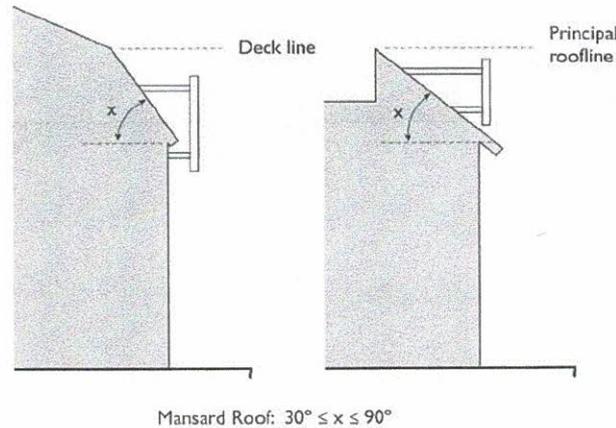
FIGURE 15.06.090.M.3: UNDER CANOPY AND SHINGLE SIGNS



4. **Pylon and Monument Signs.** All pylon and monument signs shall be oriented toward a parking lot, mall, street, driveway or alley. Such signs shall be situated on the lot or parcel on which the use or occupancy identified is located, except in a commercial, office or industrial complex where such a sign may be located on any lot or parcel in the complex where the use or occupancy identified is located.
5. **Sign Projection from a Building Face.** Building signs shall not project more than 12 inches from the face of the building on which they are placed with the following exceptions:

- a. Signs placed on a mansard roof may project such a distance from the face of the roof as necessary for the sign face to be perpendicular to the floor of the building.

FIGURE 15.06.090.M.5: MANSARD ROOF SIGN



- b. In any neighborhood commercial zones, a maximum 4 square foot, double-faced sign, oriented perpendicular to the building wall is permitted in lieu of an under canopy sign. Such a perpendicular sign shall not project more than 30 inches from the face of the building wall on which it is placed, shall be attached with rigid supports in a manner acceptable to the Building Division and shall maintain a minimum clearance of 8 feet between the grade level below the sign and the lowermost portion of the sign.
 - c. A marquee sign or three-dimensional sign that complies with the applicable requirements of this Ordinance.
6. Projection of Permanent Signs over Public Rights-of-Way. All signs that project over or into the public right-of-way require approval of an encroachment permit.
- N. **Minimum Clearance from Utilities.** Signs and their supporting structures shall maintain clearance from and not interfere with electrical conductors, communications equipment, or lines, underground facilities and conduits.
- O. **Concealed Electrical Systems.** External conduits, boxes, and other connections related to the function of a sign and associated lighting shall not be exposed. A switch disconnecting each circuit shall be placed in plain sight and near the inspection opening.

15.06.100 Sign Regulations by Zoning District

- A. **Signs Allowed in Any District.** The following signs shall comply with all provisions and regulations of this Ordinance. However, no fee, permit or application is required to erect or maintain them.
1. Permanent, rigid signs located on the fence of a park, playground, athletic field, or other outdoor assembly use, provided that they comply with the following limitations: Each sign shall be no more than 16 square feet in area and there shall be no more than two signs within any eight linear feet of fence, provided that two signs of equal dimensions placed back-to-back on either side of the fence shall constitute one sign for purposes of this paragraph. No sign shall project above the top of the fence.
 2. Temporary signs, provided that:
 - a. The total area for all temporary signs displayed simultaneously shall not exceed 16 square feet per lot equivalent; and
 - b. No temporary sign shall remain on display for more than 90 days.
- B. **Signs Allowed in All Residential Districts.**
1. ***Signs Allowed Without a Permit.***
 - a. Permanent wall signs on single-family and two-family buildings (duplexes), provided that:
 - i. The total area of all wall signs shall not exceed one square foot per building (two square feet for a duplex); and
 - ii. No wall sign shall project more than six inches from the building wall.
 - b. On any developed residential lot, permanent, non-illuminated freestanding signs, provided that:
 - i. The total area of all such signs shall not exceed one and one-half square feet per lot; and
 - ii. No sign shall exceed 6 feet in height.
 - c. At the entrance of any multi-tenant building, one permanent, non-illuminated wall sign not exceeding six square feet in area and not projecting more than six inches from the building wall.
 - d. Portable signs within the public right-of-way on Saturdays, Sundays, and holidays between the hours of ten a.m. and seven p.m., provided: (a) the signs do not interfere with, obstruct, or misdirect traffic or pedestrian movement; and (b) no person may erect or cause to be erected more than six portable signs at any one time.

2. ***Signs Allowed With a Permit.*** The following signs may be erected, maintained and/or displayed in any residential district with a sign permit or as part of a master sign program:
 - a. On residential lots where there are no more than two residential units, permanent, non-illuminated, freestanding signs, provided that the total sign area for all freestanding signs shall not exceed six square feet per lot; and no freestanding sign shall exceed six feet in height.
 - b. On residential lots where there are three or more residential units, permanent, non-illuminated, freestanding signs, provided that the total sign area for all freestanding signs shall not exceed 12 square feet per lot; and no freestanding sign shall exceed 6 feet in height.
 - c. At the entrance to a subdivision, permanent, freestanding signs, provided that the total sign area for all freestanding signs shall not exceed 20 square feet per subdivision; and no freestanding sign shall exceed 6 feet in height.
 - d. On commercial or public buildings, wall signs, provided that the total sign area for all signs allowed pursuant to this paragraph shall not exceed 0.5 times the lineal feet of building frontage; and no individual wall sign may exceed 16 square feet in area.
 - e. On lots containing commercial, public, or assembly uses, permanent, non-illuminated signs, provided that the total sign area for all signs shall not exceed 16 square feet; and no sign shall exceed 6 feet in height.

C. **Signs Allowed in Commercial, Industrial, and P-C Districts.**

1. ***Signs Allowed Without a Permit.*** The following signs are allowed without a permit on a lot in commercial districts:
 - a. One permanent, freestanding non-illuminated sign not exceeding 16 square feet in area and 6 feet in height.
 - b. One wall sign per building, not exceeding 6 square feet in area and not projecting more than 6 inches from the building wall.
 - c. Window signs not exceeding 25 percent of the window area.
2. ***Signs Allowed With a Permit.*** The following signs may be erected, maintained and/or displayed in the neighborhood commercial district with a sign permit or as part of a master sign program: awning signs, blade signs, freestanding signs, marquee signs, projecting signs, wall signs, and wall mural signs. Dimensional standards for all of these signs are in Tables 15.06.100.C.1 to C.6 on the following pages.

TABLE 15.06.100.C.1: AWNING SIGN; PROJECTING SIGN			
			Districts Allowed
			C-1 C-2 C-3 C-B
Dimension		Location and other requirements	
Area (sloping plane)	25% coverage max.	①	Clearance above sidewalk or walkway 8 ft. min. ④
Area (valance)	75% coverage max.	②	Number of signs 1 projecting or 1 valance and 1 sloping per storefront
Area (projecting)	1 sq. ft. per linear ft. of building face	③	

TABLE 15.06.100.C.2: BLADE SIGN			
			Districts Allowed
			C-1 C-2 C-3 C-B P-C
Dimension		Location and other requirements	
Area	12 sq.ft. max. or 3 sq.ft. if under an awning	①	Clearance above sidewalk or walkway 8 ft. min. ⑤
Width	48 in. max.	②	Projection 5 ft. max. ⑥
Height	36 in. max.	③	Number of signs 1 per entry door
Thickness	4 in. max.; 18 in. max. if approved to allow a three dimensional shape	④	

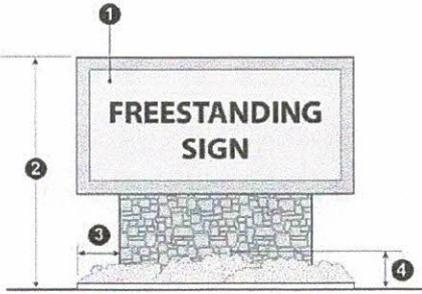
TABLE 15.06.100.C.3: FREESTANDING SIGN					
					Districts Allowed
					C-1 C-2 C-3 C-B C-C P-C M-1 M-2 M-3 M-4
Dimension			Landscape planter required around the sign base:		
Area	20 sq.ft. max.	①	Border	6 in. min.	③
Height	10 ft. max.	②	Height	4 in. min.	④

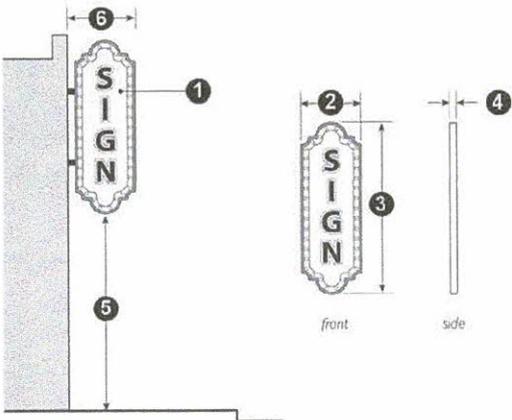
TABLE 15.06.100.C.4: MARQUEE SIGN					
					Districts Allowed
					C-1 C-2 C-3 C-B P-C
Dimension			Location and other requirements		
Area	6 sq. ft. max.	①	Clearance above sidewalk or walkway	9 ft. min.	⑤
Width	24 in. max.	②	Projection	2 ft. max.	⑥
Height	4 ft. max. Marquee structure wall shall not exceed parapet or eave of a pitched roof	③	Neon lettering is only allowed in conjunction with painted lettering.		
Thickness	10 in. max.	④			

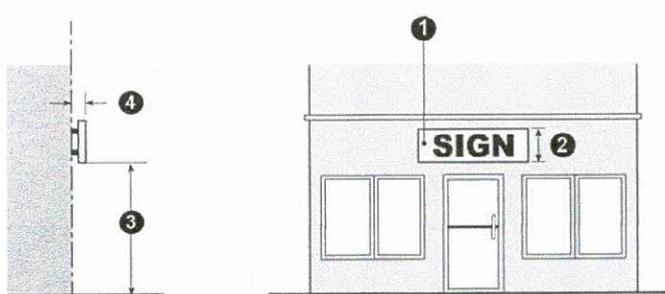
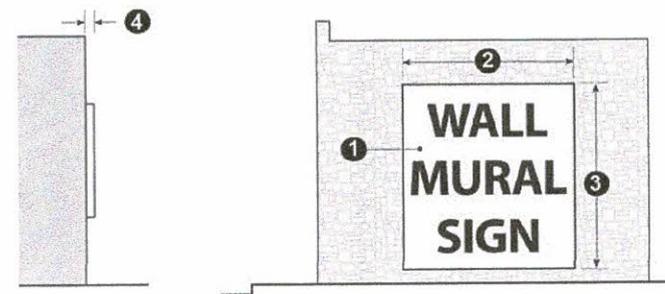
TABLE 15.06.100.C.5: WALL SIGN			
			Districts Allowed
			C-1 C-2 C-3 C-B C-C P-C M-1 M-2 M-3 M-4
Dimension		Location and other requirements	
Area	60 sq. ft. max. or 1 times the lineal feet of building frontage max., whichever is less	1	Clearance, if projecting above a right-of-way
Height	5 ft. max.	2	Projection
			8 ft. min.
			8 in. max.
			3
			4

TABLE 15.06.100.C.6: WALL MURAL SIGN			
			Districts Allowed
			C-2 C-3 C-B M-2
Dimension		Location and other requirements	
Area	1,000 sq. ft. max. ¹	1	Projection
Width	100 ft. max.	2	Number of sign
Height	40 ft. max.	3	1 per building
			4

Note: 1. The allowable sign area may exceed the total otherwise permitted with approval of the Director.

3. ***Multiple-Occupancy Commercial Sites with Limited Frontage.*** Where a multiple-occupancy commercial site has public street frontage equal to 20 percent or less of the perimeter measurement of the site, the maximum allowable wall sign area for the site is calculated as follows:
 - a. One square foot of sign area per one lineal foot of public street frontage.
 - b. One lineal foot of exterior building walls fronting on driveways and parking lots that are generally used for public access and are located on the same site.
 - c. Pedestrian-only passageways that are lined on both sides by building walls are considered interior spaces, and although signs may be placed on such walls, the area of such walls is not included in the calculation of the maximum allowable sign area for the site.

4. ***A-Frame Signs.*** A-Frames are allowed to advertise the location, goods or services offered on the premises. They must be made of a durable, rigid material such as, without limitation, wood, plastic or metal and conform to the following standards. No sign permit is required, unless an A-Frame sign is to be placed in a public right-of-way, in which case an encroachment permit is required.
 - a. *Prohibitions.* A-Frame signs are prohibited from any form of broadcasting or audio presentation.
 - b. *Locations Allowed.* A-Frame signs are allowed within a front or corner side setback area and in the public right-of-way directly in front of a business. They are not permitted in planters, flower beds or tree wells, nor in sight visibility triangles as established in the Zoning Ordinance.
 - c. *Maximum Height and Area.* The A-Frame sign, when placed in an open position must not exceed a height of 42 inches from ground level to the top of the sign and be no more than 6 square feet per sign face.
 - d. *Maximum Number:* One per business, which does not count against maximum allowed sign area. They must be removed at the close of business.
 - e. *Placement:* A-Frame signs shall be placed so that a minimum four feet is left clear for pedestrian passage on all sidewalks and walkways. They shall only be placed at grade level and shall not be placed on walls, boulders, planters, vehicles, other signs or any other type of structure.
 - f. *City's Right to Remove:* If at any time any portion of the public right-of-way occupied and used by the A-Frame sign may be needed or required by the City, or the business fails to maintain the permitted sign, it may be removed by the City

D. **Signs Allowed in All Other Districts.**

1. Permanent, freestanding signs, provided that:
 - a. The total sign area for all freestanding signs shall not exceed 20 square feet per lot equivalent; and
 - b. No individual freestanding sign shall exceed 10 feet in height.
 - c. The base or supporting members of each freestanding sign shall be located in a planted landscaped area. The landscaped area shall be differentiated from adjoining paved areas by a six-inch wide border which is at least four inches above the ground level. All planted landscaped areas shall be irrigated and maintained on a regular basis.
2. For each building, one wall sign not exceeding 6 square feet in area and not projecting more than 6 inches from the building wall.

15.06.110 Readerboard and Electronic Message Center Signs

- A. **Readerboard Signs.** Readerboard signs with manually or electronically changeable copy may be displayed in lieu of building or freestanding signs subject to the following requirements.
1. ***Residential Districts.*** Signs located in a residential district or readily visible from a residential property shall not be changed more than twice during any 24 hour period.
 2. ***Elementary, Middle and High Schools.*** Elementary, middle and high schools shall be permitted 1 freestanding or building mounted combination readerboard on-premises sign per use as described below:
 - a. ***Sites Less Than Fifteen Acres.*** One maximum 40 square foot, 6 foot high static or readerboard on-premises, monument sign or 40 square foot static or readerboard building sign.
 - b. ***Sites Fifteen Acres or More.*** One maximum 65 square foot, 15 foot high static or readerboard on-premises freestanding sign or 65 square foot static or readerboard building sign.
 3. ***Other Public Assemblies Not for Entertainment.*** Other public assemblies that are not engaged in commercial entertainment shall be permitted one freestanding or building mounted combination readerboard on-premises sign per use as described below:
 - a. ***Sites One Acre in Size or Less.*** One static readerboard monument sign up to 16 square feet in area and 6 feet in height or one static readerboard building sign up to 24 square feet in area.

3. The copy of electronically displayed messages may change no more frequently than once every eight seconds. A minimum of 0.3 second of time with no message displayed shall be provided between each message displayed on the sign.
4. Displays shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination, or the flashing, scintillating or varying of light intensity.
5. All electronic message displays shall be equipped with a sensor or other device that automatically determines ambient illumination and is programmed to automatically dim according to ambient light conditions or can be adjusted to comply with the following illumination requirements in sub-section 6 of this section.
6. Between dusk and dawn the luminance of an EMC shall not exceed 0.3 footcandles more than ambient lighting conditions when measured at the exterior of the site.

15.06.120 Temporary Signs

A. General Requirements.

1. **General.** Each property or establishment in non-residential zones, as specified, shall be allowed sign copy area for the display of temporary signs, in addition to allowed permanent signage as specified in this Ordinance. No permit shall be required for temporary signage.
2. **Limits.** Temporary signage must comply with the sign area limits and maximum number of allowed temporary signs, for each of the categories of temporary signage specified in this section. No other temporary signage shall be allowed in non-residential zones.
3. **Material.** Temporary signs shall not be made of standard paper or other materials subject to rapid deterioration.
4. **Illumination.** Temporary signs cannot be illuminated.

B. Portable Signs. Portable signs are allowed subject to the following standards.

1. **Relation to Associated Business.** Portable signs may be located up to 300 feet away from the business so long as they remain within the development site with which the business is associated and the business obtains property owner authorization.
2. **Maximum Sign Area per Parcel or Business Location.** Each business establishment shall not have more than an aggregate sign area of 16 square feet.

3. **Maximum Size and Sign Area.** All portable signs, except A-Frame signs, shall not exceed 8 feet in height above ground level, nor have a maximum sign area greater than 8 square feet. A-Frame signs, when placed in an open position, must not exceed a height of 42 inches above the ground level, to the top of the sign, nor have a maximum sign area greater than 6 square feet.
 4. **Placement.** The portable signs shall be placed on private property on the same lot as the establishment that qualifies for such sign and, with an encroachment permit, may be placed in the public right of way in front of the associated use or on the nearest sidewalk provided a four-foot wide pedestrian clear zone is maintained. They must be a minimum of seven feet from the back of the curb, or edge of pavement where no curb exists.
 5. **Prohibited Locations.** Portable signs shall not be located:
 - a. In any public right-of-way;
 - b. In parking lot driving lanes, aisles or stalls;
 - c. On multi-use trails or sidewalks if they would block a four-foot wide pedestrian clear zone;
 - d. At any location where they would block pedestrian access;
 - e. Within 100 feet on either side, or in front of a freestanding sign;
 - f. Within 20 feet from any other portable sign; and
 - g. Within 30 feet from a shopping center access drive or street intersection.
 6. **Display Hours for A-Frame signs.** A-Frame signs are permitted during the hours a business is open for business and one-half hour before opening and one-half hour after closing. They must be removed during hours when the establishment is not open to the public.
 7. **Maximum Duration.** Portable signs, except A-Frame signs, may be displayed for a maximum of 90 days.
- C. **Banners, Feather Banners, and Pennants.** Banner signs, feather banners, and pennants, including similar devices such as strings of ornamental fringes or streamers, are allowed for establishments within non-residential zones, subject to the following standards:
1. **Maximum Sign Area per Parcel or Business Location.** The total aggregate sign area for banners, feather banners or pennants shall not exceed 20 square feet for each lot, or business location where more than one business is located on a single lot. Where a lot or business location has a street frontage exceeding 75 lineal feet, the aggregate sign area for banners, feather banners

or pennants shall be 32 square feet for each 75-foot segment of street frontage.

