

## **RESOLUTION No. 20-123**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 3, 2020, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY A MEASURE, WHICH WILL BAN THE SALE AND USE OF “SAFE AND SANE” FIREWORKS AND USE OF ILLEGAL FIREWORKS IN THE CITY OF CARSON, EXCEPT AS OTHERWISE ALLOWED BY THE CARSON MUNICIPAL CODE**

**WHEREAS**, on June 11, 2020, the City Council of the City of Carson, under the provisions of the Charter of the City of Carson, called for the holding of a General Municipal Election to be held on November 3, 2020, and requested consolidation of the same with the Statewide General Election to be held on the same date; and

**WHEREAS**, the City Council of the City of Carson desires to submit to the voters at a General Municipal Election on November 3, 2020, a ballot measure to consider adopting a proposed ordinance which bans the sale and use of “safe and sane” fireworks and use of illegal fireworks in the City of Carson, except as otherwise allowed by the Carson Municipal Code (“Fireworks Measure”); and

**WHEREAS**, an established Statewide General Election is scheduled for November 3, 2020; and

**WHEREAS**, the City Council of the City of Carson is authorized and directed by statute to submit to the voters the Fireworks Measure, and the City Council therefore wishes to have the voters consider the same at a General Municipal Election to be held on November 3, 2020; and

**WHEREAS**, it is desirable that said measure submitted at the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City of Carson the precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of Los Angeles canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1.** That pursuant to the requirements of the California Elections Code, Sections 306, 9222 and 1301, there is called and ordered to be held in the City of Carson, California, on Tuesday, November 3, 2020, a General Municipal Election for the purpose of submitting to the voters of the City of Carson an ordinance which bans the sale and use of “safe and sane” fireworks and the use of illegal fireworks in the City of Carson, except as otherwise allowed by the Carson Municipal Code (“Fireworks Measure”). As required by Elections Code Section 13247, the abbreviated form of the Fireworks Measure to appear on the ballot is specified below in Section 2 of this Resolution. The City Clerk is hereby authorized and directed to make

any changes to the text of this resolution as required to conform to any requirements of the Los Angeles County Registrar of Voters.

**Section 2.** That the City Council of the City of Carson, pursuant to its right and authority, hereby orders submitted to the voters at the General Municipal Election to be held on Tuesday, November 3, 2020 the following measure:

Shall the measure, banning the sale and use of “safe and sane fireworks” (such as sparklers, ground-spinning fireworks and others that do not leave the ground) and use of illegal fireworks within the City, except as otherwise allowed under the Carson Municipal Code, be adopted?	YES
	NO

**Section 3.** That the text of the proposed ordinance as provided above that is to be submitted to the voters is attached as Exhibit “A” to this Resolution (“Ordinance”). The City’s designated elections official is hereby authorized and directed to make any changes to the text of the Ordinance, or this resolution as required to conform to any requirements of law.

**Section 4.** That the vote requirement for the Fireworks Measure to pass is a majority (50% +1) of the votes cast.

**Section 5.** That the City's designated elections official is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**Section 6.** That the ballots to be used at the election shall be in form and content as required by law, and that the election shall be held and conducted in the manner prescribed by law.

**Section 7.** That the City Council authorizes its designated elections official to administer the election and is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**Section 8.** Pursuant to California Election Code Section 10242, the polls for the General Municipal Election shall open at seven o'clock a.m. on the day of the election, and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as otherwise provided in California Election Code Section 14401.

**Section 9.** That in all particulars not recited in this Resolution, the General Municipal Election shall be held and conducted in accordance with the provisions of law regulating municipal and statewide elections.

**Section 10.** That notice of the time and place of holding the General Municipal Election is hereby given and the City's designated elections official is authorized, instructed and directed to give further or additional notice of the election, in the time, form and manner required

by law.

**Section 11.** That pursuant to Sections 10402 and 10403 of the Elections Code, the Los Angeles County Board of Supervisors is hereby requested to consent and agree to the consolidation of the submission of the Fireworks Measure at the General Municipal Election with the election conducted by Los Angeles County to be held on Tuesday, November 3, 2020.

**Section 12.** That the Los Angeles County Registrar of Voters is authorized to canvass the returns of the General 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.

**Section 13.** That the Los Angeles County Board of Supervisors is requested to issue instructions to the Los Angeles County Registrar of Voters to take any and all necessary steps for the holding of this consolidated election.

**Section 14.** That the City of Carson recognizes that additional costs will be incurred by Los Angeles County by reason of this consolidation and agrees to reimburse Los Angeles County for any costs.

**Section 15.** That the designated elections official is hereby directed to file a certified copy of this resolution with the Los Angeles County Board of Supervisors and the Los Angeles County Registrar of Voters.

**Section 16.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Carson, California, at a regular meeting held on the 4th day of August, 2020.

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Mayor Albert Robles

ATTEST:

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City Clerk Donesia L. Gause-Aldana

Exhibit A  
Proposed Ordinance