

ORDINANCE NO. 2506

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING,
ADDING, AND REPEALING VARIOUS SECTIONS OF TITLES 1, 2,
3, 5, 6, 9, 10, 12, 13, 14, 15, 17, 18 AND 19 OF THE
MUNICIPAL CODE RELATING TO FEES AND THE MASTER FEE
SCHEDULE

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

SECTION I. That Sections 1.30.080, 1.30.120, 1.30.180, 2.09.020, 2.16.030, 2.50.130, 2.58.010, 2.60.060, 2.60.150, 2.864.020, 2.66.310, 2.70.010, 2.70.030, 3.45.010, 5.02.040, 5.02.150, 5.02.190, 5.04.160, 5.06.020, 5.08.060, 5.10.350, 5.14.030, 5.14.060, 5.20.040, 5.20.070, 5.26.030, 5.35.105, 5.36.080, 5.36.090, 5.36.160, 5.36.170, 5.38.030, 5.38.120, 5.04.010, 5.48.060, 5.56.100, 5.64.040, 6.02.010, 6.02.020, 6.12.020, 6.12.030, 6.12.040, 6.12.045, 6.16.030, 6.16.050, 6.20.030, 6.20.040, 6.20.050, 6.20.060, 6.20.070, 9.06.050, 9.06.130, 9.11.040, 10.24.140, 10.56.300, 10.60.020, 10.72.050, 10.84.020, 12.08.100, 12.12.100, 12.20.100, 12.20.240, 12.24.060, 12.24.070, 12.28.050, 12.28.060, 12.40.020, 12.44.020, 13.14.020, 13.14.030, 13.14.090, 13.14.110, 13.14.120, 13.14.130, 13.14.150, 13.14.170, 14.16.020, 15.04.290, 15.08.015, 15.08.030, 15.08.050, 15.08.060, 15.08.070, 15.08.075, 15.08.078, 15.16.030, 15.16.040, 15.20.020, 15.20.040, 15.24.015, 15.24.060, 15.28.025, 15.28.040, 15.28.050, 15.32.040, 15.32.050, 15.32.060, 15.32.070, 15.36.020, 15.44.050, 15.44.070, 15.44.090, 15.48.060, 15.50.060, 15.51.020, 17.02.010, 17.08.050, 17.10.070, 17.16.270, 18.04.040, 18.16.240, 18.24.050, 18.28.010, 18.28.020, 18.28.030, 18.28.040, 18.28.050, 18.28.080, 18.28.090, 18.48.050, 18.54.100, 19.06.010, 19.07.010, 19.08.040, 19.12.030, 19.12.140, 19.14.030, 19.14.070, 19.14.160, 19.14.260, 19.14.360, 19.14.440, 19.14.486, 19.14.490, 19.14.510, 19.14.571, 19.14.577, 19.14.582, 19.14.590, 19.14.600, 19.48.040, 19.48.080, 19.48.090, 19.58.370, 19.58.380, 19.60.020, 19.60.070, 19.60.080, 19.60.500 and 19.62.040 of the Chula Vista Municipal Code are hereby amended as shown in Exhibit "A", a copy of which is on file in the office of the City Clerk.

SECTION II. That Sections 2.58.020, 2.58.030, 2.58.040, 2.58.050, 2.58.060, 5.10.040, 5.10.110, 5.10.120, 5.10.130, 5.10.140, 5.10.150, 5.10.160, 5.10.170 and 6.28.030 and Chapter 5.15 of the Chula Vista Municipal Code are hereby repealed.

SECTION III. That new Sections 1.04.080, 2.58.015 and 6.12.060 are hereby added to the Chula Vista Municipal Code as shown in Exhibit "A", a copy of which is on file in the office of the City Clerk.

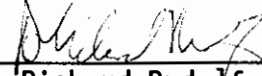
SECTION IV. This ordinance shall take effect and be in full force on the thirtieth day from and after its adoption.

Presented by

Approved as to form by



Lyman Christopher
Director of Finance



D. Richard Rudolf
Assistant City Attorney


PASSED, APPROVED and ADOPTED by the City Council of the City of Chula Vista, California, this 28th day of April, 1992, by the following vote:

AYES: Councilmembers: Grasser Horton, Malcolm, Moore,
Rindone, Nader

NOES: Councilmembers: None

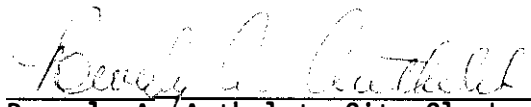
ABSENT: Councilmembers: None

ABSTAIN: Councilmembers: None



Tim Nader, Mayor

ATTEST:

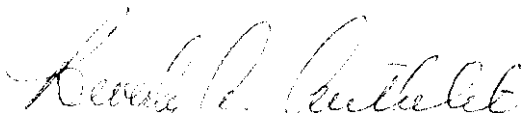


Beverly A. Authelet, City Clerk

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

I, Beverly A. Authelet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2506 had its first reading on April 21, 1992, and its second reading and adoption at a regular meeting of said City Council held on the 28th day of April, 1992.

Executed this 28th day of April, 1992.



Beverly A. Authelet, City Clerk

1.04.080 Required Fee(s).

Wherever the term "Required Fee(s)" is used in this Code it shall mean the fee in the amount(s) established in that portion of the Master Fee Schedule relating to that topic in the section of the Municipal Code relating to the same topic, as that amount may, from time to time, be amended by the City Council by ordinance or resolution. (See Master Fee Schedule index for cross reference between Municipal Code section imposing fee and Master Fee Schedule section setting forth amount of fee.)

1.30.080 Appeal fee: Determination of amount/waiver of payment/refund.

~~THE AMOUNT OF THE APPEAL FEE SHALL BE DETERMINED PERIODICALLY BY THE CITY COUNCIL BASED UPON THE COSTS INCURRED BY THE CITY IN PROCESSING AN APPEAL PURSUANT TO THIS CHAPTER. THE CALCULATION SHALL INCLUDE ALL COSTS OF THE CITY ABATEMENT OFFICER, CITY CLERK AND THE CITY COUNCIL BUT SHALL EXCLUDE ACTUAL COSTS FOR ANY WORK OF ABATEMENT CALCULATED PURSUANT TO SECTION 1.30.120.~~

At the time of filing an appeal, the appellant shall pay the Required Fee(s).

If the appellant claims an economic hardship in paying the appeal fee, he or she may submit an application for waiver of the appeal fee on forms provided by the City Clerk for that purpose. The forms shall be substantially similar to those required of litigants initiating court proceedings in forma pauperis pursuant to Section 68511.3 of the Government Code. The forms shall be executed under penalty of perjury and contain a declaration as to the truthfulness and correctness of the information contained therein. Upon submittal of the completed forms, the appeal fee shall be waived.

Failure to submit the waiver forms or pay the appeal fee in a timely manner shall cause the appeal request to be automatically denied. Enforcement of the order to abate may then proceed as if no appeal request had been submitted.

If the appeal fee is paid and the City Council finds there is no public nuisance, the appeal fee shall be refunded to the appellant without the payment of any interest which could have accrued.

1.30.120 Noncompliance with order to abate.

Upon the failure, neglect or refusal to properly comply with the Order to Abate within the prescribed time period, the City Abatement Officer may cause to be done whatever work is necessary to abate the public nuisance. An account of the cost of abatement shall be kept for each separate assessor's parcel involved in the abatement.

When the City has completed the work of abatement, or has paid for such work, the actual costs incurred by the City in the processing of the appeal shall be added to the appeal fee, if it was previously waived. To this amount shall be added the appeal fee, if it was previously waived. The

combined amounts shall be included in a bill and sent by mail to the owner, or his or her agent for payment, if not paid prior thereto. The bill shall apprise the owner that failure to pay the bill within fifteen (15) days from the date of mailing may result in a lien upon the property.

1.30.180 Violations.

It shall be unlawful for any person to interfere with the performance of the duties herein specified for the City Abatement Officer or any authorized officer or employee thereof, or to refuse to allow any such officer or employee or approved private contractor, to enter upon any premises for the purpose of abating the public nuisance or to interfere in any manner whatever with said officers or employees in the work of abatement.

Any person who interferes with the performance of the duties herein specified for the City Abatement Officer or any authorized officer or employee thereof, or who refuses to allow any such officer or employee or approved private contractor to enter upon any premises for the purpose of abating the public nuisance or who interferes in any manner whatever with said officers or employees in the work of abatement, shall be guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

Any person who obstructs or interferes with the performance of the duties herein specified for the City Abatement Officer or any authorized officer or employee thereof, or who refuses to allow any such officer or employee or approved private contractor to enter upon any premises for the purpose of abating the public nuisance or who interferes in any manner whatever with said officers or employees in the work of abatement, shall be guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

Paying a fine or serving a jail sentence shall not relieve any person from responsibility for correcting any condition which violates any provision of a code being enforced pursuant to this chapter.

2.09.020 Chief-Duties and Responsibilities.

The Police Department shall be under the supervision of the Police Chief, which office shall be the department head in the unclassified city service pursuant to Charter Section 501. The Police Chief shall have the following duties and responsibilities.

- A. The Police Department shall be administered by the Police Chief as same may be, from time to time, directed by the City Manager. The Police Chief shall be appointed by an shall report to, the City Manager.
- B. The Police Chief shall, personally and through the direction and use of the human, tangible and intangible resources of the City assigned to the Police Department, protect and serve the City of Chula Vista, and its citizens, residents, and inhabitants, and shall enforce the Constitution and laws of the United States, the Constitution and laws of the State of California, and the Charter and ordinances of the City of Chula Vista, and the rules, regulations, and policies of the City of Chula Vista ("Laws"). The aforementioned Laws are listed in order of priority so that, in the event that there may be an irreconcilable conflict between the Laws, it shall be the duty of the Police Chief to enforce the Law first mentioned.

10A-4

- C. Be the appointing power for all positions provided by the City Council for the department, as provided in Charter Section 507, subject to City Manager approval.
- D. The Police Chief shall, at the request of the City Council or the City Manager, and to the extent not inconsistent with, or in violation of, any Laws, provide such advice, reports, surveys, and recommendations relative to police matters, security, enforcement of Laws, and any other matters as may, from time to time, be requested of his office or the Police Department.
- E. The Police Chief shall charge, collect and account to the Director of Finance the Required Fee(s) for all services, including but limited to fingerprint identification and animal control services.

Director-Duties and responsibilities.

The parks and recreation department shall be under the supervision of a director of parks and recreation, who shall have the following duties and responsibilities:

- A. Act as secretary to the parks and recreation commission as created by Section 613 of the Charter, and assist said commission in carrying out duties as provided in Section 614 of said Charter;
- B. Promulgate and administer policies and regulations governing use and permits for parks and recreational facilities as recommended by the parks and recreation commission, and adopted by the city council;
- C. Establish administrative rules and regulations governing the administration of the parks and recreation department;
- D. Recommend to the parks and recreation commission and to the city council rules and regulations governing the conduct of persons using parks and recreation areas;
- E. Plan, organize and direct an adequate recreation program and administer the same;
- F. Train and supervise recreational personnel;
- G. Prepare and submit a department budget when required;
- H. Schedule the use of recreational facilities;
- I. Attend meetings of the youth advisory council and meet with community groups to stimulate interest in the city's recreational program;
- J. Maintain such records and render such reports as may be required by the chief administrative officer;
- K. Have responsibility for the landscaping and maintenance thereof of park, city street median strips, banks and slopes, and park maintenance district areas;

records//will//be//furnished//to//any//federal//state//county//municipality//district//department//thereof//governmental//agency//or//any//federal//officer//acting//in//his//official//capacity//without//charge//except//in//the//case//of//a//request//for//a//transcript//of//the//recorded//proceedings//of//any//meeting//or//public//hearing//provided//however//that//any//such//governmental//agency//shall//be//required//to//pay//the//fee//contained//in//the//master//fee//schedule//for//all//copies//in//excess//of//one//When//the//city//clerk//was//determined//that//the//applicant//for//any//of//the//copies//of//documents//heretofore//regulated//is//a//nonprofit//organization//she//may//furnish//one//copy//of//such//documents//to//such//organization//without//charge/

B/ The//city//clerk//shall//make//available//to//any//person//requesting//such//service//the//use//of//the//late//recordings//for//use//with//in//the//city//center//in//accordance//with//the//fee//established//in//the//master//fee//schedule/

2/58/030 Police/department/fees/authorized/Payment/

The//chief//of//police//is//authorized//to//furnish//any//person//applying//therefor//any//papers//or//official//records//of//the//police//department//upon//payment//of//the//fees//as//shown//in//the//master//fee//schedule//Payment//of//said//fees//shall//be//made//to//the//finance//officer//and//said//documents//shall//be//provided//or//fingerprinted//identification//service//rendered//upon//the//presentation//of//a//receipt//of//payment//of//said//fees/

2/58/040 Engineering/department/fees/authorized/

The//director//of//public//works//is//authorized//to//furnish//any//person//applying//therefor//any//of//the//documents//papers//drawings//or//specifications//records//of//the//engineering//department//upon//payment//of//the//fees//as//established//by//the//master//fee//schedule/

2/58/050 Planning/department/deposit/required/

All//property//owners//seeking//to//attach//territory//to//the//city//shall//at//the//time//of//filing//a//petition//for//annexation//deposit//with//the//planning//department//a//sum//sufficient//to//cover//all//costs//of//annexation//resulted//to//be//paid//pursuant//to//Section//35016//of//the//Governmental//Code//of//the//state//of//California/

2/58/060 Adjustment/of/fees/

The//city//commissioner//may//from//time//to//time//by//resolution//upon//recommendation//of//the//department//performing//the//services//set//forth//herein//adjust//the//fees//as//established//by//the//master//fee//schedule/

2.60.060 Recovery of property by owner permitted when.

Any person may claim property in possession of the police department at any time prior to the first publication of notice of sale or transfer by proving, to the satisfaction of the chief of police, his ownership of such property and paying all//expenses//incurred//there// the Required Fee(s).

2.60.150 Vesting of title to unclaimed property in finder.

A. Valuation of Twenty-five Dollars or More.

If the reported value of the property is twenty-five dollars or more and no owner appears and proves his ownership of the property within ninety days, the police department shall cause notice of the property to be published at least once in a newspaper of general circulation. If, after seven days following the first publication of the notice, no owner appears and proves his ownership of the property and the person who found or saved the property pays the cost of the publication, the title shall vest in the person who found or saved the property unless the property was found in the course of employment by an employee of any public agency in which case the property shall be sold at public auction. Title to the property shall not vest in the person who found or saved the property or in the successful bidder at the public auction unless the Required Fee(s) ~~cost of publication~~ is first paid to the city, county, or city and county whose police department caused the notice to be published.

B. Valuation of Less Than Twenty-five Dollars.

If the reported value of the property is less than twenty-five dollars and no owner appears and proves his ownership of the property within ninety days, the title shall vest in the person who found or saved the property, unless the property was found in the course of employment by an employee of any public agency, in which case the property shall be sold at public auction.

C. Exception - Bicycle.

If the found or saved property is a bicycle, if no owner appears and proves ownership of the bicycle within ninety days, the title shall not vest in the person who found or saved the bicycle. All such unclaimed bicycles shall be sold at public auction pursuant to this chapter.

2.64.020 Regulations and restrictions designated-Posting required.

No person shall make use of any municipal golf course without first having obtained a ticket authorizing such use from the city or its designated representative and paying the Required Fee(s). Any person being present on any portion of the municipal golf course without first having obtained such a ticket or being engaged in an activity and within an area not authorized and approved by the director or parks and recreation shall be deemed guilty of trespassing which is hereby declared to be a misdemeanor punishable as provided in Section 1.20.010 of this code. In addition, all persons using the municipal golf course pursuant to such authorization shall be bound by the rules and regulations in Sections 2.66.020 through 2.66.290 of this code, and said persons within the limits of any municipal golf course shall not do any act or acts contrary to the rules established by the parks and recreation department for the use of such golf course, and failure to comply with said rules as approved by resolution of the city council, other than the rules adopted by this title, will be good reason and cause for any such person being required immediately to leave the premises; provided however, that such rules

10A-8

shall be conspicuously posted in the club house of such golf course. Further, the failure to leave the Premises upon request for a violation of said rules will constitute a misdemeanor as provided herein.

2.66.310 Group use - Rules and regulations.

A. All groups desiring to make reservations for picnic shelters or ballfields must complete a Park Reservation Request form, submit a refundable cleaning and security deposit and pay ~~the~~ Required Fee(s) at the time of request. NOTE: The reservations must be made at least two days before the desired date. Groups wishing to reserve a ballfield must reserve one for a minimum of two hours. If groups wish, ~~for~~ for an additional Required Fee(s), to have a ballfield prepped (dragged and chalked), 7 days notice must be given. ~~Fee/Schedule/~~

B. At the conclusion of the group's use, a Park Ranger from the Department of Parks and Recreation will inspect the area to determine if it has been cleaned and to ensure that no damage has occurred. If the area is left in satisfactory condition, the deposit will be refunded.

If the area has not been properly cleaned, the Department will cause it to be cleaned with the actual costs being deducted from the deposit. If the costs of cleaning exceed the amount of the deposit, the group or organization will be billed for the balance due with interest added if not paid within thirty (30) days after the billing date.

C. Groups must not exceed the maximum size for their shelter. Any group that exceeds the maximum as determined by a Department of Parks and Recreation Ranger will forfeit its cleaning deposit. This occurrence may be grounds for refusal to approve future requests. ~~Group/~~

D. Groups who cancel a reservation will be charged a ~~the~~ Required Fee(s) for handling ~~fee~~. If the reservation is cancelled 7 or more days in advance, the use fee and cleaning/damage deposit will be refunded. If the reservation is cancelled less than 7 days in advance, only the cleaning/damage deposit will be refunded. Cancellations must be made during business hours (8:00 a.m. - 5:00 p.m.) Monday through Friday by calling 691-5071 or by coming to the Parks and Recreation Department. Should inclement weather occur on the day of the reservation, the groups may receive a refund of the use fee and cleaning/damage deposit or reschedule their reservation.

E. All glass containers and beer kegs are prohibited.

F. All groups will confine themselves to their ~~assigned~~ assigned areas, unless they are involved with recreational activities. No picnic tables, benches, grills, stoves or other park equipment will be moved from any other area without express permission from the Department of Parks and Recreation. Groups may not change assigned picnic areas. Failure to comply will result in forfeiture of all fees.

10A-9

- G. All group members and caterers must use the parking area assigned on the reservation form. Any vehicle not parked in designated parking spaces will be ticketed.
- H. Organizations and groups staging functions in the parks should acquaint themselves with the general park rules and regulations. Actions which are in violation of said rules and regulations may result in cancellation of the outing, forfeiture of deposits, arrest or fine.
- I. These Group Use Rules and Regulations apply to all City of Chula Vista Parks.

2.70.010 Public library-Use of property regulated-Fines.

It is unlawful for any person, firm or corporation to retain any picture, newspaper, magazine, pamphlet, manuscript or any other property belonging in, to, or on deposit with the Chula Vista Public Library, or any reading room, deposit station, or institution operated in connection therewith for' a period exceeding thirty days after the mailing by letter to the borrower s address, on file with the library, of a notice in writing to return the same, given after the expiration of the time which by the rules of the library the article or other property may be kept. It is further unlawful for any person, firm, or corporation to refuse to pay the fine for the keeping of such properties beyond the time established by the rules. *α/νλρλδλλρθ/ρθ/λθνλ/σθννθθ/λθ/δλ λθννδδλλρθ/ρδλλδλδλδλθ/δν/δ/λθλθ/θλλ/λθ/ελδδδδ/λθρ/θδλθδνδδ/λθλλν/δρλλδνδλ*

2.70.030 Fines and fees.

Library fines and fees shall be the Required Fee(s). *δδ ρνδδδλλν/δδλνθλνλδν/δν/δδ/θδν/δδ/νθ/λθδ/θνννθθ/δλδλδδδ/λθ/λθδ/θδδλδλ/λθδ δλθδδλδλ/δλδλλ/δδ/λθρδδδδ/λθν/λθδ/λθλλρδλθθ/λθδνδνν/δδννλδδδλ*

- A/ *λδδλ/ρθ/δνδδδδλδνλ*
- B/ *θνδνδδδδ/δλδνδδδδλ*
- C/ *θδλνδδδλδδλλ/λθδνδνν/δδνδδδλ*
- D/ *δλδνδδδδ/λθν/νδδδδνδλλρθ/ρθ/δρδδδδλ*
- E/ *δλδνδδδδ/λθν/δδδδ/ρθ/δδδδδδ/θλδνδδλλλλ*

3.45.010 Established-Purpose.

A. The city council shall adopt, by resolution, a master fee schedule, indicating therein the fees for all services, administrative acts and other legally required fees, which resolution may be amended from time to time and shall be effective upon first reading and approval; provided, however, such resolutions may specify therein their applicability, if any, to applications currently in the process of review.

10A-10

- B. A copy of the master fee schedule shall be maintained in the office of the city clerk and in each department of the city.
- C. The fees set forth in the master fee schedule may be waived by the Waiving Authority, as defined hereinbelow in Subsection D, in accordance with the following procedures:
1. Any person requesting an abatement of a fee herein charged shall request said abatement in writing, addressed to the Waiving Authority, and shall set forth herein, with specificity, the reasons for requesting said abatement of all or any portion of the fees.
 2. The Waiving Authority shall conduct a public hearing, notice of which is not required to be published. Notice of said public hearing shall be given to the applicant and to any party or parties requesting notice of same.
 3. Prior to abating all or any portion of a fee established in the master fee schedule, the Waiving Authority shall find a peculiar economic hardship or other injustice would result to the applicant which outweighs, when balanced against, the need of the City revenue and the need for a uniform method of recovering same from those against whom it is imposed.
- D. Waiving Authority, as the term is used herein, shall mean the City Manager, or his designee, if the amount of such waiver is less than or equal to the greater of (1) \$2,500 or (2) 25% of the fee imposed by the master fee schedule. If the amount of the waiver is greater than the greater of \$2,500 or 25% of the original fee imposed by the master fee schedule, the Waiving Authority, as used herein, shall mean the City Council.
- E. If the Waiving Authority in a particular fee waiver matter is the City Manager, or his designee, the decision of the City Manager, or his designee, may be appealed to the City Council by any ~~resident~~ ~~of the City~~ ~~of the City~~ ~~of the City~~ ~~of the City~~ person, including, but not limited to, the members of the City Council. If the Waiving Authority is not the City Council, then the Waiving Authority shall provide notice of his decision to waive the fee set forth in the master fee⁴ schedule by distributing a copy of said notice of decision to each member of the City Council and to the City Clerk. Said notice of decision shall be deemed a public record.

5.02.040 Application-Contents required-Fee.

Before any license is issued to any person, such person shall make written application therefore to the finance officer of the city. Such application shall:

- A. State the nature or kind of business or enterprise for which the license is required;

- B. State the place where such business or enterprise will be transacted or carried on;
- C. State the name of the owner of the business or enterprise;
- D. Be signed by the applicant;
- E. Shall contain, when intended as an application for a license as a solicitor, peddler or transient merchant, the following information:
 - 1. Physical description of applicant,
 - 2. Complete permanent home and local address of the applicant,
 - 3. If employed, the name and address of the employer, together with credentials therefrom establishing the exact relationship,
 - 4. The source of supply of the goods or property or property proposed to be sold, or orders taken for the sale thereof, where such goods or products are located at the time such application is filed, and the proposed method of delivery,
 - 5. Two copies of a recent photograph of the applicant, such picture being approximately two inches by two inches and showing the head and shoulders of the applicant in a clear and distinguishing manner,
 - 6. A statement as to whether or not the applicant has ever been convicted of any felony and if so the nature of the offense,
 - 7. The last cities, not to exceed three, where applicant carried on business immediately preceding the date of application and the addresses from which such business was conducted in those cities,
 - 8. At the time of filing the application, ~~As/Additional/Fee/As~~ ~~presently/required/~~ ~~by/As/~~ ~~may/~~ ~~in/the/city/~~ ~~of/American/~~ ~~in/the~~ ~~Mayor/Fee/Schedule/Section/5.02.0A0,~~ the Required Fee(s) shall be paid to the director of finance to cover the cost of investigation of the facts stated therein,
 - 9. Where a written order or contract is used, the applicant shall attach to the application one copy of the proposed form of all such orders or contracts to be used or submitted to purchasers or prospective purchasers within the city,
 - 10. At the time such application is filed, the applicant shall furnish his fingerprints to the police department of this city.

5.02.150 Change of location permitted when-Fee.

A change of location shall be allowed to the owner of any license under the provision of this title and Section 8.20.020, upon the payment to the director of finance ~~As/~~ ~~Fee/~~ ~~As/~~ ~~presently/~~ ~~required/~~ ~~by/~~ ~~As/~~ ~~may/~~ ~~in/~~ ~~the/~~ ~~city/~~ ~~of/~~ ~~American/~~ ~~in/~~ ~~the/~~ ~~Mayor/~~ ~~Fee/~~ ~~Schedule/~~ ~~Section/~~ ~~5.02.150~~ of the Required Fee(s) and upon the approval of the director of planning.

10A-12

5.02.190 Interstate commerce identification card required when-Application-Contents-Fee.

None of the license taxes provided for by this title and Section 8.20.020 shall be so applied as to occasion an undue burden upon interstate commerce and no solicitors who are engaged in interstate commerce shall be required to obtain a license as required herein; provided however, that all solicitors as defined in Section 5.02.010 are required to register with the chief of police and to obtain an identification card. Applicants for such police identification cards shall be required to furnish an application containing the following information:

- A. Permanent home address and full local address of the applicant;
- B. A brief description of the nature of the business and goods to be sold;
- C. A photograph of the applicant, taken within sixty days immediately prior to the date of the filing of the application, which picture shall be two inches by two inches, showing the head and shoulders of the applicant in a clear and distinguishing manner;
- D. The fingerprints of the applicant;
- E. A statement as to whether or not the applicant has ever been convicted of any crime or misdemeanor, and if so, the details in general of such convictions, and specifying the particular crimes or misdemeanors involved and the dates and places of such convictions.

A fee is presently designated by the Mayor/Chief of Police to be charged by the chief of police. The identification card shall be valid for one year. The fee is designated by the Mayor/Chief of Police to be charged by the Mayor/Chief of Police. Section 5.02.190 shall be amended for the purpose.

5.04.060 Duplicate licenses-Fee.

The director of finance shall charge a fee is presently designated by the Mayor/Chief of Police for each duplicate of a license, issued under the provisions of this title and Section 8.20.020 which has been lost or destroyed.

5.06.020 Downtown Improvement District Assessment.

An additional assessment is imposed upon businesses located within said area. The additional assessment shall be as follows:

- A. Class A. Professions: accountant, anesthesiologist, architect, appraiser, assayer, attorney, auditor, bacteriologist, chemist, chiroprapist, chiropractor, consultant, dentist, medical doctor, engineer, electrologist, entomologist, esthetician, geologist, hypnotherapist,

10A-13

oculist, optician, optometrist, osteopath, pharmacist, physical therapist, physician, physiotherapist, psychiatrist, psychologist, psychotherapist, podiatrist, real estate broker, real estate salesman, roentgenologist, social worker, stock and bond broker, surgeon, surveyor, taxidermist and veterinarian. Each professional working as a sole practitioner shall pay as prescribed by the Mayor in the future by the Mayor in the Mayor's Fee Schedule Section 5.08.020 the Required Fee(s).

B. Class B. All other businesses located within the downtown parking and improvement area, known as the downtown business area, shall pay as prescribed by the Mayor in the Mayor's Fee Schedule Section 5.08.020 the Required Fee(s).

Said additional Downtown Improvement District Assessment shall be collected at the same time with the general business license tax.

5.08.060 Violation of Sections 5.08.030 through 5.08.050-Penalty.

As a violation of any of the requirements of Sections 5.08.030 through 5.08.050 it is unlawful to fail to comply with any of the requirements of Sections 5.08.030 through 5.08.050

5.10.040 Certificate/Investigation Fee/required/

Each applicant for a certificate shall be accompanied by a fee prescribed by the Mayor in the Mayor's Fee Schedule, Section 5.10.040, to defray the cost of an investigation as required hereunder. No officer or agent of the City shall be required to perform any investigation as required by the Mayor in the Mayor's Fee Schedule, Section 5.10.040, to defray the cost of an investigation as required hereunder.

5.10.110 Driver's License/Required for driver and attendants/

No person shall drive or accompany or act as an attendant upon an ambulance or other motor vehicle used in the business of any hospital or other institution or any other person or institution as provided in the City Code, Section 5.10.110.

5.10.120 Driver's License/for applicant/

An applicant for a license shall be accompanied by a fee as determined by the Mayor in the Mayor's Fee Schedule, Section 5.10.120, to defray the cost of an investigation as required hereunder.

10A-14

S/IØ/IØØ

Ørɪvɛrʔs/Lɪcɛnsɛ/Bɪʁuɪndɛs/fɔɹ/dɛnɪəl/

hɔɹ/Lɪcɛnsɛ/lɔɹ/dɪlɪkɛ/æn/æmbʊlænsɛ/ðɪ/lɔɹ/æʁv/æz/ævʁɔdæʁv/ʊpɔɹ/æn/æmbʊlænsɛ
lɔɹ/lɔɹ/ðɔɹɛtæd/ɔɹ/lɪkɛ/sɪtɛɛts/ɔɹ/lɪkɛ/ɛɪlɪ/æz/ɛdʊlɛtɛd/ɪd/lɪkɛ/ɛhæpɛrʔs/
sɪlɪ/bɛ/lɪsɛdɛd/lɔɹ/

A/ æn/ɔɹɛʁʁɔn/ʊndɛr/lɪkɛ/ædɛ/ɔɹ/ɛɪgɪkɛɛn/ɹɛɛrʔs/

B/ æn/ɔɹɛʁʁɔn/hɔɹ/lɔɹvɪnɪg/æ/lɛɪlɪfɔɹnɪə/sɛɪtɛ/ðɪlɪkɛʔs/lɪkɛnɪsɛ/ædʊpɔɹɪtɛ/lɔɹ
lɪkɛ/ɛɪsɛs/ɔɹ/vɛhɪɛɛ/lɔɹ/bɛ/ɔɹɛrʔɛɛ

E/ æn/ɔɹɛʁʁɔn/lɔɹ/hæz/bɛɛn/ɔɹvɪtɛd/ɔɹ/æ/lɪkɛnɪsɛ/ɪnɔɹvɪnɪg/ɔɹ/ɔɹ
lɔɹɪlɔɹdɛ/lɪkɛ/lɪkɛ/sɛɪtɛ/ɔɹ/æn/ɔɹvɛn/sɛɪtɛ/ɔɹ/ɔɹlɪsɔɹɛɛɛɛɛ/lɪkɛnɪsɛ/æ
lɛɛɛ/lɔɹ/lɪkɛ/lɪkɛ/sɛɪtɛ/lɔɹ/lɛɛɛ/sɛɪtɛ/lɔɹ/ɔɹvɪtɛd/hɪs/ɔɹlɛɛɛɛɛɛɛ/ɔɹ
lɪkɛ/lɪkɛ/sɛɪtɛ/lɔɹ/ɔɹvɪtɛd/hɪs/ɔɹlɛɛɛɛɛɛɛ/ɔɹ/lɪkɛ/lɛɛɛɛɛɛɛɛ/ɔɹ
lɪkɛ/lɪkɛ/sɛɪtɛ/lɔɹ/ɔɹvɪtɛd/hɪs/ɔɹlɛɛɛɛɛɛɛ/ɔɹ/lɪkɛ/lɛɛɛɛɛɛɛɛ/ɔɹ
lɪkɛ/lɪkɛ/sɛɪtɛ/lɔɹ/ɔɹvɪtɛd/hɪs/ɔɹlɛɛɛɛɛɛɛ/ɔɹ/lɪkɛ/lɛɛɛɛɛɛɛɛ/ɔɹ

D/ æn/ɔɹɛʁʁɔn/ʊndɛr/hæz/bɛɛn/ædʊvɪtɛd/lɔɹ/lɪkɛ/ʊsɛ/ɔɹ//ɔɹ/ɔɹvɪtɛd/ɔɹ/lɪkɛ
lɪlɛgɛɛ/lɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/ɔɹvɪtɛd/lɔɹ/æn/ɔɹvɪtɛd/ɔɹ/lɪkɛ/lɛɛɛɛɛɛɛɛ
ɛɛɛ/ɔɹ/lɔɹ/ɔɹvɪtɛd/ɔɹ/lɪkɛ/lɛɛɛɛɛɛɛɛ/ɔɹ/lɔɹ/ɔɹvɪtɛd/ɔɹ/lɪkɛ/lɛɛɛɛɛɛɛɛ

E/ æn/ɔɹɛʁʁɔn/ʊndɛr/hæz/bɛɛn/ædʊvɪtɛd/ɔɹ/æ/lɔɹ/ɔɹvɪtɛd/ɔɹ/lɪkɛ
lɛɛɛ/lɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/æn/ɔɹvɪtɛd/ɔɹ/lɔɹ/ɔɹvɪtɛd/ɔɹ/lɔɹ/ɔɹvɪtɛd/ɔɹ
lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ
sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ
lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ

F/ æn/ɔɹɛʁʁɔn/ʊndɛr/hæz/bɛɛn/ædʊvɪtɛd/ɔɹ/lɔɹ/ɔɹvɪtɛd/ɔɹ/lɔɹ/ɔɹvɪtɛd/ɔɹ
lɔɹ/sɛɪtɛ//ɔɹ//sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ
lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ
lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ
lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ/lɔɹ/sɛɪtɛ/ɔɹ

S/IØ/IØØ

Ørɪvɛrʔs/Lɪcɛnsɛ/ɪssʊænsɛ/Pɛrɪɔɹd/ɔɹ/vælɪdɪlɪ/

A/Lɪcɛnsɛ//lɔɹ//dɪlɪkɛ/æn/æmbʊlænsɛ//sɪlɪ/vɛ//ɪssʊɛd//ɔɹ//dɛnɪɛd//ʊpɔɹ
lɪkɛnɪsɛɛɛɛɛɛ//æd//vɛnɪfɪkæɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ
lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ
lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ
lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ//lɪkɛnɪsɛɛɛɛɛɛ//ɔɹ

S/IØ/IØØ

**Ørɪvɛrʔs/Lɪcɛnsɛ//Bɪʁuɪndɛs/fɔɹ/sʊspɛnsɪɔn/ɹɛvɔkæɛɛɛ/ɔɹ
nɔɹɹɛnɛɛɛɛ**

lɪkɛnɪsɛɛɛɛɛ/ɔɹ//lɔɹ//dɪlɪkɛ/æn/æmbʊlænsɛ//sɪlɪ/vɛ//ɪssʊɛd//ɔɹ//dɛnɪɛd//ʊpɔɹ
lɪkɛnɪsɛɛɛɛɛ//ɔɹ//lɔɹ//dɪlɪkɛ/æn/æmbʊlænsɛ//sɪlɪ/vɛ//ɪssʊɛd//ɔɹ//dɛnɪɛd//ʊpɔɹ
lɪkɛnɪsɛɛɛɛɛ//ɔɹ//lɔɹ//dɪlɪkɛ/æn/æmbʊlænsɛ//sɪlɪ/vɛ//ɪssʊɛd//ɔɹ//dɛnɪɛd//ʊpɔɹ

A/ Bɛɛn/kɔɹvɪkɛɛd/ɔɹ/A/lɛvɔnɪ/ɪd/lɪkɛ/sɛɪtɛ/ɔɹ/æn/ɔɹvɛrʔs/sɛɪtɛ/ɔɹ/æn/ɔɹvɛrʔs
ɛɛɛ

B/ hæd/hɪs/sɛɪtɛ/ɔɹvɛrʔs/ɔɹ/ɛhæʊffɛrʔs/Lɪcɛnsɛ/ɹɛvɔkɛd/ɔɹ/sʊspɛnsɪɔn/

10A-15

5.14.030 Permit-Required for operation-Fees-Renewal.

- A. Each application for operating a studio shall be accompanied by a fee as presently designated, or as may in the future be amended, in the Master Tax Schedule, Section 5.14.030, the Required Fee(s) to defray the cost of an investigation. The fee is not refundable whether a permit is granted or denied. No person shall operate a studio without first paying a business license tax as presently designated, or as may in the future be amended, in the Master Tax Schedule, Section 5.14.030.
- B. No person shall operate a studio without paying a renewal permit tax as presently designated, or as may in the future be amended, in the Master Tax Schedule, Section 5.14.030.

5.14.060 Models-Permit required-Fee.

No person shall be employed as a model of a studio, required to be licensed pursuant to this chapter, without first obtaining a permit from the chief of police. Each application for a permit shall be accompanied by a nonrefundable fee as presently designated, or as may in the future be amended, in the Master Tax Schedule, Section 5.14.060, Required Fee(s) to defray the cost of investigation. A permit to act as a model in an art figure studio does not authorize the operation of such a studio.

5.15.010 License-Tax-Required

Every person conducting, managing, or operating a business in any city or municipality for hire or for profit, or any person who is engaged in any business, profession, occupation, or trade, shall pay the Required Fee(s) as set forth in the schedule of taxes and fees in the City or Municipal Code.

5.15.020 Definition

For the purposes of this chapter, the terms "business" and "profession" shall include any activity, occupation, or trade, whether or not it is conducted for profit, and whether or not it is conducted on a full-time basis.

A. Any person who is engaged in any business, profession, occupation, or trade, whether or not it is conducted for profit, and whether or not it is conducted on a full-time basis, shall be subject to the license tax imposed by this chapter. The license tax shall be levied on the person who is engaged in the business, profession, occupation, or trade, whether or not the person is the owner of the business, profession, occupation, or trade.

B. The license tax shall be levied on the person who is engaged in the business, profession, occupation, or trade, whether or not the person is the owner of the business, profession, occupation, or trade.

C. The license tax shall be levied on the person who is engaged in the business, profession, occupation, or trade, whether or not the person is the owner of the business, profession, occupation, or trade.

10A-17

cardroom licenses as approved by the director of public safety, subject to ratification of the city council. Upon the issuance of available cardroom licenses, the director of public safety shall authorize the refund of any application fee to any persons who were not subject to investigations.

5.20.070 Work permits required-Application contents-Investigation fee-Issuance-Period of validity.

- A. The manager of a cardroom, if he is other than the person or persons whose names appear on the application for the cardroom license, must obtain a work permit from the chief of police. He shall submit his application for such work permit to the chief of police, which application shall be under oath and shall include, among other things, the past criminal record, if any, of the applicant and shall be accompanied by the fingerprints of the applicant. An application for a manager work permit shall be accompanied by ~~a fee of a renewal fee as presently designated, or as may in the future be amended in the Master Fee Schedule, Section 5/20/070~~ the Required Fee(s) or the Required renewal Fee(s). The work permit, when issued, shall be valid for one year. The chief of police may deny such work permit, if, in his opinion, the applicant therefor should not be permitted to act as manager in lieu of management by the licensee of the cardroom.

- B. Employees in cardrooms must obtain a work permit from the chief of police. Applications for such work permits shall be submitted under oath and contain such information as may be deemed by the chief of police to be necessary to determine whether the applicant is a proper person to be employed in a cardroom. The chief of police may deny such work permit if, in his opinion, the applicant therefor should not be permitted to be employed in a cardroom. Each application for a work permit shall be accompanied by ~~a fee, or renewal fee, as presently designated, or as may in the future be amended, in the Master Fee Schedule, Section 5/20/070~~ the Required Fee(s), or the Required renewal Fee(s). Such permits shall be valid for one year.

5.26.030 License-Application and investigation fee required.

- A. All applications for licenses to be issued pursuant to this chapter shall be filed with the clerk of the city and shall be accompanied by ~~an~~ the Required investigation fee(s) as presently designated, or as may in the future be amended, in the Master Fee Schedule, Section 5/26/030.

- B. Applications for licenses under this chapter shall be on such forms as shall be prescribed by the city clerk and shall be in duplicate, and shall set forth in addition to other things the name of the person to have direct management of the premises, the post office address of the applicant and the name of the real person in interest, and the name of the owner of the premises upon which the business licensed is to be carried on.

- C. All applications for licenses shall be sworn to by the applicant.

10A-22

5.35.105 Annual License Applications and Taxes.

- A. An application for operating a bathhouse must be submitted annually, and shall be accompanied by a the non-refundable Required fFee(s) as presently designated by the future or amended in the Master Fee Tax Schedule, Section 5.35.105, to defray the costs of an investigation. No person shall operate a bathhouse without first paying a business license tax as presently designated, or as may in the future be amended, in the Master Fee Tax Schedule, Section 5.35.105.
- B. No person shall operate a bathhouse without paying a renewal license tax as presently designated, or may in the future be amended, in the Master Tax Schedule, Section 5.35.105.

5.36.080 License-Application-Investigation fee required.

Any person desiring to obtain a license to operate a massage establishment shall make an application to the city manager. A nonrefundable Required fFee(s) as presently designated by the future or amended in the Master Fee Tax Schedule, Section 5.36.080, to cover the cost of an investigation, shall accompany the submission of each application. The fee required by this section shall not be required for an application to renew a license granted pursuant to this chapter; provided however, any establishment licensed prior to the effective date of this chapter which was not subject to investigation and report by the chief of police shall be required to pay said fee and said investigation shall be undertaken at the time a license renewal is requested. Said application tax fee shall be in addition to any license tax, permit or fee required under any provisions of this code.

5.36.090 Technician-Permit-Application-Investigation fee.

Any person desiring to obtain a permit to act as a massage technician shall make an application to the city manager. A nonrefundable Required fFee(s) as presently designated by the future or amended in the Master Fee Tax Schedule, Section 5.36.090 shall accompany the submission of each application to cover the costs of the investigation. A permit to act as a massage technician does not authorize the operation of a massage establishment. Any person obtaining a permit to act as a massage technician who desires to operate a massage establishment must separately apply for a license therefor. A person who applies for a license to operate a massage establishment and who desires to act as a massage technician within said massage establishment who pays the fees and taxes required by Sections 5.36.080 and 5.36.081 of this chapter shall not be required to pay the fee required by this section. Any person operating a massage technician prior to the effective date of this chapter shall not be required to pay the fee required by this section.

5.36.160 Change of location-Fee required.

A change of location of a licensed massage establishment may be approved by the city manager provided all applicable provisions of this code are

10A-23

complied with and a change of location ~~is/fee/has/already/assessed/by/it~~
~~may/in/the/future/be/amended/in/the/master/fee/schedule/section~~
~~5/38/170~~ Required Fee(s) has been paid to city, to cover the costs of investigation.

5.36.170 Sale or transfer of business-Effect-Fee for transfer of interest.

- A. Upon the sale or transfer of any interest in a massage establishment, the permit and license shall be null and void. A new application shall be made by any person, firm or entity desiring to own or operate the massage establishment. ~~A/fee/is/assessed/designated/by/it/may/in/the/future/be/amended/in/the/master/fee/schedule/section~~ The Required Fee(s) shall be payable for each such application involving sale or other transfer of any interest in an existing massage establishment. The provisions of Section 5.36.100 of this chapter shall apply to any person, firm or entity applying for a massage establishment permit for premises previously used as such establishment.
- B. Any such sale or transfer of any interests in an existing massage establishment or any application for an extension of the building or other place of business of the massage establishment, shall require inspection and shall require compliance with Section 5.36.110 of this chapter.

5.38.030 License-Permit prerequisite-Investigation fee-Application-Contents required.

- A. No license shall be issued to any pawnbroker, junk or secondhand dealer in the city as defined herein pursuant to the provisions contained in Section 5.38.010 without the written approval and a permit therefor having been obtained from the chief of police. The chief of police shall charge a nonrefundable Required Fee(s) ~~is/already/designated/by~~ ~~it/may/in/the/future/be/amended/in/the/master/fee/schedule/section~~ ~~5/38/030~~ to cover the cost of investigating the applicant. Every person wishing to engage in the business of pawnbroker or junk or secondhand dealer shall file an application for a permit, signed by the applicant, with the chief of police, and the application shall show the following information:
 - 1. Permanent home address and full local address of applicant;
 - 2. A brief description of the nature of the business and goods to be sold;
 - 3. A photograph of the applicant, taken within sixty days immediately prior to the date of the filing of the application, which picture shall be two inches by two inches, showing the head and shoulders of the applicant in a clear and distinguishing manner;
 - 4. The fingerprints of the applicant;
 - 5. A statement as to whether or not the applicant has ever been convicted of any offense involving stolen property, and if so, the

10A-24

details in general of such convictions, and specifying the particular crimes or misdemeanors involved and the dates and places of such convictions.

- B. In the event that the chief of police, upon investigation, should determine that the issuance of such a permit to the applicant would be detrimental to the public health, safety, and general welfare of the city, either because of the moral character of the applicant or the creation of a policing problem as a result of the establishment of a pawnshop or junk or secondhand shop in a particular location, or showing that an increase in the number of pawnshops or junk or secondhand shops over and above the existing number within the city would be detrimental to the public health, safety and general welfare, said findings shall be prepared in writing and delivered to the applicant. The applicant may, upon receipt of such notice of denial, appeal such denial to the city council within ten days of the receipt of the denial, by filing a notice of appeal with the city clerk of the city. The council shall set the matter of the denial for hearing in the same manner as set forth in Sections 5.38.210 and 5.38.220 of this chapter.

5.38.120 Pawnshop-Employee identification card required.

Every person who is to be employed by the owner of the pawnshop in the conduct of the business shall first file an application for an identification card signed by the applicant with the chief of police. The application shall show the following information:

- A. Permanent home address and full local address of the applicant;
- B. A photograph of the applicant, taken within sixty days immediately prior to the date of the filing of the application, which picture shall be two inches by two inches, showing the head and shoulders of the applicant in a clear and distinguishing manner;
- C. The fingerprints of the applicant;
- D. A statement as to whether or not the applicant has ever been convicted of any offense involving stolen property, and if so, the details in general of such convictions, and specifying the particular crimes or misdemeanors involved and the dates and places of such convictions.

No person carrying on the business of a pawnbroker shall employ anyone who has not received such a police identification card and such identification card shall not be issued if the applicant has been convicted of a crime involving stolen property. A nonrefundable ~~Required~~ Fee(s) as presently designated by the Mayor's Office/attached in the Master Fee Schedule Section 5.38.120 shall be charged for such identification card.

5.40.010 Owning taxable property in city-License fee.

Every peddler, solicitor or transient merchant who owns real or personal property located within the city used primarily for the business for which license application is made and which property is on the tax rolls of the city or is subject to such taxation, or who is an agent or representative of a person who owns property located within the city used primarily for the business for which license application is made and which property is on the

10A-25

tax rolls of the city or is subject to such taxation shall pay a license tax as presently designated, or as may in the future be amended, in the Master ~~Fee~~ Tax Schedule, Section 5.40.010.

5.48.060 License-Investigation of applicant-Issuance-Fees and Taxes-Agreement required.

The finance officer shall notify the chief of police of the filing of the application and the chief of police may make, or cause to be made, an examination or investigation of the statements put forth in such application, or of the applicant and his affairs, in relation to the proposed closing-out sale. If the chief of police finds that the statements in the application are true, that the advertising to be used is not false, deceptive or misleading in any respect, and that the proposed methods of conducting the sale are not such as, in the opinion of the chief of police, would work a fraud or misrepresentation on the purchaser, then the chief of police shall approve the application and the finance officer shall issue a license to conduct such a sale in accordance with the provisions of this chapter; otherwise the chief of police shall disapprove the application. No application for such license shall be accepted by the finance officer unless accompanied by a nonrefundable Required filing fee(s) as presently designated, or as may in the future be amended, in the Master Tax Schedule, Section 5.48.060. Provided further, that whenever the goods, wares or merchandise is to be sold at public auction and is a stock of jewelry, then in that event the application required in this chapter shall be accompanied by a tax in an amount as presently designated, or as may in the future be amended, in the Master Tax Schedule, Section 5.48.060. At the time of delivery of such license, the licensee shall sign the following agreement to be witnessed by the finance officer or his deputy:

"The above license is accepted by the undersigned upon the condition that licensee agrees to comply with, and abide by, all the provisions of Chapter 5.48 of the Code of the City of Chula Vista, California."

5.56.100 Violation-Penalty.

Every It is unlawful for any person, firm or corporation which sells or deals in tobacco or any preparation thereof, including the owners or lessees of the premises designated in Section 5.56.080, to intentionally fail to comply with any of the provisions of this chapter as
guiltily by a misdemeanor, and upon conviction thereof shall be punished by the fine or by imprisonment for
the first offense by a fine of not less than twenty-five dollars nor more than one hundred dollars or by imprisonment for not more than six months, and for the second offense by a fine of not less than fifty dollars nor more than two hundred dollars or by imprisonment for not more than nine months, and for each subsequent offense by a fine of not less than one hundred dollars nor more than three hundred dollars or by imprisonment for not more than one year and imprisonment.

5.64.040 Violations-Civil fines, injunctions.

A. The intentionality of each violation shall be determined by the person who
intentionally and upon conviction shall be punished by the fine or by imprisonment for
the violation by a fine of not more than one hundred dollars.

10A-26

It is unlawful to intentionally violate the provisions of Section 5.64.030.

- B. Failure to have a clearly readable price indicated on twelve units of the same item of the same commodity shall constitute a presumption of intent to violate Section 5.64.030.
- C. Every additional twelve units of the same item that fail to have a price indicated on them shall constitute a presumption of intent to violate Section 5.64.030.
- D. Each day that a violation continues shall also constitute a separate violation after notification thereof to the manager or assistant manager of the retail grocery store or the grocery department of the general retail merchandise store and shall constitute a presumption of intent to violate Section 5.64.030.
- E. Any person may bring an action to enjoin a violation of Section 5.64.030.

6.02.010 Keeping certain animals prohibited-Special permits.

- A. The keeping of animals, birds, fowls or rabbits not expressly permitted by Chapters 6.04 and 6.08 is prohibited unless a special permit is obtained.
- B. Special Permits. Special permits may be granted for the maintenance of animals not in strict conformance with the provisions of this title during special events for a period of not more than two months if the Chief of Police makes a finding that the public health and welfare will not be endangered thereby and such animals shall be kept in a manner consistent with the conditions imposed, if any, in such special permit and within the scope thereof.

6.02.020 Enforcement authority.

It shall be the duty of the Chief of Police to enforce all the provisions of Title 6 of this Municipal Code. According to the provisions of the California Penal Code Section 830.9, the animal control officers of the city may exercise designated powers of arrest.

6.12.020 Pound established-Maintenance.

There is established a city pound for impounding estrays and dogs, and the same shall be maintained in the city in a place to be selected by the Chief of Police and approved by the council.

6.12.030 Impoundment-Procedure generally-Sale of animals authorized when-Procedure.

Whenever the ~~provisional~~ Chief of Police of the city shall discover or be notified that any animal or animals enumerated in Section 6.04.010 are running at large, grazing, pasturing, injuring trees or staked or fastened in any manner prohibited by this chapter, it shall be his duty and he is directed to immediately cause such animal or animals to be picked up ~~by the County Animal Shelter/ or the County Humane Society/ and placed~~ and placed in a suitable corral or enclosure for safekeeping.

6.12.040 Impoundment-Fees and charges.

Standard fees charged by the County Animal Shelter or County Humane Society for impoundment and boarding of animals shall be lawful charges against the owner or owners or persons in charge of such animals. The agency furnishing services or board shall be entitled to a lien upon the animals for payment ~~thereof~~ of the Required Fee(s).

6.12.045 Disposition of unclaimed dogs-Notice of owner.

Every ~~dog~~ animal impounded under this chapter shall be destroyed, sold at private sale, or given away by the ~~provisional~~ Chief of Police if not claimed and taken away by the owner, and if an impounding fee plus a fee for boarding and keeping such ~~dog~~ animal is not paid within three working days. It shall be the duty of the ~~provisional~~ Chief of Police within twenty-four hours to attempt to notify personally or by mail the owner of any dog bearing the metal tag or plate mentioned in Section 6.20.060. Any person purchasing a dog or cat shall pay the Required Fees.

6.12.060 Relinquishment of dogs and cats by owner; Fees

Residents of the City of Chula Vista may relinquish dogs and cats to the city upon payment of the Required Fees. Non-residents of the City of Chula Vista may relinquish dogs and cats to the city, providing such relinquishment is done at the city animal shelter, upon payment of the Required Fees.

6.16.030 Disposal-Duty of owner of animal.

It is the duty of the owner of a dead animal to dispose of such dead animal by means of the services of a licensed veterinarian, the animal ~~regulation~~ control officer of the city, or other persons licensed to engage in the work of disposing of dead animals.

6.16.050 Disposal-Authority of animal ~~regulation~~ control officer.

In the event a dead animal is deposited or allowed to remain upon premises in violation of Section 6.16.020 and the animal ~~regulation~~ control officer determines that in the interest of protecting the public health the city should forthwith cause the removal and disposal of said dead animal, the

10A-28

animal ~~regulatory~~ control officer may act to remove and dispose of said dead animal. Further, the animal ~~regulatory~~ control officer is authorized to dispose of dead animals as requested pursuant to Section 6.16.030.

6.20.030 Application required-Procedure-Transfer licensing procedures.

- A. A separate application shall be made for each dog. The application shall be made on the form provided by the finance officer and shall be filed with the finance officer. If a dog is acquired by the owner or is brought into the city or reaches the age of four months, the owner shall apply for a license within thirty days thereafter.
- B. It is declared to be the intent of this chapter to apply the licensing requirements to all dogs brought into the city except those accompanying visitors or tourists who do not stay within the city more than thirty days. A dog having a license issued by another legislative authority elsewhere in the state of California, and which has been vaccinated with a ~~rabies~~ vaccine approved for declared rabies areas by the State of California and the immunization period therefor has not expired, may upon application of its owner be issued a transfer license good for the remainder of the year upon payment of the Required filing fee(s) as presently determined by the Finance Officer. The applicant for such license shall surrender to the finance officer the out-of-city license and evidence of vaccination. The penalties provided in this chapter shall not apply to a license issued under the provisions of this section.
- C. Whenever the ownership of a dog has changed, the new owner may secure a transfer of license to him by endorsement on the records of the finance officer upon the payment of a the Required transfer fee(s) as presently determined by the Finance Officer and the presentation to the finance officer of the original receipt endorsed by the original licensee as a transferrer.
- D. Proof of vaccination against rabies, which vaccination is required in compliance with the provisions of this code and the Health and Safety Code of the state of California, shall be a condition precedent to the licensing of any dog under the provisions of this chapter, and the certificate of vaccination which is required by said codes may serve as proof of vaccination. No license may be issued under the provisions of this chapter unless the certificate of vaccination shows that the effective duration of such vaccination shall be for a period of at least eleven months beyond the beginning of the year for which the license is issued in the case of one-year licenses, ~~and~~ for at least twenty-three months beyond the beginning of the two-year period for which a license is issued in the case of two-year licenses, and for at least thirty-five months beyond the beginning of the three-year period for which a license is issued in the case of a three-year license.
- E. When any dog owner presents evidence that a previously licensed dog is deceased or executes a declaration under penalty of perjury of such a fact, said owner may secure a transfer of the license previously issued to such an animal to a newly acquired dog for the balance of the license period upon the payment of a the Required fee(s) as presently determined by the Finance Officer.

10A-29

designated // of // as // may // in // the // future // be // amended // in // the // master // fee schedule and the presentation to the finance officer of proof of vaccination against rabies. The finance officer shall note on the original application the name and description of the animal to which the license has been transferred.

6.20.040 Fee-Schedule.

The license fee for dogs shall be the Required Fee(s) as presently designated // of // as // may // be // in // the // future // amended // in // the // master // fee // schedule.

Any dog license tag issued pursuant to this section shall be issued for one-half of the fees listed in the master fee schedule for any dog if a certificate or affidavit is presented from a licensed veterinarian that said dog has been spayed or neutered.

6.20.050 Penalty for late application or payment.

A The Required penalty Fee(s) as presently designated // of // as // may // be // in // the // future // amended // in // the // master // fee // schedule shall be added to the license fee if application or payment is made subsequent to thirty days from the date on which the dog is required to be licensed under this chapter. The time of application or payment shall be determined as follows:

If made by deposit with the United States mail, addressed to the finance officer, and postage prepaid, the postmark, or if none, the postage meter imprint, shall be conclusive; otherwise the time of actual receipt by the finance officer shall be conclusive. This penalty shall not be added if the dog to be licensed has been in the applicant's possession in the city less than thirty days.

6.20.060 Tag and receipt issuance-Tag to be worn by dog-Replacement-Fee.

A. A numbered receipt bearing a brief description of a licensed dog and a correspondingly numbered license tag shall be issued with each license granted. The numbered license tag shall be firmly attached by the licensee to the collar or harness of the dog for which issued, except when the dog is securely confined on or within the premises of the owner. No licensee, or any other person, shall attach, or permit to be attached, such a tag to the collar or harness of, or otherwise cause such tag to be worn or carried by, any dog other than the dog for which such tag was issued.

B. A receipt // tag // differing // from // the // regular // tag // shall // be // issued // to // a // dog // exempted // from // the // regular // fee // or // vaccinated // by // receipt // B.28.050.

C. Whenever a license tag has been lost or destroyed, a new receipt and tag, expiring on the same date as the original, may be issued for the same dog on the payment of a the Required replacement fee(s) as presently designated // of // as // may // in // the // future // be // amended // in // the // master // fee // schedule.

10A-30

6.20.070 Fee-Exemptions permitted when.

- A. Seeing-eye dogs, signal dogs, and service dogs, as defined by the California Civil Code, and dogs which have served with the armed forces of the United States of America during any period of actual hostilities must be licensed and vaccinated under the provisions of this code, but their owners shall be exempt from the license fee imposed by this chapter.
- B. Dogs used on farms for the primary purpose of herding livestock must be licensed and vaccinated under the provisions of this code, but their owners shall be exempt from the license fee imposed by this chapter. To qualify for the exemption in this subsection, the owner must furnish an affidavit or declaration under penalty of perjury on blanks furnished by the tax collector that his dog is necessary for herding livestock and is used primarily for that purpose.
- C. Dogs used by any governmental agency for the purpose of law enforcement must be licensed and vaccinated under the provisions of this code, but their owners shall be exempt from the license fee imposed by this chapter.

6/28/030 Vaccination-Obtainable-Where-Fee/

Said vaccination may also be obtained at the Chula Vista Rabies Clinic conducted at the Chula Vista Animal Shelter by the second Tuesday of each month, between the hours of one to two and three p.m. The fee for said vaccination is hereby established as one dollar to be paid to the county of San Diego to compensate for the cost of veterinarian services and vaccine to be provided by the department of health of the county of San Diego.

9.06.050 Alarm user's permit.

- A. No person shall install, or cause to be installed, use, maintain, or possess an alarm system on any business or residence owned or in the possession or control of such person within the city without first having obtained an alarm user's permit from the Issuing Officer. The Issuing Officer shall prescribe the form of the application and request such information as is necessary to evaluate and act upon the permit application. A The Required non-refundable fee of the amount established by the city council by resolution of the mayor's fee schedule shall accompany each application.
- B. The permit application as required under subsection A of this section shall state:
 1. The number of alarm systems and specific purpose for which the alarm system or systems shall be used;
 2. The alarm user's name;
 3. The address of the premises in or upon which the alarm system has been or will be installed;
 4. User telephone number;

10A-31

5. The alarm business operator or operators selling, installing, monitoring, inspecting, responding to and/or maintaining the alarm system; and,
 6. The name and telephone number of at least two persons who can be reached at any time, day or night and who are authorized to respond to an alarm signal and who can open the premises in which the system is installed.
- C. An alarm permit shall be valid for twenty-four (24) months, but a separate permit shall be obtained for each separate business, separate place of business, change of ownership or change of type of permit.
 - D. Where an alarm system is in operation prior to the effective date of the ordinance codified in this chapter, the alarm user shall be responsible for contacting the issuing officer and obtaining a permit within ninety days after the effective date of the ordinance codified in this chapter.
 - E. If such alarm business or agent uses an alarm system to protect its premises, it shall obtain a user permit as required in this section.

9.06.130 False alarm penalty assessment.

- A. When any emergency alarms, messages, signals, or notices are received by the Police Department showing that an alarm user has failed to meet any of the requirements of this chapter, the Issuing Officer is authorized to demand that the user of that alarm system disconnect the system until it is made to comply with the requirements.
- B. Any person having an alarm system which results in a police response in which the alarm proves to be a false alarm, shall pay ~~the~~ the Required penalty assessment ~~fee(s)~~ of \$100 per activation/line/establishment by the City/ordinance by the Mayor/fee schedule for each false alarm, message or signal in excess of two activations in any twelve (12) month period.
- C. The Issuing Officer shall cause to be issued a monthly bill for the unpaid fees accrued during any monthly billing period and any prior periods. Such bill shall be due and payable within thirty (30) days of the billing date.
- D. A late fee of fifteen (15%) percent of the false alarm assessment shall be added to the unpaid balance of any assessments required by this section not paid within thirty (30) days of the billing date.
- E. The amount of any penalty assessment fee and late fee assessed pursuant to this Section shall be deemed a debt to the City, and an action may be commenced by the Issuing Officer in the name of the City in any court of competent jurisdiction in the amount of the delinquent debt. Payment of any penalty assessment fees and late charges shall not prohibit criminal prosecution for the violation of any provisions of this chapter.

10A-32

9.11.040 Application.

Application for license shall be made to the Chief on forms prescribed by the Chief. The Chief shall have a reasonable time in which to investigate the application and background of the applicant. The application shall be accompanied by ~~the~~ the Required Fee(s) for conducting an investigation ~~as per form in the Mayor's Fee Schedule as of 11/1/99 currently exists or may in the future be added.~~ The application for fraternal gameroom license shall contain at a minimum the following names and addresses:

- A. Gameroom manager/supervisor. The person(s) who will be responsible for supervising the games.
- B. Leadership of the Society, including officers and Board of Directors.
- C. Those persons who may have a financial interest in the organization, including landlords, lessors, lessees, owner(s) of the building, fixtures, or equipment.

10.24.140 Curb painting-Red authorized for certain driveway areas when.

- A. Vehicles parked adjacent to private driveways, in some cases, create hazardous obstructions to the line of sight of motorists entering and exiting from such driveways.
- B. It is the purpose and intent of the council to mitigate the dangers arising from the inability to observe approaching vehicles, especially on heavily trafficked streets, by providing red curb clearance adjacent to such driveways. Such red curb shall be authorized only when the narrowness of the driveway, or the nature and volume of the traffic on the street into which the driveway allows vehicles to pass, combined with the regular parking of vehicles adjacent to the driveway, indicate a need to maintain sight clearance adjacent to the driveway.
- C. Upon application by the property owner or occupant and payment of the Required Fee(s), the city engineer may cause to be painted or repainted a red curb for a minimum distance of eighteen inches on each side of a driveway to a maximum distance as determined by the city engineer.

10.56.300 Permits or Tags-Cost-Period of validity-Prorating permitted when.

Said parking permits shall be sold to cover a calendar quarter of three months duration only, for the Required Fee(s) ~~as of 11/1/99 currently exists or may in the future be added.~~ Said tags may be obtained at the city finance office. Applicants must be merchants or employees of merchants owning or operating businesses within the Downtown Business Area. Applicants may request a proration of the quarterly fee if they are purchasing permit for the balance of the calendar quarter, and such proration shall be made at the sole discretion of the finance officer and no other proration shall be allowed. For employees assigned at City Hall, permits may be obtained from the Director of Personnel for parking in the adjacent employee parking lot.

10A-33

10.60.020 Curb loading zone-Permit fees.

Applicants for a curb loading zone permit shall pay the Required Fee(s) as prescribed in the applicable code of the city.

10.72.050 License-Application-Fee.

Application for a bicycle license and license plate or license indicia furnished by the state shall be made upon a form provided by the city and retained by the chief of police and shall be accompanied by the Required Fee(s). All vehicles shall be licensed by the city and shall be accompanied by the required license plate and license indicia. The fee for a bicycle license and license plate shall be \$10.00. The fee for a license indicia shall be \$5.00. The fee for a license plate shall be \$10.00. The fee for a license shall be \$10.00. The fee for a license plate and license indicia shall be \$25.00. The fee for a license plate and license shall be \$20.00. The fee for a license plate, license and license indicia shall be \$35.00. The fee for a license plate, license, license indicia and license shall be \$40.00. The fee for a license plate, license, license indicia, license and license shall be \$45.00. The fee for a license plate, license, license indicia, license and license shall be \$50.00. The fee for a license plate, license, license indicia, license and license shall be \$55.00. The fee for a license plate, license, license indicia, license and license shall be \$60.00. The fee for a license plate, license, license indicia, license and license shall be \$65.00. The fee for a license plate, license, license indicia, license and license shall be \$70.00. The fee for a license plate, license, license indicia, license and license shall be \$75.00. The fee for a license plate, license, license indicia, license and license shall be \$80.00. The fee for a license plate, license, license indicia, license and license shall be \$85.00. The fee for a license plate, license, license indicia, license and license shall be \$90.00. The fee for a license plate, license, license indicia, license and license shall be \$95.00. The fee for a license plate, license, license indicia, license and license shall be \$100.00.

Said fees shall be used to defray the cost of administering the bicycle licensing program or to reimburse bicycle dealers for any services which they may provide. In addition, the fees may be used to improve bicycle safety programs and establish bicycle facilities, including bicycle paths and lanes.

The city shall provide a bicycle license and license plate or license indicia for a bicycle license and license plate or license indicia.

10.84.020 Parking prohibited on portions of private property.

No vehicle, vacation trailer, camping trailer, boat, boat trailer, camper or recreational vehicle may be parked or placed within the front yard or exterior side yard (i.e. street side of a corner lot) setback, except as follows:

1. In a garage or carport.
2. On a paved driveway.
3. On a dust free area adjacent to a paved driveway. Adjacent shall mean within ten feet of the edge of the driveway. (Refer to Section 19.62.150 for further limitations). *Note: Dust free shall mean grass or decomposed granite/paving per City standards adopted to accomplish a dust free surface.
4. When parking is not available under 1-3 above, then consideration shall be given by the Zoning Administrator to select a parking area on the opposite side of the lot or other appropriate locations on the property as per Section 19.62.110. The applicant or other interested persons may appeal the decision of the Zoning Administrator to the Planning Commission. The appeal shall be filed in writing with the Planning Department within ten (10) days of the Administrator's action, and accompanied by the Required appeal Fee(s) as prescribed in the applicable code of the city. Appeals to the City Council from the actions of the Planning Commission shall follow the same procedure.

10A-34

Unmounted campers and camper shells may not be placed in the front yard, driveway, or unscreened (by solid six (6) foot high fence or hedge) exterior side yard setback area for a period of more than seventy-two (72) hours.

12.08.100 Permit-Fees required-No-fee permits-Extensions of time.

- A. ~~The Required~~ Permit ~~fees~~ Fee(s) ~~required~~ in this chapter shall be collected by the director of public works ~~as presently designated by the future amended by the master fee schedule.~~
- B. Governmental agencies, including the state and any of its political subdivisions, shall make application for permits under the provisions of this chapter, and shall be issued a no-fee permit in accordance with the provisions herein. A contractor working for a governmental agency shall not be considered to be acting on behalf of that governmental agency and shall not be exempt from the payment of fees.
- C. An extension of the effective date or an amendment to a single-move permit may be made without payment of additional fees if approved by the director of public works, provided that the request for such extension or amendment is received before the expiration of the permit.

12.12.100 Temporary encroachment permit fees.

- A. ~~A~~ ~~The Required~~ nonrefundable application ~~fee(s)~~ ~~as presently designated by the future amended by the master fee schedule~~ shall accompany each application for a temporary encroachment permit.
- B. If materials are placed in the street by the applicant prior to issuance of a temporary encroachment permit, the application fee shall be doubled. The payment of such double fee shall not relieve any person from fully conforming with the requirements of this chapter. Such double fee shall be construed as an added fee required to defray the additional expense of investigation and enforcement by the city as the result of failure to comply with the provisions of this chapter. In the event that issuance of a temporary encroachment is refused, any previously deposited materials shall be removed as provided in Section 12.12.110.

12.20.100 Permit-Fees required-Exemptions-Refunds.

- A. All construction of public works improvements within the public rights-of-way shall be authorized through issuance of public works construction permits issued by the director of public works, excepting that work performed by public utility organizations under franchise from the city council and improvements installed under subdivision improvement agreements, or city public works contracts.
- B. The permit fees required by this section shall be collected prior to issuance of a public works construction permit.

10A-35

- C. The state, or any of its political subdivisions, or any governmental agency shall file applications for permits and shall be issued permits as required by this chapter; provided however, that no fees shall be required for private plan review.
- D. Permit fees for public works construction permits shall be the Required Fee(s) as presently designated by the Mayor/Fee Schedule.
- E. In the event a public works construction permit fee refund is requested by the permittee, and the director of public works has determined that it is in the public interest to allow the permittee to abandon the work, the director of public works shall cancel the permit and refund the unused portion of the fee.

12.20.240 Driveways-Permit required for certain installation variances-Application-Criteria for consideration-Fee-Appeal of denial.

- A. The director of public works may authorize issuance of a permit to construct and maintain driveways in excess of the limitations contained in Sections 12.20.140 through 12.20.170. Applications for such special permits shall be made in writing to the director of public works. The applicant shall specify the exact size and location of the proposed driveway and its relationship to nearby facilities, and shall provide justification for deviation from standard.
- B. The director of public works shall approve, conditionally approve, or deny the application. Said approval, conditional approval or denial shall be based upon a presentation of sufficient justification for variance from city standards. Additional consideration shall be afforded the following criteria:
 1. Traffic and pedestrian safety and convenience;
 2. Volume and type of traffic use anticipated;
 3. Relocation of existing facilities in the public right-of-way, e.g., street lights, signal standards and fire hydrants;
 4. Destruction of landscaping or removal of trees;
 5. Effect on nearby property;
 6. Conformity with future street plans.
- C. ~~A~~ The Required nonrefundable Fee(s) as presently designated by the Mayor/Fee Schedule shall accompany each application for such special permit. No application shall be considered unless such fee shall have been paid.
- D. Decisions of the director of public works shall be subject to appeal by the applicant to the city council. Appeals shall be made in writing and shall be accompanied by a the Required non-refundable Fee(s) as presently designated by the Mayor/Fee Schedule. The decision by the city council shall be final.

10A-36

12.24.060 Requirements waived when-Fee-Appeal of denial.

A. The property owner or his agent may apply to the planning commission for a waiver of the requirements of Section 12.24.050 in circumstances and conditions including but not limited to the following:

1. Where adequate improvements of the nature and type required already exist;
2. Sidewalks may be waived where the topography is such that the installation of sidewalks would be impracticable;
3. Where the street or alley, for practical reasons, has not or cannot be readily graded to the established grade;
4. Where installation of sidewalks would be hazardous to pedestrians because of grade;
5. Where the city council has, by resolution, in conjunction with the development of a subdivision or otherwise, waived or modified requirement of curbs, gutters, sidewalks, paving or dedication, or any combination thereof, which resolution shall include a finding that due to the nature of the topography or development in the area, the installation of said improvements would not be feasible or consistent therewith.

B. The applicant for a waiver of improvements shall pay at the time the application is filed ~~a~~ the Required nonrefundable Fee(s) ~~as prescribed in Article 12.24.050, or may, by the time of the hearing, be waived or reduced in fee schedule~~ to cover the cost of investigation and processing of such request. ~~The fee is payable in cash or by check to the City Clerk of the City of Portland, Oregon.~~

C. In the event that the planning commission shall deny the request for a waiver of said improvements, the property owner or his agent may appeal said denial to the city council, by filing said appeal with the city clerk within ten days from the date of such ruling of the planning commission and paying the Required appeal Fee therefor. The council shall thereupon, at their next regular meeting, or at such time thereafter as they may designate, consider the waiver of such requirements, in accordance with the circumstances and conditions set forth herein, provided such findings shall be made by resolution of the city council. If the city council shall fail to act upon said appeal within twenty days of filing the appeal, the waiver shall be deemed to be approved.

D. If the erection of new structures as contemplated by this article is to be undertaken in subdivisions approved by the city council wherein sidewalks have not been required as a condition of the map and have purposely been omitted, no application for waiver or deferral shall be required.

10A-37

12.24.070 Requirements deferred when-Deposit or bond required when-Appeal of denial.

- A. In the event that the installation of all or any of the improvements required by Section 12.24.040 would, if presently installed, create a hazardous or defective condition or be impractical, or if said installation of any or all of said improvements would be incompatible with the present development of the neighborhood or be impractical or premature because of the existing condition of the surrounding property, or that it would be desirable to install said improvements as a part of the overall plan for the development of public improvements in a certain area, the property owner or his agent may apply to the city engineer for a deferral of the requirements of this chapter, stating the grounds and reasons therefor.
- B. If the city engineer, at his discretion, feels that such grounds or exceptions are reasonable and that the requested deferral should be granted, the city engineer may exempt such applicant from the requirements of this chapter, subject to the conditions set forth herein. Any exceptions to the requirements for the installation of public improvements may be limited to a specific period of time by the city engineer, or may be subject to the determination of the city engineer as to the time at which said improvements should be installed. In the event that the improvements are deferred, the property owner shall deposit with the city a sum equal to the estimated cost of the improvements, as approved by the city engineer, plus ten percent of such cost, or in lieu thereof, shall post a bond in said amount as approved by the city attorney. If it is determined that the requirements for the installation of said public improvements will not be necessary within a reasonable and feasible time period, the property owner may grant to the city, in lieu of said cash deposit or bond, a lien upon his property in an amount estimated by the city engineer to be sufficient to install such public improvements at such time as they shall be required, and said lien shall also provide for reasonable attorney fees and costs in the event that it becomes necessary for the city to foreclose upon such lien; provided further, that said agreement shall stipulate that should said lien be extinguished by foreclosure of prior liens or otherwise, the improvements may be installed or provided by city and the cost thereof become a lien against said property as provided in Section 12.12.070.
- C. The city engineer may, from time to time, extend the period of deferral; however, such extension of time shall be conditioned upon the continued effectiveness of a valid cash deposit, bond or lien, as established herein.
- D. The applicant for a deferral of such improvements shall pay ~~the Required Fee(s) as presently designated, or as may be in the future amended, by the master fee schedule~~ the Required Fee(s) as presently designated, or as may be in the future amended, by the master fee schedule to cover investigation and processing of such requests.
- ~~D/~~ E. The denial of a request for a deferral of public improvements may be appealed to the city council in the same manner as provided for appeal for requests for waiver of public improvements, as set forth in Section 12.24.060.

12.28.050 Maintenance and removal agreement-Required when-Contents.

Applications for encroachment permits for any buildings or structures of any nature shall be accompanied by ~~an encroachment~~ the Required application ~~fee(s) in the San Joaquin/Assignment, or it may be in the future added in the master fee schedule,~~ and an encroachment maintenance and removal agreement, which shall authorize the construction and use of the building or structure and shall be signed by the property owner and properly acknowledged. The agreement shall be prepared by the city engineer and contain the following covenants with the city:

- A. The encroachment shall be installed and maintained in safe and sanitary condition at the sole cost, risk and responsibility of the owner and successor in interest, who shall hold the city harmless with respect thereto.
- B. The agreement is made for the direct benefit of the property owner's land described in the agreement, and the covenants therein shall run with the property and shall be binding upon the assigns and successors of the owners.
- C. The encroachment shall be abandoned, removed or relocated by the property owner upon demand in writing by the city engineer. The property owner must remove or relocate the encroachment within thirty days after such notice or within such longer period as may be provided specifically within the agreement in the instance of buildings or structures which would require a longer period to effectuate such removal or relocation. If the owner fails to remove or relocate the encroachment within the period allotted, the city engineer may cause such work to be done and the cost thereof shall be imposed as a lien upon the property as provided in Section 12.12.010 of this title, relating to removal of unauthorized obstructions in the public rights-of-way.
- D. The encroachment maintenance and removal agreement for buildings or structures built over or upon the public rights-of-way shall be recorded in the office of the County Recorder of San Diego County, and shall constitute an obligation and burden upon the property; provided however, that the agreement encompassing encroachments authorized by the city engineer pursuant to Sections 12.28.030 and 12.28.040 need not be recorded.

12.28.060 Fees-Payment required when-Schedule-Exemptions.

- A. The Required Fees for Engineering and permits fees required by this section shall be collected by the city engineer. ~~Such fees shall be as presently designated, or it may in the future be amended in the master fee schedule.~~ No permit shall be issued and no work in the public rights-of-way shall be permitted until the fees applicable under this section have been received by the director of public works.
- B. The state of California, or any of its political subdivisions, or any governmental agency shall file applications for permits and shall be issued permits as required by this section; provided however, that no fees shall be required when the work is done by persons working directly for the state or agency.

10A-39

C. A contractor working for the state or any of its political subdivisions or any governmental agency shall obtain a permit and pay the Required permit fee(s) as presently designated by the Mayor or the Mayor's designee.

12.40.020 Fees-Established-Refund regulations.

Required Fees as presently designated by the Mayor or the Mayor's designee are hereby established for the vacation of public streets or portions thereof, or easements for public purposes.

12.44.020 Fees for name and regulatory signs.

Required Fees are hereby established as presently designated by the Mayor or the Mayor's designee for street signs and regulatory signs to be erected in subdivisions and certain street openings.

13.14.020 Fees - Sewer construction Permit for Installations Within Public Right-of-Way.

The applicant for a permit to construct a sewer lateral within the public right-of-way shall pay to the City the Required fee(s) as presently designated by the Mayor or the Mayor's designee.

13.14.030 Connection to Public Sewer - Fee.

A. Any person applying for a permit to develop or modify the use of any parcel shall provide sewer service capability to that parcel at the property owner's expense. Where the owner constructs, or contributes toward the costs of construction an amount in excess of the amount commensurate with the benefits to be received, as determined by the Director, the City may enter into a Reimbursement Agreement with such person.

B. Any person desiring to connect, directly or indirectly, any parcel or any building thereon to any public sewer which has been constructed at no cost to the parcel to be connected, shall pay the one-time Required Fee for Sewer Connection Fee to the City as presently designated by the Mayor or the Mayor's designee. All revenue derived from such fees shall be deposited in the Sewer Income Fund. The amount of such fee shall be determined by one of the following methods of calculation:

1. General Front Footage
2. Other reasonable method as determined by Council resolution
3. Reimbursement Agreement

10A-40

13.14.090 Sewer Capacity Charge.

- A. The owner or person making application for a permit to develop or modify use of any residential, commercial, industrial or other property which is projected by the Director to increase the volume of flow in the City sewer system by at least one-half of one equivalent dwelling unit of flow shall pay a Sewer Capacity Charge. All revenue derived from such fees shall be deposited in the Trunk Sewer Capital Reserve Fund. The amount of such charge shall be the Required Fee(s) ~~Amount/Prescribed/Designated~~ ~~in the Master Fee Schedule, or as amended by the City Council pursuant to any ordinance with the provisions set forth in Government Code Section 88018.~~
- B. One equivalent dwelling unit (EDU) of flow is defined to be 265 gallons per day of sewage generation. The fee for property involving a modification in use shall reflect only the increase in sewage generation projected from that property. The following rates of flow for various land uses shall be utilized in determining the total fee due for any given property:

<u>Land Use</u>	<u>EDUs of Flow</u>
Single family residence	1.0
Apartment/Condominium living unit	0.75
Hospital bed	1.0
Mobile Home	1.0
Motel, hotel living unit	.33
Church, theater, auditorium Per each unit of seating capacity (One unit being 110 persons or any fraction thereof)	1.0
Restaurant (2.67 plus seating allocation of 1.0 for each 10 seats or fraction thereof)	2.67+
	variable
Service Station	2.50
Self service laundry - per washer	.75
Other (see below)	

In the case of commercial, industrial and other developments not included above, the number of equivalent dwelling units of flow shall be determined in each case by the Director and shall be based upon the estimated volume of sewage to be discharged into the City sewer system. The flow rate for property involving a modification in land use shall reflect only the increase in sewage generation project from that property which exceeds .50 equivalent dwelling units of flow.

13.14.110 Sewer Service Charges Designated - Payment Required - Domestic Purposes - Defined.

- A. In addition to other fees, assessments or charges provided by the City Code or otherwise, the owner or occupant of any parcel of real property which said parcel is connected to the sewer system of the City and to

water system maintained by the Sweetwater Authority, the Otay Water District or the California - American Water Company shall pay the Required Fee(s) for Sewer Service Charge ~~as/when/approved/presently designated/in/with/master fee/schedule/in/CA/American/by/with/with/with/with/with/with/with/procedures/set forth/in budget/with/with/schedule/with.~~

- B. All revenue derived from such charges shall be deposited into the Sewer Income Fund.
- C. For the purpose of this section, real property shall be deemed to be used for domestic purposes when such property is used solely for single-family residences or the furnishing of lodging by the operation of hotels, auto courts, apartment houses, bungalow courts, housing units, roominghouses, motels, trailer parks, or the rental of property for lodging purposes.
- D. Sewer service charges to users in the Montgomery Annexation Area shall be collected in the form of annual charges via property tax bills prepared by the San Diego County Assessor through the end of '91-'92 fiscal year. Montgomery Area charges shall be comparable to those of the remainder of the City, after credit for unused reserve monies, acquired by the City during the Area annexation process, has been applied. Beginning July 1, 1992, sewer service charges for the Montgomery Annexation area shall be billed and collected in the same manner as in the rest of the City.

13.14.120 Reduced Sewer Service Charges Permitted When - Application -Contents- Refunds- Fees.

- A. The Director of Finance shall have the authority to certify eligibility for a reduced sewer service charge, in the amount of seventy percent (70%) of the rate charged other residential users, upon investigation, or upon application by the occupant of a single family residence, apartment, condominium or mobilehome when the occupant:
 - 1. Meets the low income eligibility criteria set forth as presently designated in the Master Fee Schedule, or as may in the future from time to time be amended by city council resolution amending the Master Fee Schedule, or
 - 2. Provides proof of payment of a monthly sewer charge greater than the Required Fee(s) for minimum sewer service charge as set forth in/with/master fee/schedule.
- B. The occupant of premises subject to a sewer charge may request a reduced sewer service charge by filing a completed City application form. The applicant shall furnish data regarding the type of unit, number of people in the household and proof of total annual income (gross) of the household. Application forms may be obtained from the City's Finance Department. Certification of eligibility shall be annually established with the Director of Finance.
- C. Eligible occupants of single family homes subject to the sewer service charge shall have the option of either requesting an annual refund from the City or requesting the reduced sewer charge be applied on the sewer billing as shown on the monthly or bi-monthly water bills.

10A-42

- D. Residents of apartments, condominiums or mobilehomes who are eligible for the reduced sewer service charge shall receive the reduced sewer charge as an annual refund only.
- E. Requests for annual refunds shall be made by eligible households between August 1 and September 30 of each year for the past fiscal year beginning in July and ending in June. The applicant will be notified of eligibility status within thirty (30) days of application and, if eligible, a refund shall be forwarded within ninety (90) days of application.
- F. Residents of the incorporated Montgomery District will not be eligible for either refunds or a reduced sewer service charge at the present time; they will, however, be eligible for the reduced sewer service charge once they are subject to the full sewer service charge set by the Master Fee Schedule because the special supplement fund is exhausted.

13.14.130 Sewer Service Charge Variances Permitted When - Application - Contents - Fees.

- A. The City Manager shall have the power to establish rules and regulations for the granting of variances from the established sewer service charges provided such rules and regulations shall be approved by resolution of the City Council. The City Manager shall have the power to grant variances from established sewer service charge billing categories upon receipt of a variance application as hereinafter provided from the owner or occupant of any premises, and one or more of the following situations exist:
 - 1. Where a non-residential user's wastewater contains a total suspended solids concentration sufficiently low as to qualify for a different sewer service charge strength category.
 - 2. Where a substantial portion of the premises of an industrial or commercial establishment is used for industrial, commercial, recreational, horticultural or agricultural purposes of such a nature that the water supplied to such premises is not substantially discharged into the sewer system.
- B. The owner or occupant of any premises subject to the sewer service charge may apply in writing to the City Manager for a reclassification of such premises (variance) under the provisions of subparagraphs A 1 or 2, above; provided, however, that no rebate upon such reclassification shall be allowed for a period more than ninety (90) days preceding the filing of such application. The applicant shall furnish substantial engineering and factual data to support the applicant's contention that the premises should be reclassified as provided in this section.
- C. The owner or occupant of any premises requesting a variance from the sewer service charges pursuant to the provisions of this section and the rules and regulations approved by resolution of the City Council shall pay ~~the~~ the Required Fee(s) as presently designated by the City in the future to be amended in the Master Fee Schedule to cover the cost of investigation of said request; provided, however, that no fee shall be

charged for a request for total exemption from the sewer service charge. In addition, a special handling charge to cover the cost of billing and inspections to be paid per billing may be established in the resolution granting the variance.

13.14.150 Payment of Sewer Service and Pump Station Charges - Penalty for Delinquency - Discontinuance of Service - When - Unlawful Connection - Backbilling and Penalty.

- A. All sewer service and pump station operation and maintenance charges, except those described in subsection F hereinbelow, shall be computed upon a monthly or bi-monthly basis as determined by the City or the serving water agency, and shall be payable upon the billing of such charges to the owner or the occupant.
- B. The charges and the billing therefor may be combined with other utility bills and separately designated.
- C. If the sewer service and/or pump station charge for users other than those described in subsection F, is not paid before the close of business or postmarked before midnight of the final date for payment as shown on the billing, ~~a~~ the Required penalty Fee(s) ~~of // [unclear] // per [unclear] // of // [unclear] // [unclear] //~~ shall be added thereto; provided, however, that when the final day for payment falls on Saturday, Sunday or a legal holiday, payment may be made without penalty on the next regular business day.
- D. In the event the owner or occupant of any premises shall be delinquent in payment of the sewer service charge and such delinquency continues for a period of five days after the final date for payment of such charge, the City shall have the right, forthwith and without notice, to discontinue sewer service to such delinquent owner or occupant, and sewer service shall not again be supplied to such person until all delinquent sewer service charges plus the penalties thereon as herein provided have been paid. The sewer service charge may be collected by suit in any court of competent jurisdiction or any other manner.
- E. In the event that any parcel or building is determined by the Director to have been unlawfully connected to the public wastewater system, the City shall have the right to terminate sewer service to such parcel or building as provided in section 13.06.110. Sewer service shall not again be supplied to such parcel or building until all delinquent sewer service charges which have been accumulated during the current ownership of the parcel or building, plus ~~a~~ of // [unclear] // per // [unclear] // of the delinquent sewer service charge penalty fee, has been paid.
- F. Sewer service charges for users in the Montgomery Annexation Area shall be collected in the form of annual charges via property tax bills prepared by the San Diego County Assessor through the end of 1991-1992 fiscal year. Montgomery Area charges shall be comparable to those of the remainder of the City, after credit for unused reserve monies, acquired by the City during the Area annexation process, has been applied. Beginning July 1, 1992, sewer service charges for the Montgomery Annexation area shall be billed and collected in the same manner as in the rest of the City.

10A-44

13.14.170 Industrial Wastewater Discharge Permits - Fees - Costs Included in Fees.

A. Industrial Wastewater Discharge Permit fees and annual renewal fees shall be based on the wastewater constituents and characteristics of the discharges to the Wastewater System. Industrial Wastewater Discharge Permit fees and annual renewal fees shall be the Required Fee(s) ~~as prescribed by the Resolution No. 10/11, Ordinance No. 16 and the Ordinance with the proceeds set forth in Government Code Section 65018.~~ All revenue derived from issuance or renewal of Industrial Wastewater Discharge Permits shall be deposited into the Sewer Revenue Fund.

B. The regular permit fee and annual renewal fee shall include expenses incurred by the City for permit processing, data evaluation, routine on-site inspections, monitoring, sampling or chemical analysis whether performed by the City or other entity acting in the City's behalf. Costs relative to permit violations are NOT included in the provisions stated on the permit, and/or Section 13.10.130.

14.16.020 Storm Drain Fee Established-Payment Required-Real Property Defined.

A. In addition to other fees, assessments or charges provided by the city code or otherwise, the owner or occupant of any parcel of real property which parcel is connected to the wastewater system of the City and to a water system maintained by the Sweetwater Authority, the Otay Municipal Water District, or the California American water Company shall pay ~~a~~ the Required storm drain fee(s) ~~as prescribed by Ordinance No. 10/11, Ordinance No. 16 and the Ordinance with the proceeds set forth in Government Code Section 65018.~~ as prescribed by the Mayor's Fee Schedule whenever an increase is proposed in said fee, or provide for the proposed increase shall be proposed by the City Clerk for all years from 1998 to 2001 and by the Board of Directors.

B. For the purposes of this section, real property shall be deemed to be used for domestic purposes when such property is used solely for single-family residences, or the furnishing of lodging by the operations of hotels, auto courts, apartment houses, bungalow courts, housing units, rooming houses, motels, trailer parks, or the rental of property for lodging purposes.

C. All storm drain fees imposed under this chapter shall be computed, collected, and subject to the same penalties and requirements as set forth in Sections 13.14.110 and 13.14.150 relating to sewer service charges. All proceeds of the storm drain fees shall be deposited in the Storm Drain Revenue Fund.

15.04.295 Fees-Schedule for computation.

The Fees authorized in this Chapter 15.04 of the Municipal Code shall be the Required Fee(s) for excavation, grading and fills ~~as prescribed by Ordinance No. 10/11, Ordinance No. 16 and the Ordinance with the proceeds set forth in Government Code Section 65018.~~

10A-45

15.08.015 Uniform Building Code Section 105 amended by addition of the following to the end of the section:

Approvals of alternate materials and methods shall be through an administrative hearing process following payment of the Required Fee(s).

15.08.030 Board of Appeals and Advisors-Section 204(a) is amended to read:

Section 204(a) General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this case, there shall be and is hereby created a Board of Appeals and Advisors consisting of seven members who are qualified by experience and training to pass upon matters pertaining to building construction. The Director of Building and Housing shall be an ex-officio member who shall not be entitled to vote and who shall act as Secretary to the Board. The Required Fee(s) shall be charged for processing all applications for an appeals hearing before the Board of Appeals and Advisors.

The Board of Appeals and Advisors shall be appointed by the City Council from the qualified electors of the City in accordance with the provisions of Section 600 et. seq. of the Charter. The Board shall render all decisions and findings in writing to the Director of Building and Housing with a duplicate copy to the appellant. The decision of the Board is final. The Board of Appeals and Advisors shall recommend to the City Council such new legislation deemed necessary to govern construction in the City of Chula Vista.

15.08.050 Section 303(a) is amended to read:

Section 303(a) ISSUANCE. The application, plans and specifications and other data filed by an applicant for permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the Required Fees ~~specified in the Master Fee Schedule of the City of Chula Vista~~ have been paid, he shall issue a permit to the applicant.

When the Building Official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorization from the Building Official, and all work shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of such permit shall proceed at his own risk without assurance that changes to the plans will not be required during the plan check or that the permit for the entire structure will be granted.

10A-46

15.08.060 Sections 304 (b), (c), (d), and (f) and (i) are amended. Sections (g) and (h) are added.

Section 304(b) PERMIT FEES. The fee for each building permit shall be the Required Fee(s).

In addition to permit fees, the Required Fee(s) as established by the State of California to support the State mandated Strong Motion Instrumentation Program will be collected prior to permit issuance.

The Building Official may issue a foundation only permit upon payment of the Required Fee(s). Such fee is intended to offset the additional costs associated with administering multiple permit system and shall not be credited toward overall building permit.

Section 304(c) PLAN REVIEW FEES. When a plan or other data are required to be submitted by Subsection (b) of Section 302, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said Required plan review fee shall be a minimum of 65% of the building permit fee.

The Required plan review fees specified in this subsection are separate fees from the permit fees specified in Section 304(a) and are in addition to the Required permit fees.

Where plans are incomplete or changed so as to require additional plan review, an additional Required plan review fee shall be charged at the

An additional Required plan review Fee shall be charged for those projects having State mandated Energy Conservation and/or disabled access requirements.

Section 304(d) EXPIRATION OF PLAN REVIEW. Applications for which no permit is issued and on which no action is taken by the applicant within 180 days following the date of application shall expire by limitation and plans submitted for checking may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken.

Section 304(f)4. FEE REFUNDS. Fees paid for microfilming of documents and for Strong Motion Instrumentation are not refundable.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 304(g) COMPLIANCE SURVEY FEE. The fee for conducting a compliance survey of an existing structure shall be the Required Fee(s).

10A-47

Section 304(h) EXCEPTIONS. The United States Government, State of California, school districts, counties, cities and other public agencies shall not be required to pay any fees for filing an application for a building permit pursuant to this code.

Section 304(i) RETENTION OF PLANS. State law requires the retention of plans, specifications and permits for the life of ~~the~~ some building. Therefore, the applicant shall be charged ~~with~~ the Required Fee(s) to cover the actual cost of microfilming such documents.

15.08.070 Section 305(g) is amended. Section 305(h) is added.

Section 305(g) REINSPECTION. ~~A~~ The Required re-inspection ~~fee(s)~~ and Required supplemental plan check Fee(s), ~~as provided by the City of Los Angeles~~ may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This subsection is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the permit card is not properly posted on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official.

To obtain a reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section 305(h) COMPLIANCE SURVEY INSPECTION. Upon receipt of a written request for a compliance survey from the owner and payment of the fee specified in Section 304(g), the Building Official may inspect an existing structure to ascertain its compliance with the provisions of this code and other applicable laws and ordinances, and report his findings in writing to the owner.

15.08.075 Uniform Building Code Section 307(c) amended by addition of the following to the end of the section:

The Required Fee(s) for issuance of a Certificate of Occupancy shall be collected at time of building permit issuance.

10A-48

2

15.08.078 Uniform Building Code Section 307(d) amended by addition of the following to the end of the section:

The Required Fee(s) for issuance of a Temporary Certificate of Occupancy shall be collected upon submittal of a Temporary Certificate of Occupancy application.

15.16.030 General-Section 203(a) is amended to read as follows:

Section 203(a) General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this code, there shall be and is hereby created a Board of Appeals and Advisors consisting of seven members who are qualified by experience and training to pass upon matters pertaining to mechanical aspects of construction. The Director of Building and Housing shall be an ex-officio member who shall not be entitled to vote and who shall act as Secretary to the Board. The Required Fee(s) shall be charged for processing all applications for an appeals hearing before the Board of Appeals and Advisors. The Board Appeals and Advisors shall be appointed by the City Council from the qualified electors of the City in accordance with the provisions of Section 600 et seq. of the Charter. The Board shall render all decisions and findings in writing to the Director of Building and Housing with a duplicate copy to the appellant. The decision of the Board is final. The Board of Appeals and Advisors shall recommend to the City Council such new legislation deemed necessary to govern mechanical aspects of construction in the City of Chula Vista.

15.16.040 Section 304 (a), (b) and (c) are amended to read:

Section 304 FEES:

Section 304(a) The Required Fees shall be assessed ~~in accordance with~~ the Master Fee Schedule of the City of Chula Vista.

Section 304(b) The fee for each mechanical permit shall be the Required Fee(s) ~~of the City of Chula Vista~~ as set forth in the Master Fee Schedule of the City of Chula Vista.

Section 304(c) When a plan or other data are required to be submitted by Subsection (b) of Section 302, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for mechanical work shall be as set forth in the Master Fee Schedule of the City of Chula Vista. When plans are incomplete or changed so as to require additional plan review, the Required Fee(s) for additional plan review ~~fee~~ shall be charged as set forth in the Master Fee Schedule.

15.20.020 Advisory and Appeals Board-Section 203 is revised to read:

Section 203. Advisory and Appeals Board. In order to hear and decide appeals of orders, decisions or determinations made by the building official

10A-49

relative to the application and interpretation of this code, there is hereby established a Board of Appeals and Advisors consisting of seven members who are qualified by experience and training to pass upon matters pertaining to building construction, use and occupancy of residential structures. The Director of Building and Housing shall be an ex-officio member who shall not be entitled to vote and who shall act as Secretary of the Board. The Required Fee(s) shall be charged for processing all applications for an appeals hearing before the Board of Appeals and Advisors. The Board of Appeals and Advisors shall be appointed by the City Council from the qualified electors of the City in accordance with the provisions of Section 600 et seq. of the Charter. The Board shall render all decisions and findings in writing to the Director of Building and Housing with a duplicate copy to the appellant. The Board of Appeals and Advisors shall recommend to the City Council such new legislation deemed necessary to govern construction, use and occupancy of residential structures, in the City of Chula Vista.

15.20.040 Section 305 is amended to read:

Section 305 HOUSING PERMIT FEES - APARTMENT HOUSES, LODGING HOUSES, HOTELS AND MOTELS.

Section 305(a) The fee for a Housing Permit required by Section 304 of this ordinance shall be the Required Fee(s) ~~as prescribed by the City of Chula Vista Ordinance 15.20.040~~.

For the purpose of this section, a "unit" shall mean each apartment in an apartment house, each sleeping room in a hotel, motel and lodging house, and each apartment and each hotel, motel sleeping room in a building containing both apartments and hotel/motel sleeping rooms.

Separate apartment house buildings and separate hotel/motel buildings, or combination thereof, located upon a single parcel of land or contiguous parcels of land, under the same ownership, shall be treated as one apartment house, or hotel for the purposes of computing the fee prescribed by this section.

Section 305(b) Penalty for Delinquent Payment. If the housing permit is not paid on or before the thirtieth (30th) day of the month following the date when it became due, then the Required penalty Fee(s) ~~as prescribed by the City of Chula Vista Ordinance 15.20.040~~ shall be added thereto, and no such permit shall be issued until such penalty has been paid.

15.24.015 Advisory and Appeals Board Board of Appeals and Advisors.

In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretations of this code, there shall be and is hereby created a Board of Appeals and Advisors consisting of seven members who are qualified by experience and training to pass upon matters pertaining to electrical aspects of construction. The director of Building and Housing shall be an ex-officio member who shall not be entitled to vote and who shall act as Secretary of the

10A-50

Board. The Required Fee(s) shall be charged for processing all applications for an appeal hearing before the Board of Appeals and Advisors. The Board of Appeals and Advisors shall be appointed by the City Council from the qualified electors of the City in accordance with the provisions of Section 600 et. seq. of this Chapter. The Board shall render all decisions and findings in writing to the Director of Building and Housing with a duplicate copy to the appellant. The decision of the Board is final. The Board of Appeals and Advisors shall recommend to the City Council such new legislation deemed necessary to govern electrical aspects of construction in the City of Chula Vista.

15.24.060 Fees for Permits and Inspections.

- A. Fees for processing and inspecting electrical permits shall be the Required Fee(s) as specified in the Master Fee Schedule.

NOTE: Ampere rate shall apply to the secondary side of the transformer or transformers.

- B. Reinspections. A reinspection fee may be assessed for each inspection or reinspection which such portion of work for which inspection is called is not complete or when corrections called for are not made.

This subsection is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before a job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the permit card is not properly posted on the work site, the approved plans are not readily available to the Electrical Inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official.

In instances where reinspection fees have been assessed, no additional inspection of work will be performed until the required fees have been paid.

- C. Investigation Fees - Work Without a Permit.

1. Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

2. Fees. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall ~~not exceed the amount of the permit required by the Master Fee Schedule~~ be the Required Fee(s). The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

15.28.025 Board of Appeals and Advisors-Section 20.14 is amended as follows:

Section 20.14 Board of Appeals and Advisors.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals and Advisors consisting of seven members who are qualified by experience and training to pass upon matters pertaining to plumbing issues in construction. The Director of Building and Housing shall be an ex-officio member who shall not be entitled to vote and who shall act as Secretary to the Board. The Required Fee(s) shall be charged for processing all applications for an appeals hearing before the Board of Appeals and Advisors. The Board of Appeals and Advisors shall be appointed by the City Council from the qualified electors of the City in accordance with the provisions of Section 600 et seq. of the Charter. The Board shall render all decisions and findings in writing to the Director Building and Housing with a duplicate copy to the appellant. The decision of the Board is final. The Board of Appeals and Advisors shall recommend to the City Council such new legislation deemed necessary to govern plumbing issues in construction in the City of Chula Vista.

15.28.040 Cost of Permit-Section 20.7 and Reinspection Fee-Section 20.7(a) are amended to read as follows:

Section 20.7 Cost of Permit. Every applicant for a permit to do work regulated by this Code shall state in writing, on the application form provided for that purpose, the character of work proposed to be done and the amount and kind in connection therewith, together with such information, pertinent thereto, as may be required.

Such applicant shall pay for each permit, at the time of issuance, ~~the Required Fee(s)~~ the Required Fee(s) ~~as set forth in the Schedule of Fees~~ as set forth in the Schedule of Fees.

Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be ~~equal to the amount of the Required Fee(s)~~ equal to the amount of the Required Fee(s). This provision shall not apply to emergency work when it shall be proven to the satisfaction of the administrative authority that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, the investigation fee as herein provided for shall be charged.

For the purposes of this section, a sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached shall be construed to be a fixture. Fees for re-connection and re-test of plumbing systems in relocated buildings shall be based on the number of plumbing fixtures, gas systems, water heaters, etc., involved.

10A-52

When a permit has been obtained to connect an existing building or existing work to the public sewer or to connect to a new private disposal facility, backfilling of private sewage disposal facilities ~~abandoned~~ abandoned consequently to such connection is included in the permit.

Section 20.7(a) Reinspection Fee

A re-inspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

To obtain a re-inspection, the applicant shall file an application in writing upon the form furnished for that purpose and pay the Required re-inspection ~~fee(s)~~ in accordance with the Master Fee Schedule of the City of Phoenix.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

15.32.040 Requirements-Variance or deferral permitted when-Public hearing-Fee-Agreement with city.

A subdivider or public utility company may request that the city council vary from or defer the requirements of this division. The applicant for such variance shall pay the Required fee(s) as ~~presently designated, or as may be determined by the city, in the Master Fee Schedule~~ at the time the application is submitted to the department of public works to cover the cost of the public hearing to be noticed by the city clerk in accordance with notification requirements of the laws of the state of California. After conducting the public hearing, the council may defer the requirements of this division after the council finds from the evidence presented at the hearing that all of the following facts exist:

- A. That extraordinary conditions exist to the extent that enforcement of this subsection would result in unnecessary hardship to the subdivider or the utility company;
- B. That such deferral will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the neighborhood.

In the event that the council elects to defer the undergrounding requirements, the subdivider shall enter into an agreement with the city stipulating the acceptance of the establishment of an undergrounding district at some future date, and waiving any protests against such a district. Said agreement shall be binding upon the heirs, successors and assigns of the subdivider and shall be recorded.

15.32.070 Requirements-Deferral permitted when-Public hearing-Fee-Agreement with city.

An owner or public utility company may request that the city council vary from or defer the requirements of this division. The applicant for such variance shall pay the Required Fee(s) ~~As presently designated by the City of Chula Vista by the Public Works Department in the Master Fee Schedule~~ at the time the application is submitted to the department of public works to cover the cost of the public hearing to be noticed by the city clerk in accordance with notification requirements of the laws of the state of California. After conducting the public hearing, the council may defer the requirements of this division after the council finds from the evidence presented at the hearing that all of the following facts exist:

- A. That extraordinary conditions exist to the extent that enforcement of this subsection would result in unnecessary hardship to the owner or the utility company;
- B. That such deferral will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the neighborhood.

In the event that the council elects to defer the undergrounding requirements, the subdivider shall enter into an agreement with the city stipulating the acceptance of the establishment of an undergrounding district at some future date, and waiving any protests against such a district. Said agreement shall be binding upon the heirs, successors and assigns of the owner and shall be recorded.

15.36.020 Board of Appeals-Section 2.303 is revised.

Section 2.303 is revised to read as follows:

Section 2.303. In order to hear and decide appeals of orders, decisions or determinations made by the Fire Chief or Fire Marshal relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals and Advisors consisting of seven members who are qualified by experience and training to pass upon matters pertaining to fire safety. The Fire Chief shall be an ex-officio member who shall not be entitled to vote and who shall act as Secretary to the Board when it is hearing matters related to application of the Uniform Fire Code. The Required Fee(s) shall be charged for processing all applications for an appeals hearing before the Board of Appeals and Advisors. The Board of Appeals and Advisors shall be appointed by the City Council from the qualified electors of the City in accordance with the provisions of Section 600 et seq. of the Charter. The Board shall render all decisions and findings in writing to the Fire Chief with a duplicate copy to the appellant. The decision of the Board is final. The Board of Appeals and Advisors shall recommend to the City Council such new legislation deemed necessary to govern fire safety in the City of Chula Vista.

10A-54

15.44.050 Demolition, removal-Permit required-Fee.

Before any building within the city is demolished or removed, the person, firm or corporation doing the demolishing or removing shall first obtain a permit from the building and housing department. A separate Required permit Fee(s) shall be charged for each separate parcel of land where demolishing or removing is taking place. When new construction is to begin within thirty days, a permit for removal may be included with permit for new building.

15.44.070 Appeals.

The applicant may appeal the findings and recommendations of the building and housing department to the board of appeals and advisors. The appeal shall be in writing. For all appeals, the fee shall be one-half of the Required Fee(s).

15.44.090 Violation-Penalty.

Any person who intentionally fails to comply with any of the provisions of this chapter is guilty of a misdemeanor and each such person, by or through his or her agent, shall be liable for the payment of a civil penalty of one hundred dollars for each day or portion of a day that such violation continues.

15.48.060 Variances from regulations permitted when-Procedure.

The owners, occupants or persons in possession or control of the property wherein a swimming pool is located subject to the provisions of this chapter may apply for modification or variance of the terms and regulations set forth in this chapter. The application fee for a hearing before the Board of Appeals and Advisors is the Required Fee(s). The application submitted to the Department of Building and Housing shall be reviewed by the Director of the Department of Building and Housing to determine whether or not the modification as requested would adversely affect the public health, safety or general welfare. The Director of Building and Housing shall forward his report and recommendation to the Board of Appeals. The Board of Appeals shall review the report, allow and provide for specific modifications of terms of the chapter when it shall be determined that strict compliance with the terms of this chapter will not materially benefit or safeguard the public and that the work to be done will result in undue hardship to the owners or occupants or persons in possession or in control of the property.

10A-55

15.50.060 Costs of formation of reimbursement district.

A/ The costs of the formation of the reimbursement district shall include as estimated by the director of public works

1/ The costs of all notices published or mailed pursuant to this policy

2/ The cost to the city of the director of public works preparation of the estimated costs of the facilities, development of the benefited area and estimate of the proper assessment

B/ The developer shall deposit the sum of one thousand dollars to reimburse the city for its administrative costs in conducting the initial proceedings for the formation of the district. The developer shall be required however, to pay the actual administrative costs for the formation of the district. In the event a reimbursement district is not formed, the actual costs shall be nonrefundable, but should they be less than the deposit, the balance shall be refunded. In the event a district is formed, the costs shall be considered an incidental cost of the improvements and be covered by the terms of the reimbursement agreement.

The fee for formation of a reimbursement district shall be the Required Fee(s).

15.51.020 Fees and/or installation requirements for traffic signals.

All private developers of either residential, commercial or industrial properties in the city of Chula Vista shall be required to pay a the Required Fee(s) as presently prescribed or pay in the future be required to install traffic signals in the public streets of the city in accordance with the council policy as adopted by Resolution No. 9221, and as said policy may hereinafter from time to time be amended.

17.02.010 State and local environmental review process-Fees.

The city council, from time to time, shall adopt by resolution procedural guidelines to be followed to insure compliance with CEQA and local environmental processes. The council shall also by resolution establish the Required Fee(s) schedule as set forth in the schedule for the environmental review of projects.

17.08.050 Fees-Payment Required When.

The property owner/applicant desiring to encroach into the open space maintenance district shall pay the Required Fee(s) for the amount of the cost of investigation and processing of such request, however, if a request is considered by the city council the fee shall be the sum of two hundred dollars. Such fee is not refundable.

10A-56

17.10.070 In lieu fees for land dedication and/or park development improvements.

A. In lieu fees for land dedication: If, in the judgment of the city, suitable land does not exist within the subdivision, or for subdivisions containing 50 lots or less, the payment of fees in lieu of land shall be required. In such cases, the Required fFee(s) shall be ~~the amount of the Required fFee(s) shall be based on the area to be dedicated as set forth in Section 17.10.040.~~ However, when a condominium project, stock cooperative or community apartment project exceeds 50 dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than 50.

Where the city deems that a combination of dedication and payment, as provided in this chapter, would better serve the public and the park and recreation needs of the future residents of a particular subdivision, it may require such combination. Provided, however, the city council may, by resolution waive all or any portion of said dedication or in lieu fee requirements in the interests of stimulating the construction of housing for low and moderate income families.

Residential motels and hotels and transient motels and hotels shall be required to deposit the Required fFees in lieu of dedication of land ~~based on the area to be dedicated as set forth in Section 17.10.040.~~

B. In lieu fees for park development improvements: If, in the judgment of the city, suitable land does not exist within the subdivision, or for subdivisions containing 50 lots or less, the payment of fees in lieu of developing improvements shall be required. In such cases, the amount of the Required fFee(s) shall be ~~based on the area to be dedicated as set forth in Section 17.10.050.~~ However, when a condominium project, stock cooperative or community apartment project exceeds 50 dwelling units, improvements may be required notwithstanding that the number of parcels may be less than 50.

Where the city deems that a combination of improvements and payment, as provided in this chapter, would better serve the public and the park and recreation needs of the future residents of a particular subdivision, it may require such combination; provided, however, the city council may, by resolution waive all or any portion of said improvements or in lieu fee requirements in the interests of stimulating the construction of housing for low and moderate income families.

In the event the city determines that the improvement of the parkland shall be delayed for a substantial period of time after the parkland has been dedicated, the subdivider shall not be required to install such improvements, but instead shall pay the Required fFee(s) ~~based on the area to be dedicated as set forth in Section 17.10.050.~~ for the value of improvements required in Section 17.10.050.

Residential motels and hotels and transient motels and hotels shall be required to deposit the Required fFees in lieu of park development improvements ~~based on the area to be dedicated as set forth in Section 17.10.050.~~

10A-57

17.16.270 Violation-Penalty.

Any person who shall It is unlawful to intentionally fail to comply with the terms of this chapter or any permit issued hereunder shall be guilty of a misdemeanor, or by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both such fine and imprisonment. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which such violation is committed. Such person shall be subject to the same punishment as for the original offense.

18.04.040 Criteria for division and development of land--Adherence to general plan zoning ordinance, and, where applicable, local coastal program required.

The general plan of the city, as presently adopted or as it may hereafter be amended, is accepted as a guide for the use of all land within the boundaries of the city and for those properties located in the unincorporated area wherein land use is defined in said general plan. All land shall be subdivided and developed in accordance with the provisions and regulations of the comprehensive zoning ordinance of the city as it may be applied to the property subject to subdivision at the time of the filing of a subdivision map, or in accordance with such zoning as may later be applied to the property as a condition of a zoning ordinance incorporating land into a particular zone subject to the filing of a subdivision map. In the coastal zone, as defined in Public Resources Code Section 30103, the certified local coastal program shall constitute the standard for all use of land. No subdivision approval shall be given to any project located in the coastal zone which is found to be in conflict with the certified Local Coastal Program. The type and intensity of land use as shown in the Bayfront Land Use Plan shall determine the types of streets, roads, highways, utilities, and public services that shall be provided by the subdivider. For lands within the coastal zone, the subdivider shall obtain a coastal development permit, as prescribed in Section Chapter 19.92 of the Bayfront Land Use Plan in addition to the other requirements of this Code.

18.16.240 Construction prerequisites--Security arrangements--Cash deposits.

In lieu of the faithful performance and labor and material bonds, the subdivider may submit cash deposits under the conditions hereinafter described. Total cash deposit surety shall contain:

- A. A faithful performance cash deposit in an amount deemed sufficient by the director of public works to cover fifty percent of the total cost of all required on-site and adjacent off-site improvements including twenty-five percent of grading and slope planting expenses as applicable.
- B. A labor and material cash deposit in a like amount.
- C. A monumentation cash deposit in an amount stipulated by the engineer of work to cover the cost of placing lot corners and other related monuments. The agreement relative to a cash deposit for monumentation purposes shall be drawn and utilized in conformity with Section 11592 of the Business and Professions Code.

10A-58

Disbursements from cash deposits shall be made in accordance with separate agreement between the subdivider and the city. ~~A~~ The Required bookkeeping ~~Fee(s) of one percent of the total amount deposited with each such bond~~ shall be submitted with each such bond. Disbursements from a cash deposit filed with an approved escrow agency shall be made in accordance with separate agreement between the subdivider and the city. Disbursements from a cash deposit in any instance shall not be permitted unless and until authorized in writing by both the subdivider and the director of public works.

18.24.050 Fee for examination.

At the time of filing an adjustment plat, there shall be paid to the city ~~at the Required~~ examination ~~Fee(s) of one percent of the total amount deposited with each such plat~~ for each such plat.

18.28.010 Deposits for street trees--Required--Amounts--Disposition--Labor costs.

A. The subdivider is required to install approved street trees in accord with Section 18.32.110 as lots within the development are occupied. For those street trees which have not been installed at the time of acceptance of public improvements, the subdivider shall deposit with the director of finance the Required deposit Fee(s) ~~for planting of trees~~.

1/ ~~For all new lots within the development to be planted with trees at the time of acceptance of public improvements~~

2/ ~~For all lots within the development to be planted with trees at the time of acceptance of public improvements~~

3/ ~~For all lots within the development to be planted with trees at the time of acceptance of public improvements~~

4/ ~~For all lots within the development to be planted with trees at the time of acceptance of public improvements~~

B. No acceptance of public improvements shall be given until such sums are received by the director of finance. Such sums shall be deposited in the public works street tree trust fund. Sums in this fund shall be used for the purchase and planting of trees at such time as the lots become occupied.

C. Costs for labor and equipment required to plant trees for which deposits have been made shall be determined by the director of public works. The director of finance shall transfer sums so determined to appropriate operating accounts upon receipt of a summary of planting costs and request for transfer of funds from the director of public works.

D. In any instance where the planting of a tree at a specific site is determined by the director of public works to be impractical or where the adjacent property owner makes practical objection to the planting of a tree, the deposit for such tree may be utilized for the purchase and planting of trees at any location within the public street system of the city.

10A-59

18.28.020 Preliminary parcel map fee.

Prior to the submission of a preliminary parcel map with the director of planning for processing, the property owner shall pay to the city clerk the Required Fee(s) as prescribed by the city council. Said fee shall cover the entire processing of the parcel map to recordation, but shall not include checking of any required improvement plans or inspection of improvements. Required Fees shall also be charged for plan review and inspection of public improvements for parcel maps as prescribed by the city council.

18.28.030 Tentative and vesting tentative map map fees.

Prior to the submission of a tentative map or a vesting tentative map to the planning department for processing, the property owner or subdivider shall pay to the city the Required filing Fee(s) as prescribed by the city council. Said fee shall cover the entire processing of the tentative map or vesting tentative map to recordation, but shall not include checking of any required improvement plans or inspection of improvements. Required Fees shall also be charged for plan review and inspection of public improvements for tentative maps as prescribed by the city council.

18.28.040 Final map and improvement plan fee.

Prior to the submission of a final map and improvement plans or any portion thereof to the planning department and/or the director of public works for processing, the property owner or subdivider shall pay to the city the Required filing Fee(s) as prescribed by the city council. Said fee shall cover the entire processing of the final map and improvement plans to recordation, but shall not include checking of any required improvement plans or inspection of improvements. Required Fees shall also be charged for plan review and inspection of public improvements for final maps as prescribed by the city council.

18.28.050 Public works inspection--Computation of fee.

Following council approval of the final map but prior to the recordation of said map, the property owner or subdivider shall pay to the city the Required Fee(s) as prescribed by the city council. Said fee shall cover the entire processing of the final map to recordation, but shall not include checking of any required improvement plans or inspection of improvements. Required Fees shall also be charged for plan review and inspection of public improvements for final maps as prescribed by the city council.

18.28.080 Recordation fee.

Upon the filing of the final map with the city council, the property owner or subdivider shall deposit with the city clerk the Required Fee(s) as prescribed by the city council to cover the cost of recording the map. Said fee shall cover the entire processing of the final map to recordation, but shall not include checking of any required improvement plans or inspection of improvements. Required Fees shall also be charged for plan review and inspection of public improvements for final maps as prescribed by the city council. Upon recordation of the final map, the property owner or subdivider shall submit to the city engineer one duplicate mylar print of the recorded final map together with eight blue-line prints of the recorded final map.

10A-60

18.28.090 Public works inspection--Additional payments required when.

In addition to other Required Fees ~~the MASTER/FEE SCHEDULE~~ relative to public works inspections, subdivider or contractor shall pay to the city, prior to the acceptance of public improvements in any subdivision or street right-of-way or easement for public purposes, the Required Fee(s) ~~and/or AS PRESENTLY ASSIGNED, or as may in the future be amended in the MASTER/FEE SCHEDULE~~ for those public works inspections undertaken outside of regular working hours or on Saturdays, Sundays and legal holidays during the course of construction of any public improvements.

18.48.050 Certificate of compliance--Application procedure--Documents to be submitted--Fee.

A. Application:

1. Application for a certificate of compliance shall be made with the planning department in accordance with the following specifications:
 - a. The plat shall be drawn on a form prescribed by the director of planning. Such forms are available in the planning department upon request;
 - b. The plat shall be drawn to a minimum scale of one inch equals one hundred feet (1" = 100').
2. Each plat shall contain the following information:
 - a. A plat number, as issued by the planning department;
 - b. North arrow and scale;
 - c. Name, address, telephone number and signature of owner(s);
 - d. If prepared by an engineer or surveyor, his name, address, telephone number and registration or license number;
 - e. A vicinity map with north arrow and scale indicated;
 - f. Sufficient legal description of the land to define the boundaries of the ownership involved and the tax assessor's parcel number(s);
 - g. The boundaries, to be shown as a solid line, with bearings (directions) and distances labeled along boundaries;
 - h. The net share of subject parcel;
 - i. The location, width and names, if any, of all existing streets providing access to the property and the location, width and purpose of all easements which lie within or immediately adjacent to the exterior boundaries of the parcel;
 - j. Full identification of all referenced maps, by map type and number;

k. The location of all existing buildings and structures and their uses, the distance between such buildings and structures, and the distance between each building or structure and the boundary of the lot;

l. A statement of the existing zoning and any proposed zoning.

B. The request for certification shall also include:

1. A legible copy of the current owner's grant deed;

2. Documentation of recorded access to the subject property unless abutting a public street;

3. ~~A/Filing/Fee/Of/With/By/Do/By/~~ The Required filing Fee(s).

18.54.100 Exceptions granted by board of appeals.

The board of appeals and advisors of the city as established under Section 15.08.030 is authorized to grant exceptions to the provisions and requirements of this chapter. The Required Fee(s) shall be charged for processing all applications for an appeal hearing before the Board of Appeals and Advisors. The board must make the following findings in each and every case, as a prerequisite to its granting of an exception:

1. The application of certain provisions or requirements of this chapter would cause practical difficulties, unnecessary hardships, and result which are inconsistent with the general purpose and intent of this chapter.

2. There are exceptional circumstances or conditions applicable to the property or the proposed development which do not apply generally to other properties or developments governed by this chapter.

3. The granting of the exception will not be materially detrimental to the public welfare or injurious to property or improvements, and will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.

4. The granting of the exception will not create nuisances, or cause fraud on, or the victimization of the public.

5. The granting of the exception will not result in the increase in flood levels during the base flood discharge.

6. The exception, under the circumstances, is the minimum ordinance deviation necessary to provide the applicant sufficient relief.

7. The applicant has been notified that the use of the exception could result in a substantial increase in flood insurance rates, and increased risk to life to life and property.

- 8. The city will retain an official record of all exceptions, and will report thereon in its annual report to the Federal Insurance Administrator.
- B. This section shall not apply in the coastal zone.

19.06.010 General plan-Statutory authority-Scope.

Sections 65300 through 65361 of the Government Code of the state relating to the authority for and scope of general plans, and the method of adoption of general plans are hereby adopted and incorporated herein by reference as though set forth in full. The fee for processing general plan amendments shall be ~~as prescribed by the Department of Planning and Public Works of the City of Los Angeles~~ the Required Fee(s).

19.07.010 Specific plans-Statutory authority-Scope of.

Sections 65450 through 65507 of the Government Code of the state relating to the authority for the scope of specific plans, and the procedures for the adoption of specific plans, are hereby adopted and incorporated herein by reference as though set forth in full. The fee for processing specific plan amendments and specific plan development proposals or modifications shall be ~~as set forth in the Planning Department of the City of Los Angeles~~ the Required Fee(s).

19.08.040 Violations-Subsequent application-Fee.

An application filed subsequent to the violation of any of the provisions of this title for the purpose of determining, after the fact, compliance therewith shall be accompanied by ~~a~~ the Required filing ~~fee(s) as set forth in the Planning Department of the City of Los Angeles~~.

19.12.030 Rezoning-Application required-Filing fee.

Applications for any change in zone boundaries, classification or reclassification of zones made by one or more owners or parties of interest in the property within the area to be affected by the proposed action shall be filed with the director of planning, accompanied by such data and information which would insure a full presentation of the facts and circumstances to justify the reasonableness of the proposed action. Said application shall be in a form as approved by the planning commission and shall be affirmed by the applicant. Each application shall be accompanied by ~~a~~ the Required filing ~~fee(s) as set forth in the Planning Department of the City of Los Angeles~~.

19.12.140 Prezoning-Procedure generally-When effective-Deposit required.

The city council may prezone unincorporated territory adjoining the city for the purpose of determining the zoning that will apply to such property in the event of subsequent annexation to the city. The method of accomplishing this prezoning shall be as provided by Sections 19.12.010 through 19.12.120 of this chapter. At the time of application for prezoning, the applicant shall

10A-63

deposit with the Planning Department the Required Fee(s) in accordance with Section 57004 of the Government Code. Such zoning shall become effective at the same time that the annexation becomes effective.

19.14.030 Zoning administrator-Actions authorized without public hearing.

The zoning administrator is authorized to consider and to approve, disapprove or modify applications on the following subjects, and/or issue the following required permits without setting the matter for a public hearing:

- A. Conditional use permit: The zoning administrator shall be empowered to issue conditional use permits, as defined herein, in the following circumstances:
1. Where the use to be permitted does not involve the construction of a new building or other substantial structural improvements on the property in question.
 2. Where the use requiring the permit would make use of an existing building and does not involve substantial remodeling thereof.
 3. For signs, as defined herein, and temporary tract houses, as limited herein.
 4. The zoning administrator is authorized to consider and to approve, deny, or modify applications for conditional use permits for carnivals and circuses. The zoning administrator shall set the matter for public hearing in the manner provided herein.
 5. Churches.
- B. Variances: The zoning administrator shall be authorized to grant variances for limited relief in the case of:
1. Modification of distance or area regulations;
 2. Additions to structures which are nonconforming as to sideyard, rear yard, or lot coverage, providing the additions meet the requirements of the zoning ordinance affecting the property;
 3. Walls or fences to exceed heights permitted by ordinances. Modifications requested in said applications for relief to be administered with the requirement for a public hearing shall be limited to deviations not to exceed twenty percent of the requirements imposed by ordinances.
- C. Site plan and architectural approval: The zoning administrator shall be empowered to grant site plan and architectural approval as provided herein.
- D. Performance standards procedure. The zoning administrator shall be authorized to issue a zoning permit for uses subject to performance standards procedure, as provided herein.

E. Home occupations: The zoning administrator shall be authorized to grant permits for home occupations, as defined and regulated in Section 19.14.490.

F. Fees: ~~A~~ The Required Fee(s) ~~of the application as presently designated by the mayor or the future or amended city manager fee schedule~~ shall accompany each application for a variance or conditional use permit or modifications thereto considered by the zoning administrator without a public hearing.

In regard to applications on any of the aforementioned subjects, the zoning administrator shall set a reasonable time for the consideration of the same and give notice thereof to the applicant and to other interested persons as defined in this title. In the event objections or protests are received, the zoning administrator shall set the matter for public hearing as provided herein.

19.14.070 Conditional use permit-Application-Fee-Public hearing.

Applications for conditional use permits or modifications thereto shall be made to the planning commission in writing on a form prescribed by the planning commission and shall be accompanied by plans and data sufficient to show the detail of the proposed use or building. The application shall be accompanied by ~~a~~ the Required Fee(s) ~~as presently designated by the mayor or the future or amended city manager fee schedule~~. The director of planning shall cause the matter to be set for hearing in the same manner as required for setting zoning matters for hearing. The director of planning or the planning commission shall have the discretion to include in notice of the hearing on such application notice that the planning commission will consider classification of other than that for which application is made and/or additional properties and/or uses. In those cases where the application conforms to the requirements of Section 19.14.030A, the application shall be directed to the zoning administrator.

19.14.160 Variance-Fee required.

The fee, no part of which shall be refundable, for a variance or modification thereof shall be the Required Fee(s) ~~as presently designated by the mayor or the future or amended city manager fee schedule or the city manager fee schedule.~~

19.14.260 Conditional use permit or variance-Time limit for utilization-Void when-Extensions-Validity.

Any conditional use permit or zone variance granted by the city as herein provided shall be conditioned upon the privileges granted being utilized within one year after the effective date thereof. A variance or conditional use permit shall be deemed to be utilized if the property owner has substantially changed his position in reliance upon the grant thereof. Evidence of change of position would include completion of construction or any expenditures of money by the property owner preparatory to construction and shall also include the use of the property as granted. If there has been a

10A-65

lapse of work for three months after commencement, the conditional use permit or zone variance shall be void. The commission may, by resolution, grant an extension of time contained in a currently valid zone variance or conditional use permit without a public hearing upon appeal of the property owner, provided that there has been no material change of circumstances since the granting of the variance or conditional use permit which would be injurious to the neighborhood or otherwise detrimental to the public welfare. The fee for an extension of time for a variance or conditional use permit shall be the Required Fee(s) ~~as set forth in the applicable fee schedule.~~

19.14.360 Planned unit development-Fees.

The fee for planned unit development or modification thereof shall be the Required Fee(s) ~~as prescribed in the applicable fee schedule.~~

19.14.440 Site plan and architectural approval-Fee.

The fee, no part of which shall be refundable, shall be the Required Fee(s) ~~as prescribed in the applicable fee schedule.~~

19.14.486 Landscape plan approval-Application-Accompanying documents-Fee.

Application for landscape plan approval shall be made to the director of planning and shall be accompanied by the drawings and information prescribed by the landscape manual. Each application shall also be accompanied by the Required filing fee(s) ~~as set forth in the applicable fee schedule.~~

19.14.490 Home occupations-Permit required when-Restrictions and requirements-Revocation when-Appeals.

In any R zone, a customary home occupation may be permitted subject to a home occupation permit granted by the planning director which is merely incidental and secondary to residence use. Each such permit shall be accompanied by the Required filing fee(s) ~~as set forth in the applicable fee schedule.~~ The following are typical home occupations: fine arts, handicrafts, dressmaking, millinery, laundering, preserving, home cooking, route salesman; or secondary office of a doctor, dentist, lawyer, architect, engineer, teacher or member of another recognized profession. The home occupation shall not:

- A. Involve the use of power equipment using motors of more than a total of one horsepower capacity or the equivalent thereof, unless a use permit therefor shall have been issued by the planning commission;
- B. Generate vehicular traffic in excess of that associated with a residential use;

10A-66

- C. Create a nuisance by reason of noise, dust, odor, vibration, fumes, smoke, electrical interference, or other causes;
- D. Permit any external display of products, merchandise, or any sign to identify the home occupation. A home occupation permit shall be revoked by the planning director upon violation of any requirement of this chapter, or upon any conditions or limitation of any permit issued, unless such violation is corrected within fifteen days of notice of such violation, and any such permit may be revoked for repeated violation of the requirements of this section or of the conditions of such permit.

In the event of denial of any permit, or the revocation thereof, or of objection to the limitations placed thereon, appeal may be made in writing to the planning commission, whose decision shall be final.

19.14.510 Zoning permit-Application.

Application shall be made by the property owner or agent thereof on a form prescribed by the city, and shall be accompanied by ~~the~~ the Required filing ~~fee(s) as set forth in the master fee schedule.~~

19.14.571 Precise plan approval-Application and fee.

Application shall be made on a form prescribed for this purpose by the city and shall be accompanied or preceded by a zone change application establishing the P modifying district. ~~A~~ The Required ~~fee(s) as prescribed, or as may be added in the master fee schedule~~ shall accompany the precise plan application.

19.14.577 Precise plan approval-Modifications of the precise plan.

Requests for modifications shall be submitted to the planning director in written form and shall be accompanied by ~~the~~ the Required filing ~~fee(s) as set forth in the master fee schedule~~ and such additional maps, statements or other information as may be required to support the modification. If the proposed modification is deemed by the director of planning to be insignificant in nature, the changes may be approved by the director subject to the filing of a written report to the planning commission and city council. If, in the opinion of the director of planning, the proposed changes are significant in scope, the applicant will be notified within ten days of the written request that a new application and hearing will be required.