2. **Maximum Height.** Banners and pennants shall not extend above the roofline or the parapet of a wall. Feather banners may not exceed 8 feet above ground level.
3. **Allowable Locations.** Banners are only allowed on sites where permanent signs are allowed.
4. **Maximum Duration.** No banner, feather banner, or pennant shall be displayed for more than 60 days and a period of 30 days must lapse before displaying another banner or pennant. On a calendar year basis, banners, feather banners, and pennants shall not be displayed for more than four 60-day periods.

D. **Temporary Window Signs.** Temporary window signs are allowed for establishments within non-residential zones, subject to the following standards:

1. **Maximum Size.** The total area of temporary window signs shall not exceed 10 percent of the aggregate window area on a single side of a wall.
2. **Maximum Duration.** No temporary window sign shall be displayed for more than 60 days and a period of 30 days must lapse before displaying another sign. On a calendar year basis, temporary window signs shall not be displayed for more than four 60-day periods.

15.06.130 Historic Signs

The City Council may designate historic signs following a duly-noticed public hearing and a recommendation from the Historic Preservation Commission.

- A. **Criteria.** Historic signs must meet defined criteria, including, without limitation, to the fact that the sign is 50 or more years old and has significance to the Richmond community because it is associated with a significant historical event or it is associated with a historic business.
- B. **Allowances for Historic Signs.**
 1. **Structural Improvements.** Historic signs may have structural improvements completed in order to extend the life of the sign.
 2. **Damage Repairs.** If the sign is damaged, it may be repaired and replaced with the original sign area and original height, even if the sign does not conform to the standards of this Section.

15.06.140 Closed Business Signs

- A. **Purpose.** The purpose of this section is to establish regulations that enhance the appearance of the City by requiring removal of closed business signs within a reasonable period after a business has closed or a building has been vacated.
- B. **Applicability.** A closed business sign is any sign located on a building, in the window of a building, or on the same lot as a building that advertises or identifies either (1) the owner or lessor of a building that has been vacated, or (2) a use, activity, business, service or product no longer offered or conducted in a building, and that continues to be displayed more than thirty days after the owner or lessor has vacated the building or more than thirty days after the use, activity, business, service or product has ceased to be offered or conducted in the building.
- C. **Removal Or Covering Required.** All closed business signs shall be removed or completely obscured from public view. A sign is “completely obscured from public view” when it has been completely covered with a solid material, such as plywood or lumber, that is securely fastened to the sign or its supporting structure and painted to match the color of the building in which or on which the sign is located. Plastic or fiber sheets shall not constitute a solid material that adequately obscures a closed business sign.

15.06.150 Permits Required; Application Contents and Review Process

- A. A permit issued by the Zoning Administrator is required to erect, construct, install, structurally alter or relocate any non-exempt sign. Signs that project over or extend into a public street or sidewalk more than 8 inches require an encroachment permit issued by the City.
- B. To be considered complete, an application for a sign permit shall include:
 - 1. A completed sign permit application form accompanied by the required fee.
 - 2. A letter or other written evidence of the property owner or business owners to have the proposed sign(s) displayed on the property owned.
 - 3. A site plan and/or building elevation plans drawn to scale and dimension showing the following (as applicable):
 - a. Existing structures; lot frontage and building frontage (dimensioned);
 - b. Driveways and public rights-of-way
 - c. Existing and proposed signs
 - d. Vision clearance; vertical clearance over public rights-of-way
 - 4. A proposed sign plan drawn to scale and dimension showing the following (as applicable):

- a. Sign height, width, area, and thickness.
 - b. Color of lettering and background
 - c. Type of illumination
 - d. Materials
- C. Within 10 business days after receipt of an application for a sign permit, the Zoning Administrator shall inform the applicant in writing if the application is incomplete and will list the submittals required to complete the application. If the Zoning Administrator does not notify the applicant within 10 days after receipt that the application is incomplete, then the application will be deemed complete.
- D. The Zoning Administrator shall either grant or deny a sign permit within 15 business days after receipt of a complete application. A denial shall be accompanied by written findings stating the reasons for the denial and may be appealed to the Design Review Board.

15.06.160 Permits for Multiple Temporary Signs

- A. Any person seeking to erect on one or more sites or to distribute 25 or more temporary signs at one time, either personally or by supervising others, must provide:
1. The name and address of the person(s) responsible for erecting or distributing, maintaining and removing the multiple temporary signs;
 2. A description of the method of installation and support for each sign (if signs are to be freestanding and supported by a method other than wire no greater than 3 millimeters in diameter, the applicant must include a scaled drawing of the supporting structure);
 3. A copy, drawing, or photograph of the proposed temporary sign; and
 4. The fee specified in the master fee schedule adopted by the City Council.
- B. One day after submittal of all of the items required in subparagraph (A), the Zoning Administrator shall issue or deny a permit for multiple temporary signs, subject to the following terms and conditions:
1. The Zoning Administrator shall assign an identification number (ID#) to the sign plan, and such number shall be referred to in the permit;
 2. The permittee shall provide the Zoning Administrator with a prototype of the sign marked with the ID#.
 3. All temporary signs and structures are to be removed within 90 days from the date the permit is issued.

4. Any denial of a permit for multiple temporary signs shall be accompanied by written findings stating the reasons for the denial and may be appealed to the Design Review Board.
- C. No temporary sign shall be posted in a City right-of-way, landscaped area, parkland or any road median before the Superintendent of Parks has confirmed that a permit has been issued and that the proposed posting will not interfere with the ordinary use and enjoyment of the area, underground irrigation or utilities, or line of sight for motor vehicle, bicycle and pedestrian traffic. Placement of signs shall not harm landscape plantings or structures. The Superintendent may require the sign permittee to call for a USA marking confirmation of utilities prior to posting.

15.06.170 Master Sign Program

- A. **Purpose.** The purpose of a Master Sign Program is to provide a method for an applicant to integrate the design and placement of signs within a project with the overall design of the development to achieve a more unified appearance. Master Sign Programs may also be used for subdivision projects with a phased development and/or sales plan. Minor variations in dimensional standards and other limitations of this Section may be approved, provided they achieve a result that is superior to what would otherwise be allowed. The Sign Program must demonstrate how it:
1. Improves the safety and welfare of the general public by minimizing distractions, hazards, and obstructions from sign design or placement;
 2. Provides for sign design or placement appropriate for the area;
 3. Incorporates sign design and placement related to architectural and landscape features on site; and
 4. Incorporates sign design, scale, and placement oriented to pedestrian traffic.
- B. **Applicability and Approval Required.**
1. **Master Sign Program Required.** A Master Sign Program approved by the Design Review Board is required for:
 - a. New or remodeled non-residential projects on sites of two acres or more;
 - b. Shopping centers;
 - c. Multiple tenant commercial or mixed use buildings where the entire façade is being remodeled; and
 - d. Any development in a Planned Area Development.
 2. **Optional Sign Program.** A Master Sign Program may be substituted for specific sign designs and individual applications if requested by an applicant and approved by the Design Review Board.

- C. **Required Submittals.** Applications for a Master Sign Program must include the following plans and text:
1. A site plan showing the location of buildings, parking lots, driveways and landscaped areas;
 2. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed, if proposed;
 3. An accurate indication on the site plan of the proposed location of each proposed sign and existing sign which is to remain;
 4. Color schemes, lettering and graphic style (if tenants are not known, generic styles may be presented);
 5. Lighting and sign construction materials; and
 6. Sign dimensions (if tenants are not known, generic dimensions may be presented); and
 7. A written program of standards for all sign types to be distributed to future tenants, including color, size, illumination, construction details, and sign placement.
- D. **Findings Required.** The Design Review Board will only approve a Master Sign Program if the following findings are made:
1. That the proposed signs are in harmony and visually related to:
 - a. *Other Signs.* included in the Master Sign Program. This may be accomplished by incorporating several common design elements such as materials, letter style, colors, illumination, sign type or sign shape.
 - b. *The Buildings They Identify.* This may be accomplished by utilizing materials, colors or design motifs included in the building being identified.
 - c. *The Surrounding Development.* Approval of a planned sign program must not adversely affect surrounding land uses or obscure adjacent conforming signs.
 2. That the proposed signs will comply with all the provision of this Ordinance, except with regard to:
 - a. Number of signs allowed; and
 - b. Location and height of signs.

- E. **Conditions.** Reasonable conditions of approval may be imposed by the Design Review Board to achieve the purposes of this Section and ensure compatibility with adjacent land uses and signage.
- F. **Post-Approval Procedures.** After approval of a Master Sign Program, no signs shall be erected, placed, painted, or maintained, except in conformance with such Program, and such Program may be enforced in the same way as any provision in this Section.
 - 1. **Lease Agreements.** The Master Sign Program and all conditions of approval shall be attached to the lease agreements for all leasable space within a project.
 - 2. **Individual Signs.** Any sign that conforms to an approved Master Sign Program may be approved by the Zoning Administrator or designee; however, approval of a Master Sign Program does not waive the permit requirements for individual signs.
 - 3. **Amendments.** The Zoning Administrator may approve minor amendments to a Master Sign Program that are in substantial conformance with the original approval. All other amendments, including amendments to conditions of approval shall be processed as a new application.

15.06.180 Variances

- A. The Design Review Board may approve a variance to any requirement for a permanent sign upon finding all of the following:
 - 1. Strict application of the requirements of this Ordinance would deny the applicant a reasonable opportunity to communicate by sign in a manner similar to like persons or uses because of an unusual or unique circumstance relating to the property or the proposal, such as site or building location, building design, physical features on the property, or some other circumstance;
 - 2. The sign resulting from the variance will not affect the surrounding neighborhood or other property affected by the request in a manner materially inconsistent with the purpose and objectives of this Ordinance; and
 - 3. The extent of the variance from the requirement is limited to that reasonably necessary to alleviate the problem created by the unique or unusual circumstance identified pursuant to subsection (A)(1), above.
- B. The Design Review Board's decision regarding a variance may be appealed to the City Council in accordance with Section 15.04.980, except that, within 30 days after the City's receipt of an appeal of a variance denial pursuant to this section, the City Council shall hear and decide the appeal. The City Council's review of the Design

Review Board's decision shall be governed by the criteria set forth in this Ordinance. The City Council shall issue written findings in support of its decision.

15.06.190 Appeals

- A. Denial of a sign permit may be appealed to the Design Review Board by submitting a written appeal to the Planning and Building Services Director within ten days. The appeal must be accompanied by the appeal fee published in the master fee schedule.
- B. The Design Review Board shall hear the appeal and render a decision within 15 days of the close of the hearing. The Design Review Board's review of the permit denial shall be governed by the criteria set forth in this Ordinance, and its decision shall be final. The Design Review Board shall issue written findings in support of its decision.
- C. Denials of a Master Sign Program may be appealed to the Planning Commission by submitting a written appeal to the Planning and Building Services Director within ten days of the date of the Board's action. The appeal must be accompanied by the appeal fee published in the City's master fee schedule.
- D. The Planning Commission shall hear the appeal and render a decision within 15 days of the close of the hearing. The Commission's review of the permit denial shall be governed by the criteria set forth in this Ordinance, and its decision shall be final. The Commission shall issue written findings in support of its decision.

15.06.200 Uniform Sign Code Adopted

The most recent edition of the Uniform Sign Code, published by the International Conference of Building Officials, is adopted by reference as though fully set forth in this Ordinance. Three copies of the Uniform Sign Code and all amendments thereto, shall be kept on file in the office of the City Clerk for inspection by the public. The following additions and amendments are made to the Uniform Sign Code.

- A. **Addition—Ordinance 1, Section 102.** The following additional paragraphs are added to the Purpose and Scope:
 - 1. “*Sec. 102* ... The Administrative part of this code is in addition to the City of Richmond's Building Regulations Administrative Code Ordinance 6.02 of the Municipal Code. Where conflicts occur between this Ordinance and Ordinance 6.02 of the Municipal Code, the provisions of Ordinance 6.02 of the Municipal Code shall govern.”
 - 2. “This code is supplemental to Ordinance 15 'Zoning' of the Municipal Code of the City of Richmond. All signs subject to issuance of a permit, as specified in this code, shall comply with regulations as set forth in Ordinance 15 as a condition of issuance of such permit. No sign shall be erected or placed upon any private or public property or attached to building, structure or premises which in any way conflicts with the provisions of Ordinance 15, nor shall any sign be erected or placed without the consent of the owner,

holder, lessee, agent or trustee of said building, structure or premises, or located contrary to the provisions of any setback requirement.”

- B. **Amendment—Section 103 (c).** Uniform Sign Code Section 103(c) is amended to read as follows: “(c) *Board of Appeals.* In order to provide for reasonable interpretation of the provisions of this code and to hear appeals provided for hereunder, the Board of Appeals created in section 6.02.130 of this Code shall act as the Appeals Board for this code.”
- C. **Definitions—Section 202 et seq.** The following definitions in Section 15.04.630.040 are added to the definitions: Awning, Banner Sign, Face, Marquee Sign, and Wind Sign.
- D. **Addition—Section 403—Construction.** The following restrictions are added to Uniform Sign Code Section 404: “(h) *Restrictions on Marquee, Projecting and Roof Signs.* All marquee, projecting and roof signs shall have structural bracing which is either internal or external; if external such bracing shall be by guy wires which are approved by the Building Official as to type and method. No external struts shall be permitted.” “(i) *Prohibited Locations.* Signs shall be prohibited in a public street, sidewalk, public way, place or public property except as provided for in this code.” “(j) *Utility Safety Clearance.* No sign shall be erected in such a manner that it will violate or interfere with any space or safety requirement of any public utility as declared by the California Public Utilities Commission.” “(k) *Traffic Clearance.* No sign shall be located so as to obscure the view of approaching traffic.” “(l) *Lights Used for Illumination.* Lights used for illumination shall be treated the same as an electric sign.”
- E. **Amendment—Section 1201—General.** The following amendment is made Uniform Sign Code Section 1201, to read as follows: “Sec. 1201. Signs may be placed on, attached to, or constructed in a marquee or awning. Such signs shall, for the purpose of determining projection, clearance, height and material, be considered a part of and shall meet the requirements for a marquee or awning specified in Ordinance 45 of the Building Code.”

15.06.210 Sign Maintenance

Every sign shall be kept up and maintained in a secure and safe condition. Signs shall be kept free of rust, corrosion, peeling paint, cracks, fading and other surface deterioration. Illuminated signs shall function as designed and permitted. If a sign is not maintained in accordance with this paragraph, the City may notify the owner of the property on which the sign is located or to the person responsible for the maintenance of the sign in writing that he or she must comply with this Ordinance. If the condition is not corrected or eliminated within the time specified in the notice, the City may revoke the permit for the sign and remove the sign in the manner provided in the notice.

15.06.220 Nonconforming Signs

Nonconforming signs lawfully existing on the date this ordinance becomes effective may continue to be used and need not be modified to conform to the requirements of this Ordinance unless deemed to be a public nuisance because of health or safety conditions. Except that if any such sign is altered, partially demolished or reconstructed or the business with which is associated is closed for a period of 90 days or more, the provisions of this Ordinance shall apply. Normal repairs, copy substitution or replacement, and maintenance that do not change the location or appearance of the sign may be made without conforming the sign to the requirements of this Ordinance.

15.06.230 Violations; Declaration of a Nuisance; Abatement

A sign that fails to comply with or violates any provision of this Ordinance, or is developed or maintained contrary to the terms of a sign permit, is hereby declared to be unlawful and a nuisance.

- A. **Nuisance Violations.** It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign or structure in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Code.

Any sign that is placed, erected or maintained in violation of provisions of this Ordinance or of any other ordinance of the City, or of any other provision or law, is hereby declared to be a nuisance.

- B. **Abatement Procedures.** Any sign declared to be a nuisance may be subject to the abatement procedures established in the Municipal Code.

Related Amendments

References to Sign Ordinance in Zoning Ordinance

15.04.860.010 Title, Purpose and Applicability. The provisions of this section shall provide guidelines for the types and placement of signs in the districts that are governed by the provisions of the Sign Ordinance. The intent is to implement the goals and objectives of the Richmond General Plan and improve the visual appearance of streets and the image of the City.

15.04.860.020 Sign Ordinance Compliance. All signs must be in compliance with the provisions of Ordinance 15.06 of this Code, Use and Display of Signs, which provide specific regulations on the types, contents and number of signs allowed in each district. Chapter 15.06 also specifies the procedures and conditions under which various signs are permitted and/or conditionally permitted.

Ordinance 4.04 - SIGN CODE

[The Sign Code is proposed to be deleted in its entirety. It is now adopted by Section 15.06.080.]

Ordinance 4.08 - SIGNS AND POSTERS UPON PRIVATE PREMISES

[This Ordinance is proposed to be deleted in its entirety. It is not needed. The subjects addressed are covered in the Sign Ordinance.]

Ordinance 4.12 - SIGNS ON UTILITY POLES OR PUBLIC PROPERTY

[This Ordinance is proposed to be deleted in its entirety. It is not needed. The subjects addressed are covered in the Sign Ordinance.]

15.04.609.160 Permits for Multiple Temporary Signs

- A. Any person seeking to erect on one or more sites or to distribute 25 or more temporary signs at one time, either personally or by supervising others, must provide:
1. The name and address of the person(s) responsible for erecting or distributing, maintaining and removing the multiple temporary signs;
 2. A description of the method of installation and support for each sign (if signs are to be freestanding and supported by a method other than wire no greater than 3 millimeters in diameter, the applicant must include a scaled drawing of the supporting structure);
 3. A copy, drawing, or photograph of the proposed temporary sign; and
 4. The fee specified in the master fee schedule adopted by the City Council.
- B. One day after submittal of all of the items required in subparagraph (A), the Zoning Administrator shall issue or deny a permit for multiple temporary signs, subject to the following terms and conditions:
1. The Zoning Administrator shall assign an identification number (ID#) to the sign plan, and such number shall be referred to in the permit;
 2. The permittee shall provide the Zoning Administrator with a prototype of the sign marked with the ID#.
 3. All temporary signs and structures are to be removed within 90 days from the date the permit is issued.
 4. Any denial of a permit for multiple temporary signs shall be accompanied by written findings stating the reasons for the denial and may be appealed to the Design Review Board.
- C. No temporary sign shall be posted in a City right-of-way, landscaped area, parkland or any road median before the Superintendent of Parks has confirmed that a permit has been issued and that the proposed posting will not interfere with the ordinary use and enjoyment of the area, underground irrigation or utilities, or line of sight for motor vehicle, bicycle and pedestrian traffic. Placement of signs shall not harm landscape plantings or structures. The Superintendent may require the sign permittee to call for a USA marking confirmation of utilities prior to posting.

15.04.609.170 Master Sign Program

- A. **Purpose.** The purpose of a Master Sign Program is to provide a method for an applicant to integrate the design and placement of signs within a project with the overall design of the development to achieve a more unified appearance. Master Sign Programs may also be used for subdivision projects with a phased development and/or sales plan. Minor variations in dimensional standards and other limitations of this Section may be approved, provided they achieve a result that is superior to what would otherwise be allowed. The Sign Program must demonstrate how it:

ORDINANCE NO. 6-81 N.S.AN ORDINANCE PERTAINING TO THE FILING FEE TO BE PAID BY CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMAN

The Council of the City of Richmond do ordain as follows:

Section 1. Every candidate for the office of Mayor or City Councilman shall, at the time of filing his petition for nomination, pay to the City Clerk the filing fee specified in the City Charter.

Section 2. Notwithstanding the provisions of Section 1, any candidate who is financially unable to pay the filing fee may submit a petition containing signatures of registered voters in lieu of the filing fee. The City Clerk shall furnish an in-lieu petition for securing signatures to any indigent candidate upon request; provided, that such candidate completes an affidavit, supplied by the City Clerk, certifying under penalty of perjury that he is financially unable to pay the filing fee. The substitution of signatures for fees shall be subject to the following provisions:

- (1) The in-lieu petition shall contain four (4) signatures of registered voters for each dollar of filing fee.
- (2) Any registered voter who is eligible to vote for a candidate for Mayor or City Councilman may sign an in-lieu petition.
- (3) A registered voter may sign both a candidate's nomination papers and his in-lieu petition, but the signatures appearing on the candidate's in-lieu petition shall not count toward the number of signatures required to be submitted on the nomination papers.
- (4) If a voter signs more candidates' in-lieu petitions than there are offices to be filled, the voter's

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signatures shall be valid only on those petitions which, taken in the order they were filed, do not exceed the number of offices to be filled.

- (5) In-lieu petitions shall be filed with the City Clerk at the same time the nomination papers are filed. After the signatures on an in-lieu petition have been verified, the City Clerk shall immediately notify the candidate of any deficiency. The candidate may submit a supplemental petition with the necessary number of valid signatures at any time prior to the close of the nomination period.
- (6) A candidate may submit a greater number of signatures to allow for subsequent losses due to invalidity of some signatures, but the validity of a greater number of signatures than that required by subsection (1), above, shall not be determined.

Section 3. This ordinance shall take effect and be in force on and after its final passage and adoption.

First read at a regular meeting of the Council of the City of Richmond held January 26, 1981, and finally passed and adopted at a regular meeting thereof held February 2, 1981, by the following vote:

Ayes: Councilmen Corcoran, Silva, Greco, Bates, Allen, Wagerman, Livingston and Washington.

Noes: None.

Absent: None. (One vacancy)

HARLAN J. HEYDON
Clerk of the City of Richmond

Approved:

(SEAL)

LONNIE C. WASHINGTON, JR.
Mayor

Approved as to form:

MALCOLM HUNTER
City Attorney

I certify that the foregoing is a true copy of Ordinance No. 6-81, N.S., finally passed and adopted by the Council of the City of Richmond at a regular meeting held February 2, 1981, and published in accordance with law.

Harlan J. Heydon
Clerk of the City of Richmond

AN ORDINANCE OF THE COUNCIL OF THE CITY OF RICHMOND AMENDING SECTION 2.16.080 TO THE MUNICIPAL CODE OF SAID CITY PERTAINING TO A CANDIDATE'S STATEMENT

The Council of the City of Richmond do ordain as follows:

Section 1. Section 2.16.080 is hereby added to the Municipal Code of the City of Richmond, California, to read as follows:

"2.16.080 Candidate's Statement. (a) Each candidate for elective office may prepare a candidate's statement on an appropriate form provided by the City Clerk. Such statement may include the name, age, and occupation of the candidate and a brief statement of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate, a 2-1/2 inch by 3-1/2 inch photograph (black and white of passport quality) of the candidate taken within the past year, and signature line. Such statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. Such statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. on the next working day after the close of the nomination period.

(b) The City Clerk shall send to each voter with the sample ballot a voter's pamphlet which contains the statement of each candidate in English. Those candidates who have requested that their statements be translated into Spanish shall also have the Spanish translation of their statements sent to each voter.

(c) The City Clerk shall estimate the total cost of printing, handling, translating and mailing candidate's statements. Each candidate filing a candidate's statement shall deposit with the City Clerk at the time of filing the nomination papers his or her pro rata share of said estimated cost of printing, handling, translating and mailing the candidate's statements. After the period for filing nomination papers has expired, the City Clerk shall determine the actual cost of printing, handling, translating and mailing the candidate's statements. In the event of an overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of election. In the event of an underpayment, the City Clerk shall prorate the deficit amount among the candidates and bill the candidates for said amount. Payment shall be made by the candidate within ten (10) days after demand for such payment by the City Clerk."

Section 2. If any section, subsection, subdivision, paragraph sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality

or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 3. This ordinance becomes effective after its final passage and adoption.

First read at a regular meeting of the Council of the City of Richmond, California, held January 14, 1985, and finally passed and adopted at a regular meeting thereof held January 21, 1985, by the following vote:

AYES: Councilmembers Washington, Niccolls, Greco, Livingston, Silva, McMillan, MacDiarmid, Ziesenhenne and Mayor Corcoran.

NOES: None.

ABSENT: None.

HARLAN J. HEYDON
Clerk of the City of Richmond

(SEAL)

Approved:

THOMAS J. CORCORAN
Mayor

Approved as to form:

MALCOLM HUNTER
City Attorney

State of California)
County of Contra Costa : ss.
City of Richmond)

I certify that the foregoing is a true copy of Ordinance No. 3-85 N.S. finally passed and adopted by the Council of the City of Richmond at a regular meeting held January 21, 1985, and published in accordance with law.

Harlan J. Heydon
Clerk of the City of Richmond

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ORDINANCE NO. 4-91 N.S.AN ORDINANCE OF THE CITY OF RICHMOND, CALIFORNIA, SUPPLEMENTING
THE CAMPAIGN DISCLOSURE REQUIREMENTS OF THE POLITICAL REFORM ACT
OF 1974

The Council of the City of Richmond do ordain as follows:

Section 1. Chapter 2.38 is hereby added to the Municipal Code of the City of Richmond to read as follows:

"Chapter 2.38

Campaign Disclosure

2.38.010 Purpose. The purpose of this Chapter is to provide to the electorate additional campaign information by supplementing the campaign disclosure requirements of the Political Reform Act of 1974.

2.38.020 Definitions. The words and phrases where used in this Chapter shall have the following meanings:

(a) "City election" means any municipal election in the City of Richmond, including elections to fill public offices and elections on measures, initiatives, referendum and recall.

(b) "Political Reform Act" means the Political Reform Act of 1974 and all amendments thereto.

(c) All other words and phrases shall have the meanings set forth in the Political Reform Act.

2.38.030 Additional Campaign Statements and Reports. In addition to the campaign statements and reports which every candidate, elected officer and committee involved in a City election is required to file under the Political Reform Act, the following campaign statement and report shall be filed with the City Clerk as set forth below:

(a) A campaign statement covering the period between the closing date of the last campaign statement filed under the Political Reform Act and last Thursday before the City election. This campaign statement shall include the same information required by the Political Reform Act and shall be filed with the City Clerk no later than by 5:00 p.m. on the last Friday before the City election.

(b) A late contributions report which reports all contributions of \$250.00 or more received or made from the end of the reporting period set forth in subsection (a) above and the date of the City election. The late contributions report filing required by this section shall be made within twenty-four (24) hours of the receipt or making of such contribution and in the manner required by Government Code Section 84203.

2.38.040 Violation. Any person who violates any provision of this Chapter shall be guilty of a misdemeanor."

Section 2. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed each section, subsection,

subdivision, paragraph, sentence, clause of phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 3. Effective Date. This ordinance becomes effective after its final passage and adoption.

First read at a regular meeting of the Council of the City of Richmond, California, held February 4, 1991, and finally passed and adopted at a regular meeting thereof held February 11, 1991, by the following vote:

AYES: Councilmembers Washington, Niccolls, Corbin, Marquez, Zieshenne, McMillan, MacDiarmid, Griffin and Mayor Livingston

NOES: None

ABSENT: None

EULA M. BARNES
Clerk of the City of Richmond

Approved:

(SEAL)

GEORGE L. LIVINGSTON
Mayor

Approved as to form:

MALCOLM HUNTER
City Attorney

State of California)
County of Contra Costa : ss.
City of Richmond)

I certify that the foregoing is a true copy of Ordinance No. 4-91 N.S. finally passed and adopted by the Council of the City of Richmond at a regular meeting held February 11, 1991, and published in accordance with law.

Eula M. Barnes
Clerk of the City of Richmond

ABJ676

ORDINANCE NO. 29-94 N.S.

