

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 27.303 OF ARTICLE 3 OF CHAPTER 27 OF THE CHULA VISTA CITY CODE RELATING TO THOSE ENCROACHMENTS IN THE PUBLIC RIGHT-OF-WAY EXEMPT FROM FEE REQUIREMENTS

The City Council of the City of Chula Vista does ordain as follows:

SECTION I: That Section 27.303 of Article 3 of Chapter 27 of the Chula Vista City Code be, and the same is hereby amended to read as follows:

Sec. 27.303. Encroachments Authorized by Director of Public Works.

A. *Fee Requirements.* The Director of Public Works is hereby authorized to issue encroachment permits without prior authorization from the City Council for the installation of the following improvements:

1. Fences in accordance with zoning and building codes.

2. Retaining walls in accordance with zoning and building codes, not to exceed five feet (5') in height.

3. Private utility service, including telephone, gas and electric, cable television and private lighting system.

4. In addition thereto, the Director of Public Works may permit temporary encroachments in the public right-of-way upon application for an encroachment permit and the payment of the fee as prescribed in Section 27.207 of this chapter for the placing of materials or equipment in the public right-of-way, for a period not to exceed ninety (90) days, provided that said materials are of such a nature as to be easily removable and cause no obstruction to the free passage of vehicular and pedestrian traffic along the public right-of-way, and said encroachment is necessitated by the applicant's construction or development of his property.

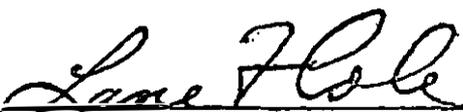
All other encroachments in the public right-of-way of any nature other than those defined as exempt or as temporary shall constitute permanent encroachments for which permits may be issued and fees collected as prescribed in this chapter. The issuance of said permits by the Director of Public Works shall conform with the requirements of this article.

B. *Encroachments Not Subject to Fee Requirements.* Encroachments in the public right-of-way for the installation of sprinkling systems and mail boxes, as required by the Postal Service, shall be exempted from fee requirements as set forth in Section 27.305 provided that said installation shall be subject to the execution of an Encroachment Maintenance and Removal Agreement.

SECTION II: This ordinance shall take effect and be in full force on the thirty-first day from and after its passage and approval.

Presented by

Approved as to form by

  
Lane F. Cole, Director of  
Public Works

  
George D. Lindberg, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY  
OF CHULA VISTA, CALIFORNIA, this 9th day of April,  
1974, by the following vote, to wit:

AYES:	<i>Councilmen</i>	<u>Hobel, Hamilton, Hyde, Egdahl, Scott</u>
NAYES:	<i>Councilmen</i>	<u>None</u>
ABSENT:	<i>Councilmen</i>	<u>None</u>
ABSTAIN:	<i>Councilmen</i>	<u>None</u>

Thomas D. Hamilton Jr  
Mayor of the City of Chula Vista

ATTEST Jennie M. Fulasz  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss.  
CITY OF CHULA VISTA )

I, JENNIE M. FULASZ, City Clerk of the City of Chula Vista,  
California, DO HEREBY CERTIFY that the above and foregoing is a full,  
true and correct copy of \_\_\_\_\_ and that  
the same has not been amended or repealed.

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

(SEAL)

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