

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council
FROM: Deborah Traffenstedt, Administrative Services Director/City Clerk DST
DATE: September 18, 2006 (CC Meeting of 10/04/06)
SUBJECT: Consider Ordinance Amending Municipal Code Chapter 1.08, City Seal, Section 1.08.20, Design, and Adding Section 1.08.21, Unauthorized Use

BACKGROUND

Staff is recommending Municipal Code Chapter 1.08 be amended for two reasons:

1. The size of the city seal "not less than two inches in diameter" as referenced in Section 1.08.20, of Chapter 1.08 is larger than the approximately one and one-quarter inch diameter seal that has been used by the City on all official documents since incorporation.
2. Chapter 1.08 does not currently include information prohibiting unauthorized use of the City seal.

DISCUSSION

Section 1.08.20 should be changed, as referenced in Section 1 of the Attachment, in order to allow official City documents containing the City seal to conform to the code.

A new Section 1.08.21 should be added, as referenced in Section 2 of the Attachment, to prohibit unauthorized use of the City seal.

The City Attorney has reviewed and concurs with the proposed Chapter 1.08 amendments.

STAFF RECOMMENDATION

Introduce Ordinance No. ___ for first reading, waive full reading, and schedule second reading and adoption for October 18, 2006.

Attachment: Draft Ordinance

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING SECTION 1.08.20 (DESIGN) AND ADDING SECTION 1.08.21 (UNAUTHORIZED USE) TO CHAPTER 1.08 (CITY SEAL) OF TITLE 1 (GENERAL PROVISIONS) OF THE MOORPARK MUNICIPAL CODE

WHEREAS, the City Council has determined that an amendment to Section 1.08.20 and an additional Section 1.08.21 are needed for Chapter 1.08, Title 1, of the Moorpark Municipal Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 1.08.20 of Chapter 1.08, Title 1, of the Moorpark Municipal Code is hereby revised in its entirety to read as follows:

1.08.020 Design.

The seal adopted in Section 1.08.10 of this chapter shall be generally circular in form without a diameter size limitation. At the base of the seal shall appear the words "MOORPARK, CALIFORNIA" "INCORPORATED JULY 1, 1983". Within shall appear the blossom of the Moorpark apricot.

SECTION 2. Section 1.08.21 of Chapter 1.08, Title 1, of the Moorpark Municipal Code shall be added to read as follows:

1.08.21 Unauthorized use.

It shall be unlawful for any person to make or use the seal of the City of Moorpark, or any cut, facsimile, or reproduction thereof, or make or use any seal or any design which is an imitation of said seal, or the design thereof, or which may be mistaken therefor of the design thereof, without authorization from the City, which may be given provided the purpose is for official business of the City of Moorpark, its Council, officers or departments.

SECTION 3. If any section, subsection, sentence, clause, phrase, part of portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause,

phrase, part or portion thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 4. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 5. The City Clerk shall certify to the passage and adoption of this Ordinance; shall enter the same in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published once in the Moorpark Star, a weekly newspaper of general circulation, as defined in Section 6008 of the Government Code, for the City of Moorpark, and which is hereby designated for that purpose.

PASSED AND ADOPTED this ____ day of _____, 2006.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk