

ORDINANCE NO. 1700

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.48 OF THE CHULA VISTA MUNICIPAL CODE BY ADDING THERETO NEW SECTIONS 15.48.110, 15.48.120 AND 15.48.130, ALL RELATING TO THE REGULATION OF PUBLIC SWIMMING POOLS AND INSPECTION FEES

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

SECTION I: That Chapter 15.48 of the Chula Vista Municipal Code be, and the same is hereby amended by adding thereto new Sections 15.48.110, 15.48.120 and 15.48.130, to be, and to read as follows:

Sec. 15.48.110 Permit Required.

No person shall maintain or operate any pool except a private pool unless an annual operating permit is issued therefor by the County Health Officer. A pool shall be considered a private pool if it is maintained by an individual for the use of his family and friends and for swimming instruction programs of short duration which are conducted by or sponsored by the American Red Cross. An annual operating permit issued by the County Health Officer is required for operation of any public pool including, but not limited to, all commercial pools, real estate and community pools, pools at hotels, motels, resorts, auto and trailer parks, auto courts, apartment houses, clubs, public or private schools and gymnasias, and health establishments. Every person applying for a permit as required by this section shall, at the time of making application for such permit, pay an annual inspection fee of forty dollars (\$40.00) for the first pool under one (1) ownership and on the same property, and a fee of twenty dollars (\$20.00) for each additional pool on the same property and under the same ownership. The annual operating permit shall be effective for a twelve-month period from the date of issuance.

In any case where the applicant has failed for a period of 30 days to file the application and obtain the permit required by this section, there shall be added to and collected with the inspection fee a penalty equal to 10 percent of the fee; and for each additional month or fraction of a month after the expiration of said 30-day period that the applicant fails to file such application and obtain such permit, there shall be added to and collected with the inspection fee an additional penalty equal to 10 percent of the inspection fee; provided, however, in no event shall the total penalty added to the inspection fee pursuant to this section be more than 60 percent of the inspection fee. The imposition or payment of the penalty imposed by this section shall not prevent the imposition of any other penalty prescribed by state law or City ordinance, nor shall it prevent a criminal prosecution for violation of this chapter.

Sec. 15.48.120 Renewal of Permit--10 Percent Penalty for Delinquency.

A permit issued pursuant to this chapter shall be renewed annually. Application for the renewal shall be made to the County Health Officer. At the time application is made, there shall be paid to the County Health Officer the annual fee prescribed by Section 15.48.110. The annual fee, if unpaid longer than 30 days after the

expiration of the previous permit, is delinquent, and thereafter a penalty shall be imposed in the manner prescribed in Section 15.48.110.

Sec. 15.48.130 Enforcement.

The County of San Diego, acting through its officers and employees, shall enforce the provisions of Sections 15.48.110 and 15.48.120 and carry out such inspection activities pursuant to the agreement for public health services entered into on the 7th day of December, 1952; provided, however, that the City shall undertake appropriate legal action for any violation of said sections.

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

Presented by

Approved as to form by

Lane F. Cole

George D. Lindberg

Lane F. Cole, City Manager

George D. Lindberg, City Attorney

ADOPTED AND APPROVED by the CITY COUNCIL of the CITY OF CHULA VISTA, CALIFORNIA, this 10th day of August, 1976, by the following vote, to-wit:

AYES: Councilmen Egdahl, Hyde, Hamilton

NAYES: Councilmen None

ABSENT: Councilmen Cox

ABSTAIN: Councilman Hobel

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, _____, City Clerk of the City of Chula Vista, California, DO HEREBY CERTIFY that the above is a full, true and correct copy of Ordinance No. _____, and that the same has not been amended or repealed. DATED _____.

City Clerk