

Title CHA. Charter

Note: (Filed with Secretary of State December 25, 1997)

PREAMBLE

We the people of the City of Rancho Mirage declare our intent to restore our community to the historic principles of self governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will promote the health, safety and welfare of all the citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Rancho Mirage.

ARTICLE I. MUNICIPAL AFFAIRS

§ 100. Municipal Affairs.

The City shall have full power and authority to adopt, make, exercise and enforce all legislation, laws, and regulations and to take all actions relating to municipal affairs, without limitation, which may be lawfully adopted, made, exercised, taken or enforced under the Constitution of the State of California. Without limiting in any manner the foregoing power and authority, each of the powers, rights, and responsibilities described in this Charter is hereby declared to be a municipal affair, the performance of which is unique to the benefit and welfare of the citizens of the City of Rancho Mirage.

§ 110. Elections.

- A. Each member of the city council shall be elected by the voters of the entire City without regard to residency districts.
- B. Upon the effective date of this amendment, the residency districts provided for in the Municipal Code shall be repealed and not operative for any purpose including qualification of any person to be elected to or to remain a member of the city council.
- C. This amendment shall not affect the term of office of any member of the city council.
(Ord. 865, § 1, 2004)

§ 120. Mayor and Mayor Pro Tem.

- A. The city council each year at its second regular meeting in November in non-election years and at the meeting in which new council members are installed during election years to appoint a council member to serve as mayor for a one year period on a rotating basis that affords each member of the city council with an equal opportunity to serve as mayor to the extent reasonably possible under such guidelines the city council shall establish by ordinance.

- B. After the city council appoints the mayor, it shall appoint a council member who, to the greatest extent possible, is the person who appears most likely to meet the eligibility requirements to succeed the current mayor the following year.
(Ord. 866, § 1, 2004; Ord. 1202 § 1, 2022)

ARTICLE II. CONTRACTS, PUBLIC FINANCING AND FRANCHISES

§ 200. Public Works Contracts.

The City shall have the power to establish standards, procedures, rules or regulations to regulate all aspects of the bidding, award and performance of any public works contract, including, but not limited to, the compensation rates to be paid for the performance of such work.

§ 201. Public Financing.

The City shall have the power to establish standards, procedures, rules or regulations related to any public financing.

§ 202. Utility Franchises.

The City shall have the power to adopt any ordinance providing for the acquisition, development, or operation by the City of any utility, or any ordinance providing for the granting of a franchise to any utility not owned by the City which proposes to use or is using City streets, highways or other rights-of-way.

ARTICLE III. REVENUE RETENTION

§ 300. Reductions Prohibited.

Any revenues raised and collected by the City shall not be subject to subtraction, retention, attachment, withdrawal or any other form of involuntary reduction by any other level of government.

§ 301. Mandates Limited.

No person, whether elected or appointed, acting on behalf of the City, shall be required to perform any function which is mandated by any other level of government, unless and until funds sufficient for the performance of such function are provided by said mandating authority.

ARTICLE IV. GENERAL LAWS

§ 400. General Law Powers.

In addition to the power and authority granted by the terms of this Charter and the Constitution of the State of California, the City shall have the power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions and to exercise any and all rights, powers,

and privileges heretofore or hereafter established, granted or prescribed by any law of the State of California or by any other lawful authority. In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

ARTICLE V. INTERPRETATION

§ 500. Construction and Interpretation.

The language contained in this Charter is intended to be permissive rather than conclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter which is a municipal affair.

§ 501. Severability.

If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

Dated December 8, 1997.

/s/ _____

Donald F. Yokaitis

Mayor

ATTESTED AND CERTIFIED:

/s/ _____

Barbara E. Dohn

City Clerk