

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

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
CHULA VISTA MUNICIPAL CODE SECTION 10.08.110  
RELATING TO THE DEFINITION OF HOLIDAYS FOR  
PARKING METERS AND ZONES AND SECTION 12.50.050  
RELATING TO THE TIMES WHEN SIGNS CAN BE  
TEMPORARILY PLACED IN DESIGNATED PORTIONS OF  
THE PUBLIC RIGHTS-OF-WAY

WHEREAS, Title 10 (Vehicles and Traffic) of the Chula Vista Municipal Code is a compilation of the rules and regulations governing and controlling the movement of motor vehicles and traffic in Chula Vista; and

WHEREAS, Section 10.08.110 of the Chula Vista Municipal Code defines “Holidays” for purposes of Chapter 10; and

WHEREAS, Title 12 (Streets and Sidewalks) of the Chula Vista Municipal Code governs the use of public rights-of-way, including regulations for temporary signage; and

WHEREAS, Section 12.50.050 of the Chula Vista Municipal Code defines time (including holidays), place, and manner restrictions for the temporary replacement of signs in designated portions of the public rights-of-way; and

WHEREAS, the City Council wishes to amend Section 10.08.110 and Section 12.50.050 to rename March 31<sup>st</sup>, known as “Cesar Chavez Day” to “Farmworkers Day.”

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

**Section I. Revision of Holidays.** The Chula Vista Municipal Code is hereby amended as follows:

**10.08.110 Holidays**

“*Holidays*,” within the meaning of this chapter, are:

- A. January 1st, known as New Year’s Day.
- B. The third Monday in January, known as Dr. Martin Luther King, Jr. Day.
- C. February 12th, known as Lincoln’s birthday.
- D. The third Monday in February, known as Washington’s birthday.
- E. March 31st, known as ~~Cesar Chavez Day~~Farmworkers Day.
- F. The last Monday in May, known as Memorial Day.

- G. June 19th, known as Juneteenth.
- H. July 4th, known as Independence Day.
- I. The first Monday in September, known as Labor Day.
- J. September 9th, known as Admission Day.
- K. November 11th, known as Veterans Day.
- L. The fourth Thursday in November, known as Thanksgiving Day.
- M. The fourth Friday in November, the day after Thanksgiving Day.
- N. December 25th, known as Christmas Day.

When any of the holidays listed in this section fall on Saturday, the preceding Friday shall be deemed to be a holiday in lieu of the day observed, and when any of the holidays listed in this section fall on Sunday, the following Monday shall be deemed to be a holiday in lieu of the day observed. (Ord. 3544 § 3, 2023; Ord. 3346 § 1, 2015; Ord. 2670, 1996; Ord. 2638 § 1, 1995; Ord. 1663 § 1, 1976; Ord. 973 § 1, 1966; prior code § 19.1.3(J)).

#### **12.50.050 Time, place and manner restrictions.**

Except for signs allowed under Section VIII of City Council Policy 465-02, all portable signs are subject to the following conditions:

- A. *Size.* The total face area of each sign shall not exceed 24 inches by 24 inches in size. Doubled-faced signs are considered a single sign and only require one permit with a permit sticker placed on each side of the sign.
- B. *Height and Width.* The vertical distance measured from ground level to the highest point of such sign or supporting device and the width of the supporting device may not exceed three feet.
- C. *Type.* Signs shall be portable, self-supporting, and of sufficient weight that the sign remains upright and in the same position for the entire time the sign is in the public right-of-way. No portion of the sign or supporting device shall be placed or driven into the ground. Signs and supporting devices shall be maintained in good condition at all times and shall be constructed out of quality weather-resistant materials normally used in professional signage. No cardboard or paper signs are allowed.
- D. *Attachments.* Signs and supporting devices may not contain brochure boxes, tear-off flyers/coupons, or any similar type of attachment. No balloons, flags, pennants, or similar devices may be attached to a sign or supporting device.

E. *Identification.* Signs must contain, in legible font, on an area no less than two inches by three and one-half inches (business card size) the name, mailing address, and contact phone number of the individual responsible for the sign.

F. *Permit Sticker.* Each sign placed in the public right-of-way must have a valid permit sticker affixed to both sides of each sign whether or not it is a double-faced sign.

G. *Time.* Signs shall only be displayed from Saturday at 6:00 a.m. through Sunday at 6:00 p.m. and on the listed City-observed holidays from 6:00 a.m. through 6:00 p.m.

1. January 1st (New Year's Day).
2. The third Monday in January (Martin Luther King, Jr. Day).
3. March 31st (~~Cesar Chavez Day~~ Farmworkers Day).
4. The last Monday in May (Memorial Day).
5. July 4th (Independence Day).
6. The first Monday in September (Labor Day).
7. The second Monday in November (Veterans' Day).
8. The third Thursday of November (Thanksgiving Day).
9. The day after Thanksgiving Day.
10. December 25th (Christmas Day).

H. *Location.* No sign shall be placed, displayed, used or maintained:

1. On any sidewalk, walking path, bike lane, street, roadway area, traffic circle, roundabout, or center median or island area.
2. On public rights-of-way adjacent to streets undergoing active construction, repair, or maintenance, including landscape installation.
3. In such a manner as to obstruct the view of any official public sign.
4. On any right-of-way if the location obstructs the safe and convenient use by the public of any street, sidewalk, or curbside parkway area.
5. Within five feet of the beginning of the curb return of any intersections, whether the intersections have marked or unmarked crosswalks.
6. Within five feet of a fire hydrant, private or public driveway, traffic signal, traffic sign, USPS mail receptacle, community mailbox, public trash receptacle, designated bus stop/bench, or any other bench on the sidewalk.

7. On any traffic control signs or devices, street light, utility, or communications standards or poles and any of their supporting structures or equipment.
8. In any manner that causes a visual obstruction to traffic that may create a hazard to traffic and/or pedestrians.
9. In any manner that injures, damages and/or destroys any plantings or vegetation within the right-of-way.
10. Within 18 inches from the face of curb.
11. On any public right-of-way adjacent to streets during special events.
12. In any City park.
13. Within any vision clearance area as defined in CVMC 12.12.130. (Ord. 3082 § 1, 2007).

## **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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Courtney Chase  
Deputy City Manager

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Marco A. Verdugo  
City Attorney