

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
SECTION 9.12.160 OF THE CHULA VISTA MUNICIPAL  
CODE RELATING TO BINGO LICENSE APPLICATION FEE  
REFUNDS

WHEREAS, Section 9.12.160 (B) of the Chula Vista Municipal Code requires the payment of an application fee with each bingo license application and states that “In the event an application is denied, 50 percent of the investigation fee shall be refunded;” and

WHEREAS, the City entered into a contract with NBS to conduct studies necessary to determine the direct and indirect costs associated various administrative and regulatory activities conducted by the City; and

WHEREAS, the Cost of Service Study of User and Regulatory Fees, Selected Departments – Part I, prepared by NBS does not identify any cost savings to the City resulting from denied bingo license applications; and

WHEREAS, refunding a portion of the bingo license application fees to denied applicants reduces cost recovery for this activity.

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

**Section I.**

Chula Vista Municipal Code section 9.12.160 (B) is hereby amended to remove the partial refund requirement for denied applications, and shall read as follows:

9.12.160 Bingo – Term of license and fees.

B. For a new license application or for each change in the bingo chairpersons who will manage the bingo game, there shall be a non-refundable fee for investigation and for processing the applicant’s fingerprints. The required fee(s) shall accompany the submission of each application.

**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.

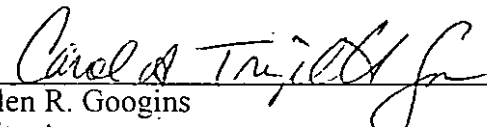
**Section V. Publication**

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:

Approved as to form by:

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Maria Kachadoorian  
Finance Director/Treasurer

  
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Glen R. Googins  
City Attorney