AN ORDINANCE OF THE CITY OF RICHMOND ADDING CHAPTER 2.42, FAIR ELECTIONS, TO THE MUNICIPAL CODE OF THE CITY OF RICHMOND

The Council of the City of Richmond do ordain as follows:

Section I. Chapter 2.42 of the Municipal Code of the City of Richmond is hereby amended to delete Section 2.42.050(c) in its entirety and to make certain other deletions and additions as follows:

"CHAPTER 2.42

Fair Elections

- 2.42.010 Title.
- 2.42.020 Finding and Declarations.
- 2.42.030 Purpose of the Ordinance.
- 2.42.040 Definitions.
- 2.42.050 Campaign Contribution Limitations.
- 2.42.060 Limitations on Transfers from Candidate-Controlled Committees
- 2.42.070 Disclosure.
- 2.42.080 Enforcement.
- 2.42.090 Distribution of ordinance to Candidates.
- 2.42.100 Applicability of Other Laws.

2.42.010 Title. This ordinance shall be known and may be cited as the "City of Richmond Fair Elections Ordinance."

2.42.020 Finding and Declarations.

a. Monetary contributions to political campaigns are a legitimate form of participation in the American political process; however, the financial strength of certain individuals or organizations should not permit them to exercise a disproportionate or controlling influence upon the election of candidates.

b. The increasing costs of political campaigns compel many candidates to raise larger percentages of money from interested groups with a specific financial stake in matters which may come before the City Council. This has caused a public perception that votes may be improperly influenced by monetary contributions.

c. The tendency for campaign contributions to be dominated by a small number of very large contributors undermines the integrity of the governmental process, the competitiveness of campaigns, and the public confidence in local officials and local agencies.

d. High campaign costs are forcing officeholders to spend more time on fund raising and less time on the public's business. The constant pressure to raise contributions is distracting officeholders from urgent governmental matters.

2.42.030 Purpose of the Ordinance. The City Council enacts this ordinance to accomplish the following purposes.

- a. To improve methods of financing campaigns in order to ensure the public's right-to-know, combat corruption and undue influence, enable candidates to compete more equitably for public office, and promote citizen participation in the political process.
- b. To prevent parties with a specific financial interest in the City's decision from exerting undue influence over those decisions by means of large campaign contributions.
- c. To allow candidates and officeholders to spend a lesser proportion of their time on fund raising and greater proportion of their time dealing with issues of importance to the City and its residents.
- d. To improve the disclosure of contribution sources in reasonable and effective ways.
- e. To restore public trust in governmental, electoral institutions.

2.42.040 Definitions.

- a. Unless otherwise specifically provided in this Ordinance or required by the context, the words and phrases in this ordinance shall have the same meanings as in the California Elections Code and the Political Reform Act of 1974 (Government Code Section 8100, et seq.) and regulations adopted thereunder.
- b. "Campaign Statement" means any itemized report of campaign contributions and/or expenditures which a candidate or any person is required to file under the California Elections Code, the Political Reform Act of 1974 (California Government Code Sections 81000, et seq.), the Richmond Municipal Code, and any regulations adopted under the foregoing legislation.
- c. "Candidate" means a candidate for election to the Richmond City Council or to the office Mayor of the City of Richmond; and if the candidate is elected, means the officeholder.
- d. "Candidate-Controlled Committee" means a committee which is controlled by a candidate, or which acts jointly with a candidate in connection with the making of expenditures. A candidate controls a committee if the candidate, his or her agent, or any other committee which he or she controls has a significant influence on the actions or the decisions of the committee.
- e. "Candidate's Designated Committee" means the controlled committee designated by the candidate to receive contributions or make expenditures for his or her campaign, as declared in a signed statement filed with the City Clerk pursuant to Section 2.42.070.b of this ordinance.
- f. "City" means the City of Richmond.
- g. "City Council" means the City Council of the City of Richmond.
- h. "Contribution":
 - 1. "Contribution" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, except to the extent that full and adequate consideration is received unless it is clear from the surrounding circumstances that it is not made for :

political purposes. An expenditure made at the behest of a candidate, committee or elected officer is a contribution to the candidate, committee or elected officer unless full and adequate consideration is received for making the expenditure.

2. The term "contribution" includes the candidate's own money or property used on behalf of his or her candidacy; the granting of discounts or rebates not extended to the public generally, or the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; the payment of compensation by any person for the personal services or expenses of any other person if such services are rendered or expenses incurred on behalf of a candidate or committee without payment of full and adequate consideration; a loan or extension of credit to the candidate on terms not generally available to the public, not made in the ordinary course of business of the contributor, and made without payment of full and adequate consideration.

3. The term "contribution" further includes any transfer of anything of value received by a committee for another committee, unless full and adequate consideration is received.

4. The term "contribution" does not include amounts received pursuant to an enforceable promise to the extent such amounts have been previously reported as a contribution. However, the fact that such amounts have been received shall be indicated in the appropriate campaign statement.

5. The term "contribution" does not include a payment made by an occupant of a home or office for costs related to any meeting or fundraising event held in the occupant's home or office if the costs for the meeting or fundraising event are \$500 or less.

6. Notwithstanding the foregoing definition of "contribution," the term does not include volunteer personal services or payments made by any individual for his or her own travel expenses if such payments are made voluntarily without any understanding or agreement that they shall be, directly or indirectly, repaid to him or her.

7. A contribution to the candidate's designated committee is deemed a contribution to the candidate.

i. "Election Cycle" means the period starting on the effective date of this ordinance and ending on December 31, 1993, for candidates seeking office in the November, 1993, City election, and shall mean the period starting on the effective date of this ordinance and ending on December 31, 1995, for candidates seeking office in the November, 1995, City election; and thereafter, the "Election Cycle" shall mean the period starting on the first day of January following the last November election for the office of Mayor or for a City Council seat and ending on the 31st day of December following the next election for the Office of Mayor or the same City Council seat.

j. "Independent Expenditure Committee" means any person who makes independent expenditures supporting or opposing a candidate for City Council or Mayor in the City of Richmond only and the expenditure is not made to or at the behest of the affected candidate.

k. "Mayor" means the Mayor of the City of Richmond.

1. "Non-Monetary Contribution" shall be valued as a contribution at the true or estimated fair market value of the goods, services, or facilities contributed to the campaign. A fair market value is the price that a person would be required to pay to acquire the same goods or services in the open market place.

m. "Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, candidate-controlled committee, broad based political committee, political committee, and any other organization or group of persons acting in concert.

2.42.050 Campaign Contribution Limitations.

a. **Limitations on Contributions.**

1. No person shall make to any candidate or independent expenditure committee and no candidate or independent expenditure committee shall solicit or accept any contribution which would cause the total amount contributed by that person to that candidate or independent expenditure committee to exceed \$2,500 in each election cycle.

2. No person shall make an anonymous contribution or contributions to a candidate, and no candidate shall accept or solicit an anonymous contribution, totaling one hundred dollars (\$100) or more in an election cycle.

3. A candidate shall maintain a written record of the name and address of each person from whom contributions of one hundred dollars (\$100) or more are received in an election cycle.

4. The limitation on contributions provisions of Section 2.42.050.a.1 shall not apply to a candidate's contribution or loan of his or her own personal funds to his or her own designated committee.

b. **Return of Excess Contributions.** A contribution need not be reported, nor shall it be deemed accepted, if it is not cashed, negotiated, or deposited and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported.

2.42.060 Limitations on Transfers from Candidate-Controlled Committees.

a. Contributions received by a candidate-controlled committee after the effective date of this ordinance shall be subject to the contribution limitations set forth in this ordinance when such contributions are transferred to the candidate's designated committee.

b. The following method shall be utilized to calculate the amount that is in compliance with the contribution limitations.

1. The candidate shall review the contributions which have been received by the candidate-controlled committee after the effective date of this ordinance, beginning with the last contribution

received and working back in time until the total amount of cash and cash equivalents held by the candidate-controlled committee is reached.

2. Should the review indicate that the aggregate amount of contributions from a contributor in the candidate-controlled committee account and in the designated committee account exceeds any applicable limitation, the total amount that may be transferred shall be reduced by the amount in excess of the applicable contribution limitation.

2.42.070

a. **Disclosure.**

1. The information required to be recorded by a candidate under Section 2.42.050 shall be disclosed in a written report to the City Clerk as of and at the required filing date of any campaign statement. If the information required to be disclosed has been compiled in another document which the candidate is required to prepare, that document may be filed with the City Clerk in lieu of the statement required herein.

2. In addition to the statements required to be filed under the California Political Reform Act of 1974 or the Richmond Municipal Code, each candidate shall file with the City Clerk a statement disclosing the name and address of any contributor of a loan or extension of credit made to the candidate on terms not generally available to the public, not made in the ordinary course of business of the contributor, and made without payment of full and adequate consideration. If the information required to be disclosed has been compiled in another document which the candidate is required to prepare, that document may be filed with the City Clerk in lieu of the statement required herein.

b. **Designated Committee Statement.**

1. Each candidate shall file a statement with the City Clerk naming one committee as the candidate's designated committee for the duration of the election cycle. The designated committee may not be changed during the election cycle. All other committees controlled by the candidate are prohibited from receiving contributions for expenditure in the candidate's campaign for the election for which the designated committee was selected, and from making expenditures on behalf of the candidate's campaign for the election for which the designated committee was selected, except as transfers of funds from other candidate-controlled committees to the designated committee are permitted within the limits set by this ordinance, and within any limits set by the California Political Reform Act of 1974.

2. The statement required by Section 2.42.070.b.1 of this ordinance shall be in the following form:

"I, [name of candidate], declare that [name of designated committee and ID number, if available] is the only candidate-controlled committee I shall allow to receive contributions for, or make expenditures on behalf of, my campaign for the election of [date of election]."

