

ORDINANCE NO. \_\_\_\_\_

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 Number 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; and,

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:

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David Bejarano  
Chief of Police

Approved as to form by:

*Carol A. Trill*  
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Glen R. Googins  
City Attorney *for Chance Hawkins*