

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHAPTER 3.45 OF THE CHULA VISTA MUNICIPAL CODE
(MASTER FEE SCHEDULE)

WHEREAS, Section 3.45.10 of the Chula Vista Municipal Code (Master Fee Schedule; Established – Purpose) establishes waiver authority for fees set forth in the Master Fee Schedule; and

WHEREAS, the same waiver authority is established in Chapter 1 (General) of the City’s Master Fee Schedule itself; and

WHEREAS, multiple points of legislative authority may lead to confusion and inconsistency in application; and

WHEREAS, the City Council wishes to consolidate all fee waiver authority in Chapter 1 of the Master Fee Schedule.

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

Section I.

Chapter 3.45, Section 3.45.010, of the Chula Vista Municipal Code is hereby amended to read as follows:

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.
- 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 in, and pursuant to the provisions of, the master fee schedule, as may be amended from time to time by resolution of the City Council.

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

Kelly G. Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney