

Sources of Law for Local Agencies

The “law” affecting California local agencies can be found in a number of places:

- **California’s Constitution** specifies the relationship among the various levels and branches of government, as well as establishes a number of individual rights. Changing the Constitution requires a vote of the people. Proposals to change the Constitution may be placed on the ballot by either the Legislature or by initiative petition.
- **Charters**, in those counties and cities whose residents have elected to have charters, determine how an agency is organized and gives the agency certain prerogatives even in the face of conflicting state statutes under some circumstances. For more information on the special powers of charter cities, see www.cacities.org/Resources/Charter-Cities. For more information about charter counties, see www.csac.counties.org/general-information/county-structure-0.
- **State Statutes** are typically enacted by the Legislature in a series of “codes.” The California Government Code, for example, contains a number of provisions relating to the organization of local agencies, as well as land use, planning and employee relations matters. Note that voters can amend state statutes through the initiative process.
- **Local Ordinances** represent local agencies’ exercise of law-making powers within their respective jurisdictional boundaries.
- **Federal Constitution and Statutes** apply nationwide and typically act as restrictions on the exercise of power by state and local government.
- **Judicial Decisions** interpret all of the above, frequently resolving the conflicts among them.

About the Institute for Local Government

This tip sheet is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities, the California State Association of Counties and the California Special Districts Association.

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