
THE CHARTER

[Article I.](#) Name and Boundaries.

1. Name and boundaries described.

[Article II.](#) Legislature.

1. Legislative power vested in council.
2. Composition, election and terms of office of mayor and council members.
3. Eligibility to hold office as member of council.
4. Vacancies in elective office—When office becomes vacant.
5. Same—Filling vacancies for council members.
6. General powers of the city.
7. Use of state law procedures.
8. City clerk to administer oaths.
9. Council to be governing body, etc.
10. Meetings of council generally.
11. Certain meetings to be public.
12. Quorum for council meetings.
13. Council to prescribe its rules of procedure.
14. Manner in which council to take legislative action.
15. Mayor and council members required to vote; exception; when ayes and noes to be taken.
16. Majority vote of council required for passage.
17. Title of ordinances.
18. Enacting clause of ordinances.
19. Adoption of ordinances and resolutions generally.
20. Adoption of emergency ordinances.
21. When ordinance required.

22. Publication of ordinances.
23. Codification of ordinances; adoption of technical codes by reference.
24. When ordinances to take effect.
25. Record of ordinances; use of ordinances as evidence.
26. Penalty for violation of city ordinances.
27. Election and term of mayor and vice-mayor.
28. Powers and duties of mayor generally.
29. Duties of mayor may be prescribed by ordinance or resolution.
30. *Repealed.*
31. Council appointments generally.
32. Interest of city officials in city contracts.
33. City Manager.
34. Departments of the city government.
35. Construction and repair of levees.
36. Borrowing power of city.

Article III. Salaries.

1. Salaries and expenses of mayor, council members and subordinate officers.

Article IV. Taxation.

1. Property subject to taxation.
2. Applicability of state laws.

Article V. Accounting and Finance.

1. Fiscal year.
2. Fiscal and accounting procedures generally.
3. Withdrawals from city treasury generally.
4. Competitive bidding.

Article VI. Elections.

1. Applicability of state laws generally.
2. Initiative, referendum and recall.

1. **Definitions.**
2. **Severability.**
3. **Effective date of Charter amendments.**

ARTICLE I. NAME AND BOUNDARIES.

Section 1. Name and boundaries described.

The City of Marysville, hereinafter termed the city, shall continue to be a municipal corporation under its present name, "City of Marysville." The boundaries of the city shall be as established at the time this amendment to the Charter takes effect, or as they may be changed thereafter in the manner authorized by law.

ARTICLE II. LEGISLATURE.

Section 1. Legislative power vested in council.

The legislative power of the City of Marysville shall be vested in a body to be designated as the council.

Section 2. Composition, election and terms of office of mayor and council members.

The council of the City of Marysville shall consist of a mayor and four council members elected by the qualified electors of the city. The mayor shall be elected and hold office as provided by Section 27 of this Article. The council members shall hold office for four years from and after the first regularly scheduled council meeting following the certification of the vote. Two council members shall be elected at every general municipal election.

Section 3. Eligibility to hold office as member of council.

A person is not eligible to hold office as a member of the council unless such person is at the time of filing nomination papers for such office an elector of the city.

Section 4. Vacancies in elective office—When office becomes vacant.

An elective office shall become vacant when the incumbent thereof dies, resigns, is removed from office under recall proceedings, is adjudged insane, convicted of a felony, or of any offense in violation of his official duties, or ceases to be a resident of the City of Marysville, or has been absent from the State of California without leave for more than sixty (60) consecutive days, or failed to attend the meetings of the body of which he/she is a member for a like period without being excused therefrom by said body.

Section 5. Same—Filling vacancies for council members.

Should a vacancy arise on the council the vacancy shall be filled in accordance with California Government Code Section [36512\(b\)](#), as may be amended from time to time, except for a vacancy in the office of mayor, which shall be filled in accordance with Section [27](#) of this Article.

Section 6. General powers of the city.

