

ORDINANCE NO. 3300

ORDINANCE OF THE CITY OF CHULA VISTA REPEALING
CHAPTER 5.14 OF THE CHULA VISTA MUNICIPAL CODE
RELATING TO ART FIGURE STUDIOS

WHEREAS, the City of Chula Vista Municipal Code Chapter 5.14 provides regulation for the operation of Art Figure Studios; and

WHEREAS, the City of Chula Vista Municipal Code Section 5.14.020 defines an art figure studio; and

WHEREAS, the City of Chula Vista adopted Ordinance No. 3241 in November 2012 to regulate Sexually Oriented Businesses; and

WHEREAS, the City of Chula Vista Municipal Code Section 9.13.020(H) defines an adult model studio in the same manner as the City of Chula Vista Municipal Code Section 5.14.020; and

WHEREAS, the City of Chula Vista Municipal Code Section 9.13.020(X) determines an adult model studio to be a Sexually Oriented Business required to follow the provisions of Chapter 9.13.

NOW, THEREFORE, the City Council of the City of Chula Vista does hereby repeal Chula Vista Municipal Code Chapter 5.14.

Section II. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

Section III. Construction

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.


Section IV. Effective Date

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

Section V. Publication


The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by



David Bejarano
Chief of Police

Approved as to form by



Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 7th day of January 2014, by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, Ramirez, Salas and Cox
NAYS: Councilmembers: None
ABSENT: Councilmembers: None



Cheryl Cox, Mayor

ATTEST:




Donna R. Norris, CMC, City Clerk

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

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3300 had its first reading at a regular meeting held on the 17th day of December 2013 and its second reading and adoption at a regular meeting of said City Council held on the 7th day of January 2014; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

February 3, 2014
Dated



Donna R. Norris, CMC, City Clerk