

**BOARD OF SUPERVISORS
COUNTY OF KERN**

SUPERVISORS

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CLERK OF THE BOARD OF SUPERVISORS

Kern County Administrative Center
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October 13, 2026

Board of Supervisors
1115 Truxtun Avenue
Bakersfield, CA 93301

**ASSIGNMENT OF ORDINANCE A-396 ESTABLISHING KERN COUNTY AS A
CALIFORNIA CHARTER COUNTY, AS APPROVED BY VOTERS ON JUNE 2, 2026
(Fiscal Impact: None)**

On June 2, 2026, the electorate of Kern County passed Measure A establishing Kern County as a California Charter County.

Any County Ordinance approved by the voters pursuant to the California Constitution, Article XIII(2)(b) and the California Elections Code Section 9122 shall be deemed valid and binding and shall be considered adopted upon the date that the vote is declared by the County Board of Supervisors, which occurred on July 14, 2026. Additionally, the Ordinance requires publication one time in the Bakersfield Californian.

Therefore, IT IS RECOMMENDED that your Board approve the assignment of Ordinance No. A-396 to the Ordinance adding Chapter 1.01, consisting of sections 1.01.010 through 1.01.060 to Title 1 of the Ordinance Code of the County of Kern establishing Kern County as a California Charter County, as approved by voters on June 2, 2026, and direct the Clerk of the Board to process and publish the Ordinance as appropriate

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Gragg", is written over a horizontal line.

JULIE GRAGG
Chief Clerk of the Board

Attachment

cc: County Counsel
County Administrative Office

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ADDING CHAPTER 1.01 TO TITLE 1 OF THE KERN COUNTY ORDINANCE CODE, ESTABLISHING KERN COUNTY AS A CALIFORNIA CHARTER COUNTY

THE PEOPLE OF THE COUNTY OF KERN ORDAIN AS FOLLOWS:

Section 1. Chapter 1.01, Title 1, is added to the Kern County Ordinance Code, and shall read as follows:

Chapter 1.01 - COUNTY CHARTER OF THE COUNTY OF KERN.

1.01.010 - Findings and Declarations

- A. The Board of Supervisors of the County of Kern desires to exercise and establish a County Charter to ensure that local elected officials retain and may fully exercise all powers and authorities granted by the Constitution of the State of California, the laws enacted by the State Legislature, and the authority entrusted to them by the electors of Kern County.
- B. The purpose of this Charter is to provide for local self-government and home rule for the people of Kern County.
- C. California Government Code section 23711 authorizes a county board of supervisors to propose a county charter, to be ratified by electors at the next general election.
- D. California Government Code section 23712 provides that if the electors approve a proposed charter, it shall be deemed ratified, but shall not take effect until accepted and filed by the California Secretary of State pursuant to Government Code sections 23713, et seq.
- E. Only those provisions of a county charter that are authorized by the California Constitution shall supersede State laws in conflict therewith, and then only to the extent that such provisions are not limited by the California Constitution.

1.01.020 - Charter Preamble

- A. We, the people of Kern County do ordain, adopt, and establish this Charter to provide a county government that is responsive to the needs of its diverse communities, and that advances freedom, equality, justice, public health, public safety, infrastructure, and other functions appropriately provided by county government in a democratic and just manner.
- B. Except as expressly provided in this Charter, the County of Kern shall continue to be governed by applicable provisions of the Kern County Code, County Administrative Policies, and general laws of the State of California.

1.01.030 - Vacancies on the Board of Supervisors

A. Filling of Vacancies. Notwithstanding any other provision of law, whenever a vacancy occurs in the office of supervisor on the Kern County Board of Supervisors (the "Board"), the Board may either:

- 1) Fill the vacancy by appointment, or
- 2) Call a special election to fill the vacancy.

Any appointee shall be a qualified elector residing in the supervisorial district in which the vacancy exists and shall hold office until the election and qualification of a successor. Nothing contained herein shall preclude an appointee from seeking election to said supervisorial office provided the appointee is otherwise qualified and eligible under applicable law.

B. Election to Fill Vacancy. An election to fill a vacancy for the unexpired term shall be held at the next general election, unless the term expires on the first Monday after January 1 succeeding the election. The Board may call a special election to fill the vacancy, whether or not it has appointed a successor to fill the vacancy, provided that the date of such special election precedes the next general election.

C. Failure to Appoint. The Board may decline to fill the vacancy by appointment. In the event that no appointment is made by the Board, the vacancy shall be filled by election in accordance with the terms of this Charter.

1.01.040 – Severability

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance or its application to any person or circumstance is held invalid for any reason, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause, phrase, or provision thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional or invalid.

1.01.050 – Conflicting Provisions

All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this Ordinance are hereby superseded by this Chapter. The adoption of this Ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

1.01.060 – Effective Date

This Ordinance shall take effect and be in full force and effect on June 2, 2026, after certification of the vote, if the measure is approved by a majority of the electors voting on the measure at the election held that day. This Ordinance shall then be operative on November 1, 2026, subject to acceptance and filing by the California Secretary of State. The Clerk shall cause this Ordinance to be published as required by law.