The city shall have the power to make and endorse all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the State of California. It shall also have the power to exercise any and all rights,

powers, and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority or which a municipal corporation might or could exercise under the Constitution of the State of California, including all powers not in conflict with the provisions of this Charter.

The enumeration in this Charter of any particular power shall not be held to be exclusive of or any limitation upon this general grant of power.

Section 7. Use of state law procedures.

The city shall have the power and may act pursuant to procedure established by any law of the state unless a different procedure is established by ordinance or by this Charter.

Section 8. City clerk to administer oaths.

Where testimony is required to be given under oath, the city clerk shall administer such oath or affirmation.

Section 9. Council to be governing body, etc.

All powers herein granted to and invested in the City of Marysville shall, except as herein otherwise provided, be exercised by a council to be designated the Council of the City of Marysville. Said council shall be the governing body of the city and subject to the express limitations of this Charter, shall be vested with all powers of legislation in municipal affairs adequate to a complete system of local government consistent with the Constitution of the State.

Section 10. Meetings of council generally.

The council shall by ordinance provide for the time and place of holding its meetings and the manner in which its special meetings may be called.

Section 11. Certain meetings to be public.

All legislative sessions of the council and all sessions of any administrative board of the city, whether regular or special, shall be open to the public. Closed sessions may be held as authorized by state law.

Section 12. Quorum for council meetings.

A majority of the council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and postpone the consideration of pending business.

Section 13. Council to prescribe its rules of procedure.

The council shall determine its own rules of procedure and may prescribe rules to compel the attendance of the mayor and council members at the council meetings.

Section 14. Manner in which council to take legislative action.

Legislative action shall be taken by the council only by means of an ordinance, a motion duly made, seconded and carried by a majority of the council, or by resolution.

Section 15. Mayor and council members required to vote; exception; when ayes and noes to be taken.

The ayes and noes shall be taken upon the passage of all ordinances, resolutions, and motions and entered upon the journal or minutes of the proceedings of the council. Upon the request of any member, the ayes and noes shall be taken and recorded on any vote. All members when present must vote unless legally disqualified to vote on any proposition or matter.

Section 16. Majority vote of council required for passage.

No ordinance, resolution or motion shall be passed or become effective without receiving the affirmative vote of at least three members of the council.

Section 17. Title of ordinances.

Every ordinance shall be preceded by a brief title which shall indicate the subject and purport thereof.

Section 18. Enacting clause of ordinances.

The ordaining clause of all ordinances adopted by the council shall be essentially as follows: "The Council of the City of Marysville does ordain as follows," and the ordaining clause of all ordinances adopted by the people shall be, "The people of the City of Marysville do ordain as follows."

Section 19. Adoption of ordinances and resolutions generally.

With the sole exception of ordinances which take effect upon adoption hereinafter referred to, no ordinance shall be adopted by the council on the day of its introduction nor within five days thereafter nor at any time other than at a regular or adjourned regular meeting. At the time of adoption of an ordinance or resolution it shall be read in full unless after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the council members, including the mayor, present. In the event that any ordinance is altered after its introduction, the same shall not be finally adopted except at a regular or adjourned regular meeting held not less than five days after the date on which such ordinance was so altered. The correction of typographical or clerical errors shall not constitute the making of any alteration within the meaning of the foregoing sentence.

No order for the payment of money shall be adopted or made at any other than a regular or adjourned regular meeting except for wages and salaries due and payable to any employee of the City of Marysville.

Section 20. Adoption of emergency ordinances.

Any ordinances declared by the council to be necessary as an emergency measure for preserving the public peace, health, safety, and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if passed by at least four affirmative votes.

Section 21. When ordinance required.

In addition to such acts of the council as are required by this Charter to be by ordinance, every act of the city council establishing a fine or other penalty or granting a franchise shall be by ordinance.

Section 22. Publication of ordinances.

