

ORDINANCE NO. 3558

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHULA VISTA MUNICIPAL CODE SECTION 5.20.035 TO
AUTHORIZE A LICENSEE TO HOLD MORE THAN TWO
CITY LICENSES, SUBJECT TO THE MAXIMUM NUMBER OF
CITY LICENSES ALLOWED BY LAW

WHEREAS, cardrooms in the City are subject to the requirements set forth in Chapter 5.20 of the Chula Vista Municipal Code; and

WHEREAS, section 5.20.030 of the Chula Vista Municipal Code establishes the maximum number of cardroom licenses that can be issued in the City, which is determined on the basis of population; and

WHEREAS, section 5.20.035 of the Chula Vista Municipal Code currently provides that a cardroom licensee can hold no more than two licenses unless otherwise permitted under the Chula Vista Gaming Plan; and

WHEREAS, the City desires to amend section 5.20.035 to allow licensees to hold additional licenses so long as the total number of licenses issued in the City, including consolidated licenses counted as two separate licenses, does not exceed the maximum number permitted by section 5.20.030.

NOW, THEREFORE the City Council of the City of Chula Vista does ordain as follows:

Section I. That Section 5.20.035 of Chapter 5 of the Chula Vista Municipal Code, is hereby amended to read as follows:

5.20.035. Consolidation -- Permitted

Unless otherwise expanded or provided by the Chula Vista gaming plan, notwithstanding the provisions of CVMC 5.20.160 regarding the maximum number of tables on premises, the City Council may, in its sole discretion, grant additional licenses to a Person having an interest in or holding a license to operate, any cardroom in the City, but then only in accordance with the procedures set forth in this chapter and the Chula Vista gaming plan and only if the total number of licenses issued, including consolidated licenses counted as two separate licenses, does not exceed the maximum permitted by CVMC 5.20.030 or the Chula Vista gaming plan. If such application for an additional single license is granted, the maximum number of tables permitted in the consolidation of two licenses is 12, unless otherwise provided by the Chula Vista gaming plan. Unless otherwise provided by the Chula Vista gaming plan, a Person shall be deemed to have an interest in, or hold, an existing license if said Person is a designated licensee, is presently married to an existing licensee, the parent or child of an existing licensee, owns shares in a corporation that owns a license, or has a partnership interest in a license, owns a partnership interest in a partnership that owns a license or owns shares in a corporation that owns a license, or has some other relation to a licensed cardroom as specified in the Chula Vista gaming plan.

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Unless otherwise provided by the Chula Vista gaming plan, consolidation occurs whenever a cardroom licensee or a Person having a financial interest in a cardroom obtains a license to operate an additional cardroom or acquires a financial interest in an additional cardroom.

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

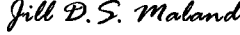
The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

[SIGNATURES ON THE FOLLOWING PAGE]

Presented by

Approved as to form by

DocuSigned by:

 2FC558998BD74C4
 Eric Crockett
 Deputy City Manager/Director of Economic
 Development

DocuSigned by:

 EFB949DC9B5747E...
 Jill D.S. Maland
 Lounsbury Ferguson Altona & Peak
 Acting City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 28th day of November 2023, by the following vote:

AYES: Councilmembers: Chavez, Gonzalez, Preciado, and McCann
 NAYS: Councilmembers: None
 ABSENT: Councilmembers: Cardenas

DocuSigned by:

 7804EC23B90B473...
 John McCann, Mayor

ATTEST:

DocuSigned by:

 3074D104EAF342E...
 Kerry K. Bigelow, MMC, City Clerk

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

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3558 had its first reading at a regular meeting held on the 14th day of November 2023, and its second reading and adoption at a regular meeting of said City Council held on the 28th day of November 2023 and was duly published in summary form in accordance with the requirements of state law and the City Charter.

12/4/2023

 Dated

DocuSigned by:

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 Kerry K. Bigelow, MMC, City Clerk