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GOVERNMENT CODE - GOV

TITLE 4. GOVERNMENT OF CITIES [34000 - 45345] (Title 4 added by Stats. 1949, Ch. 79.)

DIVISION 3. OFFICERS [36501 - 41805] (Division 3 added by Stats. 1949, Ch. 79.)

PART 3. OTHER OFFICERS [40601 - 41805] (Part 3 added by Stats. 1949, Ch. 79.)

CHAPTER 2. City Clerk [40801 - 40814] (Chapter 2 added by Stats. 1949, Ch. 79.)

40801. The city clerk shall keep an accurate record of the proceeding of the legislative body and the board of equalization in books bearing appropriate titles and devoted exclusively to such purposes, respectively. The books shall have a comprehensive general index.

(Added by Stats. 1949, Ch. 79.)

40802. The city clerk is the accounting officer of the city and shall maintain records readily reflecting the financial condition of the city.

(Added by Stats. 1949, Ch. 79.)

40804. The city clerk shall cause a summary of the city's financial report required by Section 53891, in a form prescribed by the Controller, to be published once in a newspaper of general circulation, pursuant to Article 1 (commencing with Section 6000) of Chapter 1 of Division 7 of Title 1 of the Government Code. If there is no newspaper, the city clerk shall cause copies of the statement to be posted in three public places in the city designated by ordinance as the places for posting of public notices.

(Amended by Stats. 2018, Ch. 467, Sec. 42. (SB 1498) Effective January 1, 2019.)

40805. The report shall be published or posted consistent with the timelines established in Section 53891 after the close of the fiscal year for which the report is compiled.

(Amended by Stats. 2016, Ch. 366, Sec. 10. (SB 974) Effective January 1, 2017.)

40805.5. The financial and accounting duties imposed upon the city clerk by Sections 40802 through 40805 may be transferred to a director of finance when such office has been established and the powers and duties thereof defined by ordinance.

(Added by Stats. 1955, Ch. 1754.)

40806. The city clerk shall keep a book marked "ordinances" and record in it all city ordinances with a certificate annexed to each, stating:

(a) It is a true and correct copy of a city ordinance.

(b) The ordinance number.

(c) It has been published or posted pursuant to law.

(Amended by Stats. 2018, Ch. 467, Sec. 43. (SB 1498) Effective January 1, 2019.)

40807. The record with the certificate is prima facie evidence of the contents of each ordinance and of its passage and publication. It is admissible as such evidence in any court or proceedings.

(Added by Stats. 1949, Ch. 79.)

40808. The official city records in the custody of the city clerk shall not be filed in any court proceeding or other action but shall be returned to the custody of the city clerk.

(Added by Stats. 1949, Ch. 79.)

40809. This article does not prevent the proof of the passage and publication of ordinances in the usual way.

(Added by Stats. 1949, Ch. 79.)

40810. The city clerk is the ex officio assessor unless the legislative body provides for the assessment and collection of city taxes by county officers or otherwise.

(Added by Stats. 1949, Ch. 79.)

40811. The city clerk is the custodian of the city seal.

(Added by Stats. 1949, Ch. 79.)

40812. The city clerk shall perform any additional duties as are prescribed by ordinance.

(Amended by Stats. 2018, Ch. 467, Sec. 44. (SB 1498) Effective January 1, 2019.)

40813. The city clerk may appoint deputies, for whose acts the city clerk and the city clerk's bondspersons are responsible. The deputies shall hold office at the pleasure of the city clerk and receive the compensation as provided by the legislative body.

(Amended by Stats. 2018, Ch. 467, Sec. 45. (SB 1498) Effective January 1, 2019.)

40814. The city clerk and the city clerk's deputies may administer oaths or affirmations and take and certify affidavits and depositions pertaining to city affairs and business which may be used in any court or proceedings in the state. The acknowledgment of an instrument may be made before a city clerk and the city clerk's deputies within the city in which they were elected or appointed.

(Amended by Stats. 2018, Ch. 467, Sec. 46. (SB 1498) Effective January 1, 2019.)