The council shall cause each ordinance to be published at least once within fifteen days after its adoption in the official newspaper, or, as an alternative method of publication, the council in its discretion may order copies of any ordinance to be posted in three public places in the city.

Section 23. Codification of ordinances; adoption of technical codes by reference.

Any or all ordinances of the city which have been enacted and published in the manner required at the time of their adoption and which have not been repealed, may be compiled, consolidated, revised, indexed and arranged as a Comprehensive Ordinance Code, and such code may be adopted by reference by the passage of an ordinance for such purpose. Such code need not be published in the manner required for other ordinances, but not less than three copies thereof shall

be filed for use and examination by the public in the office of the city clerk prior to the adoption thereof. Ordinances codified shall be repealed as of the effective date of the code. Subsequent amendment to sections of the code shall be enacted in the same manner as herein required for the enactment of ordinances generally.

Detailed regulations pertaining to any subject such as the construction of buildings, plumbing, wiring or other subjects which require extensive regulations, after having been arranged as a Comprehensive Code, may likewise be adopted by reference in the manner above provided.

Section 24. When ordinances take effect.

Ordinances shall take effect in accordance with the laws of the State of California.

Section 25. Record of ordinances; use of ordinances as evidence.

A true and correct copy of all ordinances shall be kept in and certified by the city in a book marked "Ordinances." A certified copy of any ordinance or the original ordinance shall be prima facie evidence of the content of the ordinance and of the due passage and publication of the same and shall be admissible as such in any court or proceedings. Such records shall not be filed in any case but shall be returned to the custody of the city clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of an ordinance in the usual way.

Section 26. Penalty for violation of city ordinances.

The penalty for the violation of any city ordinance shall be the same as that provided for a misdemeanor by the Penal Code of this state.

Section 27. Election and term of mayor and vice-mayor.

The mayor shall be directly elected by the voters for a term of four years. The mayor shall take office at the next regularly scheduled council meeting following the certification of the vote. The mayor shall appoint a vice-mayor from among the council for a term of one year. The vice-mayor shall act as mayor in the temporary absence or the disability of the mayor.

Should the office of mayor become vacant, the vice-mayor shall act as mayor until the office of mayor is filled as provided for herein and shall, upon assuming the office of mayor, appoint a temporary vice-mayor. The vacancy in the office of mayor shall be filled in accordance with California Government Code Section [34902\(a\)](#), as may be amended from time to time.

Section 28. Powers and duties of mayor generally.

The mayor shall be the presiding officer of the council and shall preside at all of its meetings and shall perform such other duties consistent with his/her office as may be imposed by the council or by vote of the people. The mayor shall be entitled to only one vote, and must vote, but shall possess no veto power. He/she shall be recognized as the official head of the city for all ceremonial purposes, by the court for the purpose of serving civil processes, and by the governor for military purposes.

Section 29. Duties of mayor may be prescribed by ordinance or resolution.

The mayor shall exercise such other powers or perform such other duties as may be prescribed by law or ordinance or by resolution of the council except as limited by this Charter.

Section 30. Mayor pro tempore.

Repealed.

Section 31. Council appointments generally.

The council shall appoint all subordinate officers of the city prescribed by the ordinances thereof, to serve at the will and pleasure of the council.

Section 32. Interest of city officials in city contracts.

Neither the mayor nor any other member of the council nor any official or employee of the city shall be interested in any contract to which the city is a party as prescribed by any law of the state.

Section 33. City Manager.

The city council shall exercise its authority as it relates to the office and duties of the City Manager as prescribed under city ordinance.

The City Manager shall appoint department heads and prescribe the duties of the department heads.

Section 34. Departments of the city government.

The council shall establish by ordinance the various departments of the city government.

The council shall appoint the members of all other committees from its own members, who shall serve without remuneration, such appointments to be, as far as practicable, equally apportioned among the members of the council and prescribe their duties.

Section 35. Construction and repair of levees.