3. The statement required by Section 2.42.070.b.1 of this ordinance shall be signed and dated by the candidate, and shall be filed with the City Clerk before any expenditures are made in the election campaign or any contributions are solicited or accepted for the election campaign; except that the statement shall not be required to be filed until 14 days after the passage of this ordinance.

c. **Ownership of Non-Individual Contributors.**
Each candidate shall ascertain and disclose, on the campaign statement or in a separate statement filed with the City Clerk attached to each campaign statement covering the period partly or wholly within the election cycle, the name and address of each person who holds at least 50 percent ownership or equity interest in a non-individual contributor of contributions totaling one hundred dollars (\$100) or more. A non-individual contributor shall provide to the candidate the name and address of each person required by this section to be disclosed at the time the contribution is made, and in no event later than the closing date of the campaign reporting period in which the contribution is made. The candidate shall inform each non-individual contributor of contributions of one hundred dollars (\$100) or more of its obligation to provide the information required by this section. No candidate designated committee, or designated committee's treasurer shall be liable for failure to make the disclosure required by this section if the name and address information has not been timely provided by the non-individual contributor, unless the candidate, designated committee, or designated committee's treasurer knew or had reason to know the facts requiring disclosure.

d. **Press disclosure.** The City Clerk shall, three (3) working days after any filing or payment deadline, disclose to the public by press release the name of any candidate who has failed to file any statements required under this ordinance in the current election or who has failed to pay to the City in a timely manner any fees owed from or resulting from fees imposed by the City for the campaign and/or in previous elections.

e. **Filing of Non-Richmond Committee Reports.**
Any committee, as defined under Government Code Section 82013, domiciled outside of the City of Richmond which makes contributions or independent expenditures for or against any candidate for City Council or Mayor or for or against any local ballot measure which is being voted upon only in the City of Richmond shall file with the City Clerk a copy of all campaign statements required to be filed under the California Political Reform Act of 1974. The deadline for filing such campaign statements with the City Clerk shall be the same deadline for filing campaign statements with the California Secretary of State or any county clerk as set forth in the California Political Reform Act of 1974.

2.42.080 **Enforcement.**

a. **Campaign Statement Review.**

1. The City Clerk shall monitor all campaign statements and shall notify the candidate or committee of any of the following apparent violations of this ordinance:

(a) Whether the required statements have been timely filed.

(b) Whether the statements conform on their face with the requirements of this ordinance.

(c) Whether any reported contributions exceed the allowable maximums established under this ordinance.

2. The candidate or committee shall be allowed to correct any reports within five (5) days after receipt of notice of an apparent violation sent by the City Clerk.

b. Violations.

1. In the event that a candidate or committee fails to correct any reports within five (5) business days after receiving a notice of apparent violation under Section 2.42.080.a.2 of this ordinance, the City may bring a civil action against the candidate or committee for injunctive relief to enjoin violations or to compel compliance with the provisions of this ordinance.

2. Any person residing in the City of Richmond may bring a civil action against any candidate or committee who intentionally or negligently violates any of the reporting requirements of this ordinance. Such civil action may be for:

(a) Injunctive relief to enjoin violations or to compel compliance with the provisions of this ordinance; and

(b) Damages in an amount which is the greater of:

(i) Five hundred dollars (\$500);
or

(ii) Three times the amount or value of the unlawful contribution.

3. In any legal action brought under Section 2.42.080.b.2 for injunctive relief or civil liability, the court may award to a plaintiff or defendant who prevails his or her costs of litigation, including reasonable attorney's fees.

4. A civil action may be brought under Section 2.42.080.b.2 only if the City has not brought a civil action under Section 2.42.080.b.1 for the same violation within thirty (30) days of the deadline for filing the campaign statements which form the basis for the alleged violation.

c. Enforcement. Nothing in Section 2.42.080 of this ordinance shall be construed as limiting the authority of any law enforcement agency, prosecuting attorney or other person to enforce the provision of this ordinance, under any circumstances where such law enforcement agency, prosecuting attorney or other person has lawful authority to do so.

2.42.090 Distribution of ordinance to Candidates. The City Clerk shall distribute a complete copy and a summary of this ordinance to all potential candidates for City Council and Mayor at the time the potential candidate requests and receives a nomination petition.

2.42.100 Applicability of Other Laws. Nothing in this ordinance shall exempt any person or committee from applicable provisions of any other laws of this State."

Section II. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph sentence, clause or phrase.

Section III. Emergency Ordinance. The City Council hereby finds that Richmond Municipal Code Section 2.42.050(c) is vague and ambiguous and may be of questionable Constitutionality. In order to avoid any confusion regarding the legitimacy of any contributions which have been received and must be reported by July 31, 1994, and in order to provide immediate and necessary guidance to the City Clerk with regard to the enforcement of said provisions, the City Council hereby declares that this is an emergency ordinance and that it shall take effect and be in force from and after its first reading.

Section IV. It is the intent of the Council of the City of Richmond that this amendment, to the extent that it repeals former Section 2.42.050(c), shall be effective retroactive to the original effective date of Chapter 2.42 of the Richmond Municipal Code and that this repeal by amendment shall be a bar to any prosecution or action seeking injunctive relief or the imposition of liability on a candidate or any other person in connection with an alleged violation of said former Section 2.42.050(c).

First read, passed and adopted at a special meeting of the Council of the City of Richmond held July 25, 1994, by the following vote:

Ayes: Councilmembers Washington, Niccolls, Rogers, Marquez, Anderson, McMillan, Powers, Griffin and Mayor Corbin

Noes: None

Abstentions: None

Absent: None

EULA M. BARNES
 Clerk of the City of Richmond

(Seal)

Approved:

ROSEMARY M. CORBIN
 Mayor

Approved as to form:

MALCOLM HUNTER
 City Attorney

C:\SS\JAT\FAIRELCT.94R 07/22/94

State of California)
 County of Contra Costa ; ss.
 City of Richmond)

I certify that the foregoing is a true copy of Ordinance No. 29-94 N.S. finally passed and adopted by the Council of the City of Richmond at a regular meeting held July 25, 1994, and published in accordance with law.

(d)(5)

 Clerk of the City of Richmond

ORDINANCE NO. 13-10 N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND REPEALING SECTION 2.42.080 (ENFORCEMENT OF FAIR ELECTIONS ORDINANCE) AND ADDING A NEW SECTION 2.42.080 TO ESTABLISH THE PENALTIES FOR VIOLATION OF THE FAIR ELECTIONS ORDINANCE AND THE PROCESS FOR ENFORCING THE ORDINANCE

The City Council of the City of Richmond does ordain as follows:

SECTION 1: Richmond Municipal Code Section 2.42.080 is hereby repealed.

SECTION 2: The Richmond Municipal Code is hereby amended by adding a new Section 2.42.080 as follows:

2.42.80. Penalties and Enforcement

(a) Penalties.

- (1) Criminal. Any person who knowingly or willfully violates any provision of Section 2.42.050 or 2.42.060 of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the County jail for a period of not more than six months or by a fine of \$5,000 for each violation, or three times the amount or value of the unlawful contribution, whichever is greater, or by both such fine and imprisonment. Any person who knowingly or willfully violates any provision of Section 2.42.070 shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the County jail for a period of not more than six months or by a fine of \$5,000 for each violation, or three times the amount not properly reported, whichever is greater, or by both such fine and imprisonment. Any person who knowingly or willfully violates any provision of Section 2.42.075 of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the County jail for a period of not more than six months or by a fine of \$5,000 for each violation, or three times the cost of the mailing made in violation of this Chapter, whichever is greater, or by both such fine and imprisonment.
- (2) Civil. Any person who intentionally or negligently violates Section 2.42.050 or 2.42.060 of this Chapter shall be liable in a civil action for an amount up to \$5,000 for each violation or three times the amount or value of the unlawful contribution, whichever is greater. Any person who intentionally or negligently violates Section 2.42.070 of this Chapter shall be liable in a civil action for an amount up to \$5,000 for each violation or three times the amount not properly reported, whichever is greater. Any person who intentionally or negligently violates Section 2.42.075 of this Chapter shall be liable in a civil action for an amount up to \$5,000 for each violation or three times the cost of the mailing made in violation of this Chapter, whichever is greater. The City Attorney is authorized to institute and prosecute any civil action pursuant to this section. Any civil penalties recovered under this Section shall be deposited in the Richmond City Treasury.
- (3) Personal Liability. Candidates and treasurers are responsible for complying with this Chapter and may be held personally liable for violations by their committees. Nothing in this Chapter shall operate to limit the candidate's liability for, nor the candidate's ability to pay, any fines or other payments imposed pursuant to administrative or judicial proceedings.
- (4) Joint and Several Liability. If two or more persons are responsible for any violation of this Chapter, they shall be jointly and severally liable.

(b) Enforcement

(1) Campaign Statement Review.

- i. The City Clerk shall monitor all campaign statements and shall notify the candidate or committee of any of the following apparent violations of this chapter:
 - A. Whether the required statements have been timely filed.
 - B. Whether the statements conform on their face with the requirements of this chapter.
 - C. Whether any reported contributions exceed the allowable maximums established under this ordinance.
- ii. The candidate or committee shall be allowed to correct any reports within five (5) days after receipt of notice of an apparent violation sent by the City Clerk.