19.14.582 Design review committee-Duties and responsibilities.

- A. The design review committee shall review plans for the establishment, location, expansion or alteration of residential uses or structures in the R-3 zone, all development and redevelopment within redevelopment project boundaries, and multiple-family dwelling uses, commercial or industrial projects or structures governed by the P precise modifying district; and shall approve, conditionally approve or deny such plans, except when

10A-67

100

projects are within the boundaries of a redevelopment project, the committee shall recommend approval, conditional approval or denial to the redevelopment agency of the city. The committee shall render decisions on minor proposals as defined in Agency Resolution No. 71.

- B. The design review committee shall also review plans for the establishment, location, expansion or alteration of multiple family dwelling uses, major use permits, commercial, or industrial projects or structures located within the 1985 Montgomery annexation area, and governed by Chapter 19.70 of this ordinance.
- C. The design review committee shall review all appeals filed to contest sign design rulings of the zoning administrator.
- D. The design review committee shall base its findings and action upon the provisions of the effected design manuals of the city.
- E. The design review committee shall prepare and adopt operational procedures, bylaws and business forms.
- F. The design review committee shall submit annual reports on its operations to the city planning commission and redevelopment agency.
- G. The fee for a hearing before the design review committee is the Required Fee(s) as/nyesghnyy/dessghdledh/oh/as/may/ny/the/vuvve/ve/amehded/yy/the/masler/fee/schedule.
- H. The zoning administrator has the discretion, with the concurrence of the applicant, to act in the place of the design review committee in the case of minor projects, including signs, commercial and industrial additions which constitute less than a 25 percent increase in floor area, and residential additions of two units or less. A decision of the zoning administrator may be appealed to the design review committee in the same manner as set forth in Section 19.14.583. The fee for zoning administrator design review shall be as des/nyesghnyy/ny/the/masler/fee/schedule the Required Fee(s).

19.14.590 Fees for appeals and requested actions before the planning commission and zoning administrator.

For all appeals from actions of the planning commission, zoning administrator or any appeal filed pursuant to Chapter 19.12 or 19.14, the fee shall be the Required Fee(s) as/nyesghnyy/dessghdledh/oh/as/may/ve/ny/yyesghnyy/amehded/yy/the/masler/fee/schedule. In addition, any request for action by the planning commission not specifically covered within the fee structure established by this chapter shall be ny/ny/ghnyy/ve/nyesghnyy/dessghdledh/oh/as/may/ny/ny/the/vuvve/amehded/ny/yy/the/masler/ve/schedule subject to the Required Fee(s) therefor.

19.14.600 Design review approval-Time limit for implementation-Extensions.

Design review approval shall be conditioned upon the plan being implemented within one year after the effective approval date thereof. Implementation of

10A-68

101

the plan would include completion of construction or substantial expenditures of money by the property owner preparatory to construction. If there has been a lapse of work for three months after commencement, the approved plans shall be void. The Design Review Committee or the Zoning Administrator may grant an extension of time for a currently valid plan upon appeal of the property owner provided that there has been no material change of circumstances since the original grant of approval which would be injurious to the neighborhood or otherwise detrimental to the public welfare. The ~~fee application~~ for an extension of time shall be ~~as set forth in the attached fee schedule~~ accompanied by the Required Fee(s).

19.48.040 Application-General development plan required-Contents required.

A. The application shall include a general development plan which shall consist of a plan diagram and text. The application shall be accompanied by ~~a the Required Fee(s) as set forth in the attached fee schedule of the City.~~ the Required Fee(s). The plan diagram shall show the following:

1. The topographic character of the land;
2. Any major grading intended;
3. The general location of all existing and proposed uses of the land;
4. The approximate location of all traffic ways; except those solely serving abutting uses;
5. Any public uses, such as schools, parks, playgrounds, open space and undisturbed natural land; and,
6. The approximate location of different residential densities of dwelling types.

B. The application shall include a text which indicates:

1. Description of the project, including the boundaries and names of proposed sectional planning areas;
2. The anticipated sequential development of each section of the development for which specific uses are intended or for which sectional planning area plans will be submitted;
3. The approximate area of each sectional planning area of the development and the area of each separate land use;
4. For residential development or residential areas of any P-C zone development:
 - a. The approximate number of dwelling units proposed by type of dwelling. This may be stated as a range with maximum and minimum number of units of each type,

10A-69

- b. The approximate total population anticipated in the entire development and in each sectional planning area. This may be stated as a range with a maximum and minimum number of persons,
 - c. The general criteria relating to height, open space, and building coverage,
 - d. The number of dwelling units per gross acre proposed for each sectional planning area of the development,
 - e. The approximate land area and number of sites proposed for public use of each type,
 - f. Where appropriate, the approximate retail sales area space in square feet and gross area in acres proposed for commercial development with standards of off-street parking and landscaping and circulation for vehicles and pedestrians;
5. For commercial or industrial areas of any proposed P-C zone:
- a. Types of uses proposed in the entire area and each sectional planning area thereof,
 - b. Anticipated employment in the entire development and in each sectional planning area thereof. This may be stated as a range,
 - c. Methods proposed to control or limit dangerous or objectionable elements, if any, which may be caused or emitted by proposed uses. Such dangerous or objectionable elements may include fire, explosion, noise or vibration, smoke, dust, odor, or other form of air pollution, heat, cold, dampness, electric or other disturbance, glare, liquid or solid refuse or waste or other substance, condition or element which might adversely affect the surrounding area,
 - d. The approximate standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading proposed for the intended structures or uses;
6. For institutional, recreational or other nonresidential uses of any P-C zone:
- a. Approximate types of uses proposed in the entire area and each sectional planning area thereof,
 - b. Significant applicable information with respect to enrollment, residence, employment, patients, attendance, and other pertinent social or economic characteristics of development,
 - c. The approximate standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, proposed for the intended structures or uses.

- d. Determination of the amount of acreage required to be designated for "community purpose facilities" pursuant to Section 19.48.101(c).

19.48.080 General development plan-Modification requests and procedures.

- A. From time to time it may be necessary and desirable to modify the approved general development plan. Modification of such a plan may be initiated by the property owner, his authorized agent or developer.
- B. Requests for modifications shall be submitted to the planning commission on a prescribed form and shall be accompanied by such additional maps, statements, or other information as may be required to support the proposed modification and the Required Fee(s) ~~as presently designated by the master fee schedule.~~
- C. The planning commission shall conduct a public hearing on all proposed modifications. The planning commission may recommend approval, conditional approval, or denial of a proposed modification to the city council, which shall conduct a public hearing thereon.
- D. Modification to an approved general development plan shall be made only by resolution of the city council. Within thirty days after receipt of a recommendation from the planning commission, the city council shall approve or deny the proposed modification.

19.48.090 Sectional planning areas and sectional planning area plans-Requirements and content.

- A. All P-C zones shall be divided into sectional planning areas. These areas of subcommunities shall be depicted on the plan diagram of the general development plan of a P-C zone, and shall be addressed in the text thereof.
- B. Sectional planning areas shall be composed of identifiable planning units, within which common services and facilities, a strong internal unity, and an integrated pattern of land use, circulation, and townscape planning are readily achievable. Where practicable, sectional planning areas shall have discernible physical boundaries.
- C. Prior to any development within a sectional planning area, the developer shall submit a sectional planning area plan, accompanied by the Required filing Fee(s) ~~as presently designated by the master fee schedule,~~ and a completed, official application, to the planning commission for public hearing, consideration, and recommendatory action, unless such sectional planning area plans are not required by the text of an adopted general development plan. The sectional planning area plan shall include the following site utilization plan and documents.

10A-71

1. A site utilization plan of the sectional planning area at a scale of one inch equals two hundred feet minimum or as determined by the director of planning. The plan shall extend a minimum of three hundred feet beyond the boundaries of the sectional planning area and show the following:
 - a. The boundaries of the sectional planning area;
 - b. North arrow and scale;
 - c. Preliminary grading (including slope ratios and spot elevations where appropriate);
 - d. Existing and proposed streets (This shall include all public and private streets as well as their approximate grades and typical widths. The names of the existing streets shall be indicated);
 - e. Existing easements (identify);
 - f. Existing and proposed riding and hiking trails;
 - g. Existing and proposed bicycle routes;
 - h. Pedestrian walks;
 - i. Permanent physical features (i.e., water towers, transmission towers, drainage channels, etc.);
 - j. Land uses (include the acreage of each) for;
 - (1) Parks,
 - (2) Open space,
 - (3) Schools (indicate type),
 - (4) Public and quasi-public facilities (include type),
 - (5) Residential:
 - Dwelling type (i.e., single family, duplex, attached, etc.)
 - Lot lines
 - Lot size
 - Number of units (indicate density for each dwelling type)
 - Parking (covered or open parking and parking ratio)
 - Typical floor plans and site plans at a minimum scale of one inch equals twenty feet. (The site plan shall include sufficient detail of adjacent development to determine the relationship of driveways, landscaping, walks, buildings, etc.)

The building elevations of each type of structure (including exterior colors and materials)

(6) Commercial:

Location and proposed use of each structure;
The building elevations and floor plans of each structure (include exterior colors and materials);
Retail floor area (square footage);
Landscaped areas
Circulation (vehicular and pedestrian)
Off-street parking (standards and ratio)

(8) Industrial:

Location and proposed use of each structure;
The building elevations and floor plans of each structure (include exterior colors and materials)
Retail floor area (square footage)
Landscaped areas
Circulation (vehicular and pedestrian)
Off-street parking (standards and ratio)

(9) Community Purpose Facilities:

Location and acreage of sites, in conformance with Section 19.48.020C.

A specific listing of types of uses to be included in this category, which are compatible with the permitted uses in the planned community.

As to any land uses designated on the sectional planning area plan for use as community purpose facilities:

- (a) Conditional Interim Uses Permitted After 5 Years. The City Council, upon receiving the advice and recommendation of the Planning Commission, may, after five (5) years of non-use as a community purpose facility after the issuance of the first certificate of occupancy on a structure in SPA Plan areas, in accordance with the procedures for issuance of conditional use permits contained in Chapter 19.14 of this Code, conditionally permit interim, non-permanent, non-residential uses which are not community purpose facility uses that Council finds (1) the interim use to be compatible with the surrounding land uses (2) that the community purpose facility use is not imminently likely; and (3) that denial of an interim use would constitute a further hardship to the landowner. If an interim use is permitted by the City Council, it shall in no event be terminable within said 5 year period

upon one year's advance notice of intent to terminate said conditional use permit by the City Council. City Council shall give such one year notice upon being advised of a sale or lease by the owner to purchaser or tenant for use as a community purpose facility.

(b) Review by City Council. For each approved sectional planning area plan on which is designated one or more community purpose facility uses, City Council shall review said plan annually for the purpose of determining the actual market interest in the purchase or lease of land so designated and the marketing activity associated therewith.

2. Development standards (i.e., permitted land uses, lot coverage, height and bulk requirements, signs, etc.) for each land use area and designation.
3. Development to occur in phases shall be so indicated on the plan. A skeletal plan shall be prepared for those areas indicated for future development. The skeletal plan shall indicate circulation, building locations, preliminary grading, areas devoted to landscaping, density and parking. The submission of each subsequent phase will require a new application and ~~a the Required Fee(s) as presently designated by the City Council by the master fee schedule~~ for a modification of a sectional planning area plan, together with the required detail plans.

19.58.370 Outside sales and display-Permanent and temporary.

A. Permanent: The permanent outside sales and display of merchandise, including vending machines of all types and coin-operated amusements, shall be permitted only when included as part of an approved site plan subject to the conditions herein. Service stations are subject to the provisions of Section 19.58.280.

1. The following items shall be considered for outside display:
 - a. Vending machines of all types;
 - b. Coin-operated amusements, excluding games such as pinball machines;
 - c. Vehicles of all types, including boats;
 - d. Magazines, newspapers and books;
 - e. Flowers, including artificial;
 - f. Art displays;
 - g. Plants;

10A-74

- h. Model storage buildings, patios and additions;
- i. Any other item which is determined by the planning commission to be of the same general character;
- j. Any other item specifically approved by the planning commission to be displayed in an area specifically designed for said merchandise.

2. Conditions:

- a. Vending machines and coin-operated amusements shall whenever possible be within an enclosed area or structure specifically designed to accommodate said items;
- b. The outside display shall not interfere with pedestrian or vehicular circulation;
- c. Model storage buildings, patios and additions shall not be located in any area facing a major or collector street, or at the main entrance to the building;
- d. Plants shall be the only items, in a plant nursery, visible from the street;
- e. No outside display shall be of such size or quantity as to alter the architectural appearance of the building;
- f. A ten-foot landscaped area shall be provided between vehicle display areas and the street. Any item not located within a building or solid enclosure shall be deemed to be outside display and subject to the conditions herein.

3. The following merchandise shall be expressly prohibited for outside display:

- a. Furniture;
- b. Clothing;
- c. Appliances;
- d. Play equipment;
- e. Dry goods;
- f. Soil additives;
- g. Tires, excluding service station as provided herein;
- h. Used goods, except as provided herein;

B. Temporary: Temporary outside sales and display of merchandise for a period of twenty-four days in any calendar year, but not exceeding seven consecutive days, shall be permitted upon approval of a temporary outside sales permit by the zoning administrator. Not more than six permits a year shall be issued to any one business or shopping complex. Each such permit shall be accompanied by ~~the~~ the Required filing ~~fee(s)~~ fee schedule.

Upon application for a permit, the applicant shall submit two site plans showing the location of the proposed outside sales area. The plan shall include sufficient information to insure that the display and sales will be conducted in a safe and proper manner and will not obstruct traffic or cause a hazardous condition based on the standards adopted by the city. The permit shall designate the commencement and termination dates.

1. Other required conditions:

- a. The application shall be submitted for approval a minimum of two days prior to the requested date of commencement.
- b. There shall be a minimum of thirty days between the commencement dates of the permit.
- c. Temporary outside sales are prohibited in the C-O, C-N and C-V zones.
- d. The sales area shall maintain a twenty-five foot setback from the street when within an area designated for parking.
- e. The sales area may utilize a portion of required parking to a maximum of twenty percent.
- f. The sales area shall not interfere with the internal circulation of the site.
- g. Pennants may be used only for safety and precautionary purposes.
- h. The sales area shall be kept in a neat and well-kept manner at all times.
- i. Price signs may be used but shall not exceed twelve by sixteen inches.
- j. Other signs may be allowed subject to zoning administrator approval. Said signs shall not exceed two square feet of lineal street frontage of the sales area.
- k. Promotional items allowed in conjunction with a special event, such as anniversaries and grand openings, are not subject to the provisions herein except when an outside sales permit is requested.
- l. Only merchandise customarily sold on the premises shall be considered for temporary outside sales and display.

19.58.380 Special events.

- A. Any business may request a permit for the use of temporary promotional signs and promotional items in conjunction with the following special events: Grand openings, change of business address, change of ownership or lessee, and business anniversaries. If a business is part of a parent organization, the anniversary of the parent company may be used in lieu of the business anniversary during the calendar year.

- B. The maximum time limit for a special event shall not exceed fourteen consecutive days.
- C. The applicant shall submit a statement stating the reason for the special event and indicating the commencement and ending date. The applicant shall also submit a site plan indicating the location and area of signs and location of promotional items. Each permit shall also be accompanied by the Required filing Fee(s) ~~As per the City of Chicago's Ordinance 231-0300~~.
- D. Promotional items are subject to the following approval:
 1. They may not be located in the front setback;
 2. They shall not interfere with internal circulation or eliminate required parking;
 3. They shall not be indiscriminately placed or be of such quantity as to present a cluttered and unsightly appearance.
- E. Pennants may only be used in conjunction with grand openings and change of ownership or lessee.
- F. The planning department shall issue to the applicant a special event permit, upon approval of the applicant's request. The reason for the special event shall be conspicuously displayed on a sign for the duration of the event.

19.60.020 Installation-Requirements generally-Sign permit required when.

No person except a public officer or employee in performance of a public duty shall paste, post, paint, print, nail, tack, erect, place or otherwise fasten any sign, pennant or notice of any kind, or cause the same to be done, facing or visible from a public street in the city except as provided herein and elsewhere in this title. To insure compliance with this section a sign permit shall be required for any sign except as provided hereinafter: Window signs, real estate signs, subdivision signs, and residential signs, as defined in Chapter 19.04 herein. Each sign permit shall be accompanied by the Required filing Fee(s) ~~As per the City of Chicago's Ordinance 231-0300~~.

19.60.070 Charges for moving, removal, correction or other work performed by the city.

The fees for moving, removing, correcting, storing, or doing work on a sign or sign structure shall be the Required Fee(s). The city may charge the fees ~~As per the City of Chicago's Ordinance 231-0300~~ against any of the following, each of whom shall be jointly and severally liable for said charge:

- A. The permittee;
- B. The owner of the sign;

10A-77

- C. The owner of the premises on which the sign is located;
- D. The occupant of the premises on which the sign is located.

19.60.080 Storage of removed signs-Time limit-Recovery procedure.

A removed sign shall be held not less than thirty days by the city during which period it may be recovered by the owner upon payment to the city ~~for costs of removal and storage and applicable payment of fine~~ of the Required Fees as designated in Section 19.60.070. If not recovered within the thirty-day period, the sign and supporting structures shall be declared abandoned and title thereto shall vest in the city. The ~~charge for the fees~~ may be in addition to any penalty for the violation, and recovery of sign does not necessarily abrogate the penalty.

19.60.500 Planned signing program-Application-Fee-Documents required.

Applications for a planned signing program shall be made to the zoning administrator in duplicate on a form prescribed by the city. The application shall be accompanied by ~~a~~ the Required Fee(s) ~~as prescribed by the zoning administrator.~~ In addition the applicant shall submit, in duplicate, the following documents:

- A. A map drawn to scale delineating the site proposed to be included within the planned signing program;
- B. Drawings and/or sketches indicating the exterior surface design details (elevations) of the buildings upon the site;
- C. Drawings, drawn to scale, indicating the size, materials, method and intensity of illumination, height, color, sign area and general location of all signs proposed to be included within the planned signing program.

19.62.040 Alternatives to on-site parking.

For any new nonresidential use, structure or building, required off-street parking which, due to the size or location of the parcel, cannot be provided on the premises, may be provided on other property not more than two hundred feet distant by publicly available pedestrian access from said use, structure or building, subject to a binding agreement with the city as to permanent reservation of said space and access thereto; or if the proposed nonresidential use lies within the boundary of a parking district, off-street parking requirements shall be considered to be met; provided, that any developer of a new commercial building within a parking district, or a developer of a commercial addition to an existing building therein, shall pay the Required Fee(s) ~~based upon the amount of the sign fee provided by the zoning administrator of the applicable code of the applicable jurisdiction.~~

10A-78