An act of the Legislature of the State of California entitled "An Act Concerning the Construction and Repair of Levees in the City of Marysville and the Mode of Raising Revenue Therefor"¹ approved March 6, 1876, insofar as same can be effected by this Charter, is hereby readopted and continued in force.

Section 36. Borrowing power of city.

The borrowing power of the city shall be as prescribed and limited by Article 16 of the Constitution of the State of California, as amended from time to time.

ARTICLE III. SALARIES.

The following salaries shall be paid to the several officers of the city, to-wit:

Section 1. Salaries and expenses of mayor, council members and subordinate officers.

Salaries of the mayor, council members and all subordinate officers shall be fixed by the council by ordinance in accordance with the law of the State of California governing general law cities, and the mayor, council members and subordinate officers on order of the council shall be reimbursed for expenses incurred on city business, except as the same may be modified by ordinances duly passed and ordained by the council.

ARTICLE IV. TAXATION.

Section 1. Property subject to taxation.

All property within the city not exempt under the laws of the United States or the laws of the State of California is subject to taxation for municipal purposes.

Section 2. Applicability of state laws.

City taxes shall be assessed, levied and collected as now is or shall hereafter be provided by the laws of the State of California in reference to assessing, levying, and collecting county taxes, except

as the same may be modified by ordinances duly passed and ordained by the council.

ARTICLE V. ACCOUNTING AND FINANCE.

Section 1. Fiscal year.

The fiscal year of the city shall begin on the first day of July of each year.

Section 2. Fiscal and accounting procedures generally.

The council shall by ordinance provide for the fiscal and accounting procedures of the city, especially making provisions for (1) budgetary procedures (2) the accounting system (3) accounting procedures (4) financial reports to be rendered (5) a yearly post audit by a certified public accountant. All ordinances adopted by the council shall be in accordance with the principles and practices of municipal accounting as recommended by state and national authorities on municipal accounting.

Section 3. Withdrawals from city treasury generally.

Money shall be drawn from the city treasury only in the manner prescribed by ordinance of the council.

Section 4. Competitive bidding.

Before making purchases of, or contracts for, supplies, materials or equipment, ample opportunity shall be given for competitive bidding, under such rules and regulations and with such exception as the council may prescribe in the ordinance setting up such rules and regulations. When making purchases for the city, local merchants shall be given preference, quality and prices being equal.

ARTICLE VI. ELECTIONS.

Section 1. Applicability of state laws generally.

Except as otherwise provided, all elections under this Charter shall be called, held and conducted in accordance with the laws of the State of California governing elections.

Section 2. Initiative, referendum and recall.

The provisions of the Elections Code of the State of California as the same now exists or may hereafter be amended, governing the initiative, referendum and the recall of municipal officers, shall apply to use thereof in the city.

ARTICLE VII. MISCELLANEOUS.

Section 1. Definitions.

Unless the provisions or the context otherwise requires, as used in this Charter,

- (a) (Shall) is mandatory, (may) is permissive;
- (b) (City) is the City of Marysville, "department," "board," "commission," "agent," "officer," "employee" is a department, board, commission, agency, officer or employee as the case may be in the City of Marysville.
- (c) The masculine gender includes the feminine.

Section 2. Severability.

If any provisions of this Charter or the application thereof to any person or circumstance is held

invalid, the remainder of the Charter and the application of such provision to other persons or circumstances shall not be affected thereby. And the people of the City of Marysville hereby declare that they would have adopted the amendments to this Charter and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or void.

Section 3. Effective date of Charter amendments.

Charter amendments approved at the general municipal election of November 7, 2006, shall be effective on and after January 1, 2007, and when said amendments have been filed with the Secretary of the State of California.

¹ See the Appendix to this Charter.

The Marysville Municipal Code is current through Ordinance 1457, passed August 20, 2024.

Disclaimer: The City Clerk's Office has the official version of the Marysville Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.marysville.ca.us/>

City Telephone: (530) 749-3901

Codification services provided by [General Code](#)