(2) Civil Actions. The City Attorney, or any resident, may bring a civil action to enjoin violations of, or compel compliance with, the provisions of this Chapter, or for civil penalties under Subsection (a)(2) of this Section, or both. No resident may commence an action under this Subsection without first providing written notice to the City Attorney of the intent to commence an action. The notice shall include a statement of the grounds for believing a cause of action exists. The resident shall deliver the notice to the City Attorney at least 60 days in advance of filing an action for an alleged violation of Section 2.42.050, 2.42.060 or 2.42.070, or at least 10 days for an alleged violation of Section 2.42.075. No resident may commence an action under this Subsection if the City Attorney or District Attorney has commenced a civil or criminal action against the defendant, or if another resident has filed a civil action against the defendant under this Subsection. A court may award reasonable attorney's fees and costs to any party who obtains civil penalties or equitable relief under this Subsection. If the Court finds that an action brought by a party under this Subsection is frivolous, the Court may award the defendant reasonable attorney's fees and costs.

(3) Issuance of Subpoenas. The City Attorney may issue subpoenas in furtherance of his or her duties under this Chapter.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such invalidity shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases or clauses be declared unconstitutional on their face or as applied.

SECTION 4. This ordinance shall be effective 30 days after passage and adoption.

First introduced at a regular meeting of the City Council of the City of Richmond held on March 16, 2010, and finally passed and adopted at a regular meeting held on April 6, 2010, by the following vote:

AYES: Councilmembers Butt, Rogers, Vice Mayor Ritterman, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: Councilmembers Bates, Lopez, and Viramontes

ABSENT: None.

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

I certify that the foregoing is a true copy of Ordinance No. 13-10 N.S., finally passed and adopted by the Council of the City of Richmond at a regular meeting on April 6, 2010.

APPENDIX B - SAMPLE DOCUMENTS

- **Word Count Criteria**
- **Candidate Statement of Qualification Guidelines**
- **Sample Candidate Statements**

WORD COUNT CRITERIA

The following are the guidelines for computing the word count for candidate statements.

Acronyms - UCLA, PTA	one word
California Geographical Names - Examples: County of Contra Costa, Contra Costa Community College District, → Antioch Unified School District, East Bay Regional Park District, Bay Area Rapid Transit District. Walnut Creek, Bay Point → Bay Area →	one word one word one word
Whole numbers - digits (1 - 10 - 100, etc.)	one word
Number combinations (1990, 1990-1991, 100%)	one word
Dates - all digits (11/5/96) Word and digits (June 2, 1998)	one word one word
Monetary amounts - If the dollar sign is used with figures - \$1,000 Spelled out numbers - One Hundred, Ten Thousand	one word each word is counted
Regularly hyphenated words that appear in the Merriam-Webster Dictionary online.	one word
Normal punctuation	not counted
Telephone numbers	one word
Website addresses / email	one word

Candidate Statement of Qualifications
For the General Election to be held November 3, 2020
(Elections Code 13307, 13309, and 13311)

Instructions to Candidate: Your statement will be printed exactly as submitted. Carefully check for content, spelling, punctuation and grammar before submission. No changes are allowed once the statement is filed.

This form must be filed along with the candidate statement.

In addition to filing a hardcopy, you will need to submit your final candidate statement in an editable text format to the following email address: Statements@ci.richmond.ca.us

Hard copy must bear signature.

Office Name: _____ Contest ID: _____ Candidate ID: _____

Word Limit: 250 • Cost: (see below) • Paid By: Candidate District

District (1) \$261.00 District (5) \$337.60 District (6) \$306.00

Candidate Name: _____

I have reviewed the attached statement and I understand that no corrections or changes are allowed after it has been filed (pursuant to EC 13307). I understand that Contra Costa County is mandated under the Voting Rights Act to provide voting materials and information in English, Spanish, and Chinese.

I do not wish to file a Candidate Statement.

Dated _____ Signature of Candidate _____

SAMPLE CANDIDATE STATEMENT LAYOUT

Below are samples of 250-word candidate statements, as they would appear in the "Voter Information Guide." Statements will appear in the same order as the candidates appear on the ballot.

WASHINGTON UNIFIED SCHOOL DISTRICT

JANE DOE
Businesswoman

I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1985. I am married and currently have two children attending school in the district.

I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district.

I fully understand the value of a quality public education. As your next school board member, I will work to protect small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals.

I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Den Mother and Girl Scout Leader for the past 3 years. I also serve as a volunteer at the Community Recycling Center as time allows.

If elected to serve as a Governing Board Member, I will build on this experience and work diligently to maintain financial stability and foster an educational environment that meets the intellectual and social-developmental needs of our children.

I am looking forward to serving you on the Washington Unified School District Governing Board. I respectfully ask for your vote Thank you.

MARY SMITH
Teacher

I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1985. I am married and currently have two children attending school in the district. I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district. I fully understand the value of a quality public education. As your next school board member, I will work to protect small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals. I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Den Mother and Girl Scout Leader for the past 3 years. I also serve as a volunteer at the Community Recycling Center as time allows. If elected to serve as a Governing Board Member, I will build on this experience and work diligently to maintain financial stability and foster an educational environment that meets the intellectual and social-developmental needs of our children. I am looking forward to serving you on the Washington Unified School District Governing Board. I respectfully ask for your vote

Thank you.

JOHN T. WHEELER
Attorney/Educator/Rancher

I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1985. I am married and currently have two children attending school in the district.

I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district.

I fully understand the value of a quality public education. As your next school board member, I will work to protect small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals.

I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Den Mother and Girl Scout Leader for the past 3 years. I also serve as a volunteer at the Community Recycling Center as time allows.

If elected to serve as a Governing Board Member, I will build on this experience and work diligently to maintain financial stability and foster an educational environment that meets the intellectual and social-developmental needs of our children.

I am looking forward to serving you on the Washington Unified School District Governing Board. I respectfully ask for your vote. Thank you.

APPENDIX C - IMPORTANT THINGS TO REMEMBER

FPPC

Contact the Fair Political Practices Commission (FPPC) with any questions you have regarding campaign expenditures or contributions at (866) 275-3772 or by e-mail at advice@fppc.ca.gov. The FPPC website: www.fppc.ca.gov offers overviews of the Political Reform Act and FPPC regulations, FPPC forms are available through the website.

When visiting www.fppc.ca.gov, you will see that the FPPC covers many topics. You will focus on Campaign Rules, Campaign Forms, and Campaign Disclosure Manuals. Here are some terms to know:

Understanding FPPC Terminology:

Local Election:	City of Richmond Election
Local Candidate:	City Council Candidate
Candidate for Local Office:	City Council Candidate
Agency (or Local Agency):	City of Richmond
Jurisdiction:	City of Richmond
Local Filing Officer:	City Clerk of the City of Richmond
Recipient Committee:	City Council Candidates who raise or spend more than \$2,000.
Candidate Controlled Committee:	City Council Candidates who raise or spend more than \$2,000.
Election Committee:	City Council Candidates who raise or spend more than \$2,000.

Type of Committee (City Council Candidates who raise or spend more than \$2,000.)

Recipient Committee

- a. Controlled Committee
 - i. Candidate Election Committee

(Hint: You are not a Primarily Formed Committee—those are for non-candidates.)

- **Keep Records**
Maintain details on contributions and expenditures of \$25 or more.
- **Itemize Contributors**
For contributions of \$100 or more, including in-kind contributions, you must disclose the contributor's name, address, occupation and employer.
- **\$100**
Never accept or spend \$100 or more in *cash*.
- **Political Advertising Disclaimers**
Candidates and political committees must put disclaimers on campaign advertisements that identify the person or entity who paid for or authorized the communication. The disclaimer is required on all campaign material, including mailers of 200 pieces or more, radio and television ads, telephone calls, and electronic media ads. "Paid for by [committee name]" is the basic disclaimer required on most campaign communications. Please review the [FPPC's Political Advertising Disclaimer worksheet](#) for specific details.

For those who have an active committee from a previous election . . .

- **Complete a Form 501 (this must be done before receiving any contributions for the November 2020 election).**
 - Mark the "Initial" box
 - Complete the entire form
 - Sign and date the form
 - File with City Clerk.
- **Complete a Form 410 (this must be done before receiving \$2,000 in contributions for the November 2020 election).**
 - Mark the "Amendment" box and list your ID#
 - Only complete the information that will change
 - Your committee name must include your last name, the word "council", and "2020".
 - Complete the "Type of Committee" and list the year of election as November 2020.
 - Both the Treasurer and Candidate need to sign (a candidate may also be the treasurer)
 - Mail the original and one copy to the Secretary of State and give a copy to the City Clerk

Note: You may keep your same bank account – you can change the name of the account with the bank if desired.

After the election, if defeated . . .

- **Form 470 Filers:**

If contributions/expenditures in connection with the election cease before December 31, then no further forms need be filed.

If contributions/expenditures in connection with the election continue beyond December 31, then file a Form 470 when activity ceases or before July 31, 2021.

- **Form 460 Filers (who wish to terminate their committees):**

If contributions/expenditures in connection with the election cease before December 31 and there are no campaign funds, then file the normal Form 460 which is due on January 31, 2021, and check the "Termination Statement" box. Also file a Form 410 and check the "Termination" box. (File the original and one copy of Form 410 with the Secretary of State, file one copy of Form 410 with the City Clerk, and file the original of Form 460 with the City Clerk).

If contributions/expenditures in connection with the election continue beyond December 31, then file the normal Form 460 which is due on January 31, 2021. Then, when activity ceases and there are no campaign funds, file another Form 460 and check the "Termination Statement" box. Also file a Form 410 and check the "Termination" box. (File the original and one copy of Form 410 with the Secretary of State, file one copy of Form 410 with the City Clerk, and file the original of Form 460 with the City Clerk).