

Revised 9/23/82

ORDINANCE NO. 2006

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 17.08 OF THE CHULA VISTA MUNICIPAL CODE BY AMENDING SECTION 17.08.460A AND ADDING THERETO NEW SECTIONS 17.08.520, 17.08.530, AND 17.08.540, ALL RELATING TO THE REGULATION OF OPEN SPACE MAINTENANCE DISTRICTS

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

SECTION I: That Section 17.08.460A of Chapter 17.08 of the Chula Vista Municipal Code be, and the same is hereby amended to read as follows:

Sec. 17.08.460 Improvements not requiring council authorization-Temporary encroachments.

The city engineer is authorized to issue encroachment permits without prior authorization from the city council for the installation of the following improvements:

- A. Landscaping as approved by the city's landscape architect or a maximum twenty foot firebreak as approved by the Director of Parks and Recreation. Said encroachment shall be exempt from the permit fee authorized by Section 17.08.480.

SECTION II: That Chapter 17.08 of the Chula Vista Municipal Code is hereby amended by adding thereto new Sections 17.08.520, 17.08.530 and 17.08.540 to read as follows:

Sec. 17.08.520 Reserve Operating Fund.

Each open space district shall, commencing in fiscal year 1983-84, have added to the assessment an amount constituting ten percent (10%) of the previous year's operating budget so that after five years, there shall be accumulated a reserve of fifty percent (50%) of the previous year's operating budget. Thereafter, said reserve shall be maintained to provide necessary operating funds for the first six months of each fiscal year.

Sec. 17.08.530

Open Space Advisory Board.

The residents of any open space maintenance district may elect an advisory board composed of five (5) property owners within any open space maintenance district. Said advisory board shall have the power and duty to make recommendations to the Parks and Recreation Department on matters concerning the maintenance and operation of said open space district. Members of the board shall serve without compensation for a term of three (3) years from the date of their election; provided, however, that the original members shall arrange the staggering of their terms by lot so that one original member shall serve for one year, two members for two years, and two members for three years. Board members shall be limited to two three-year terms. The initial board member drawing the one-year term shall be entitled to two full three-year terms thereafter. The board shall elect the offices of president and secretary and shall be governed in their business by Roberts' Rules of Order.

Sec. 17.08.540


Formation Procedures.


The residents of any open space maintenance district may initiate the formation of said advisory board by submitting a petition containing signatures of at least 51% of the district's homeowners to the City Clerk. Said petition shall establish a location for a polling place within the district at which the election shall be conducted by two of the petition circulators. All homeowners shall be notified by mail of the time and place of the election which shall be conducted not less than ten nor more than sixty days following the submission of the petition. Those persons conducting the election shall certify the results to the City Clerk. After the initial election, the advisory board shall conduct subsequent elections as required.

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

Presented by

Approved as to form by


Mark J. Pfister, Director of
Parks and Recreation


George D. Lindberg, City
Attorney

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, HELD September 28, 19 82, AND FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD October 5, 19 82, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen : McCandliss, Scott, Cox, Malcolm, Moore
NAYES: Councilmen : None
ABSTAIN: Councilmen : None
ABSENT: Councilmen : None

Gregory R. Co

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, CMC, 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 ORDINANCE NO. 2006, and that the same has not been amended or repealed.

DATED _____

(seal)

City Clerk

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By a unanimous vote on October 5, 1982, the City Council placed the ordinance on second reading and adoption.

Generally, the ordinance (1) gives the City Engineering Department the authorization to issue encroachment permits to open space district homeowners wishing to maintain a maximum 20' firebreak and/or upgraded landscape on their adjacent property; (2) allows for a maximum reserve of 50% of the previous year's operating budget; (3) delineates the regulations for electing an advisory board.

Copies of the ordinance are available at the office of the City Clerk, City Hall, 276 Fourth Avenue, Chula Vista.

Dated: 10/7/82


Jennie M. Fulasz, CMC, City Clerk