

ORDINANCE NO. NS-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADDING ARTICLE XII ENTITLED DISCLOSURE OF CERTAIN ENFORCEMENT ACTIONS TO CHAPTER 2 OF THE SANTA ANA MUNICIPAL CODE REQUIRING DISCLOSURE OF FEDERAL ELECTION COMMISSION AND CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION ENFORCEMENT ACTIONS FOR CERTAIN LICENCES, PERMITS OR OTHER ENTITLEMENTS FOR USE

THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS FOLLOWS:

Section 1. Article XII entitled “Disclosure of Certain Enforcement Actions” is added to Chapter 2 of the Santa Ana Municipal Code starting with Section 2-920 as follows:

ARTICLE XII. – DISCLOSURE OF CERTAIN ENFORCEMENT ACTIONS

Sec. 2-920. -Definitions.

(a) “Party” shall have the same meaning as that set forth in California Government Code Section 84308(a)(1) and as periodically amended.

(b) “Participant” shall have the same meaning as that set forth in California Government Code Section 84308(a)(2) and as periodically amended.

(c) “License, permit or other entitlement for use” shall have the same meaning as that set forth in California Government Code Section 84308(a)(5)(A) and as periodically amended.

(d) “Final enforcement action” shall mean that the California Fair Political Practices Commission and/or Federal Election Commission has issued a warning letter, advisory letter, administrative penalty and/or fine.

Section 2. Section 2-921 shall be added to Article XII of Chapter 2 of the Santa Ana Municipal Code to read as follows:

Sec. 2-921. – Disclosure of Federal Election Commission and California Fair Political Practices Commission Enforcement Actions Required.

(a) Every party or participant in a proceeding involving a license, permit or other entitlement for use shall disclose any final enforcement action taken by the

Federal Election Commission or the California Fair Political Practices Commission against the party or participant in the last ten (10) years and shall include the enforcement action case number, date of final enforcement action, and nature of final enforcement action taken.

- (b) Said disclosure shall be made in writing as part of the application process at the time the party applies for any license, permit or other entitlement for use.
- (c) Said disclosure shall be included as part of any public notice provided and set forth in any staff report for any public meeting pursuant to the Brown Act (California Government Code section 54950 et seq.) involving the party's application for license, permit or other entitlement for use.
- (d) Said disclosure shall be made orally by any participant during public comment at any public meeting pursuant to the Brown Act (California Government Code section 54950 et seq.).

Section 3. Section 2-922 shall be added to Article XII, of Chapter 2 of the Santa Ana Municipal Code as follows:

Sec. 2-922.- Penalty for violation.

(a) Every violation of this article may be charged as either a misdemeanor or as an infraction in the discretion of the citing officer or city attorney and, upon conviction thereof, shall be punishable as provided for in section 1-8 of this Code.

(b) Use of criminal enforcement and/or administrative citations shall not prevent or preclude the city from seeking all other legal remedies available in court for violations of this article.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 5. This Ordinance shall become effective thirty (30) days after its adoption.

Section 6. The City Clerk shall certify the adoption of this Ordinance and shall cause the same to be published as required by law.

ADOPTED this ____ day of June, 2025.

Valerie Amezcua
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: Laura A. Rossini
Laura A. Rossini
Chief Assistant City Attorney

AYES:	Councilmembers	_____
NOES:	Councilmembers	_____
ABSTAIN:	Councilmembers	_____
ABSENT:	Councilmembers	_____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, JENNIFER L. HALL, City Clerk, do hereby attest to and certify the attached Ordinance No. NS-XXXXXX to be the original ordinance adopted by the City Council of the City of Santa Ana on _____, 2025.

Date: _____

Jennifer L. Hall
City Clerk
City of Santa Ana