

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ADDING CHAPTER 1.06 (OFFICIAL SEAL AND LOGO OF THE CITY) TO TITLE 1 (GENERAL PROVISIONS) OF THE HERMOSA BEACH MUNICIPAL CODE TO REGULATE THE USE OF THE OFFICIAL SEAL AND LOGO OF THE CITY; AND AMENDING CHAPTER 2.08 (ELECTIONS) IN TITLE 2 (ADMINISTRATION AND PERSONNEL) TO REPEAL PROVISIONS RELATING TO THE USE OF THE OFFICIAL SEAL OF THE CITY

The City Council of the City of Hermosa Beach does ordain as follows:

SECTION 1. Chapter 1.06 (Official Seal and Logo of the City) is added to Title 1 (General Provisions) of the Hermosa Beach Municipal Code is added to read as follows:

CHAPTER 1.06 OFFICIAL SEAL AND LOGO OF THE CITY

Sections:

1.06.010 - City seal.

1.06.020 - City logo.

1.06.030 - Use of City seal.

1.06.040 - Use of City logo.

1.06.050 - Manufacture and sale of souvenirs and decorative items.

1.06.060 - Use of City seal and logo for political campaign prohibited.

1.08.070 - Custodian of City seal and logo.

1.08.080 - Penalty.

1.06.010 - City seal.

The official seal of the City of Hermosa Beach shall be in the form of a circle approximately one and one-half inches in diameter, the face of which is substantially as set forth below:



1.06.020 - City logo.

The official logo of the City of Hermosa Beach shall be in the form of a circle approximately one and one-half inches in diameter, the face of which is substantially as set forth below:



1.06.030 - Use of City seal.

A. The City seal is the property of the City of Hermosa Beach. The impression of the City seal shall be made and used upon official documents executed by the City or its duly authorized officials and upon official legislative body materials.

B. It shall be unlawful for any person to make, reproduce, manufacture, display, or use the City seal, or its design or any design so closely resembling the same as to be apt to deceive or be reasonably mistaken for in any way the City seal, for any purpose other than for the official business of the City.

1.06.040 - Use of City logo.

A. The City logo is the property of the City of Hermosa Beach. The City logo is, and has been, established and designated to identify official City events and programs, including but not limited to City endorsed or sponsored events and programs.

B. It shall be unlawful for any person to make, reproduce, manufacture, display, or use the City logo, or its design or any design so closely resembling the same as to be apt to deceive or be reasonably mistaken for in any way the City logo, for any purpose, without advanced written approval by the City Manager.

1.06.050 - Manufacture and sale of souvenirs and decorative items.

Nothing in this chapter shall prevent a person from manufacturing or selling non-documentary objects, such as souvenirs or decorative items, bearing the City logo as part of the design, provided that such person undertakes such activity pursuant to a written agreement with the City, approved by the City Council, containing such requirements and limitations as the City Manager shall deem appropriate to assure that such use of the City logo is in good taste and in the best interests of the City of Hermosa Beach.

1.06.060 - Use of City seal and logo for political campaign prohibited.

No person or campaign committee shall use the City seal or logo, or its design or any design so closely resembling the same as to be apt to deceive or be reasonably mistaken for in any way the City seal or logo, for purposes of supporting or opposing the nomination or election of any person to any City or other public office, or for purposes of supporting or opposing any ballot measure, nor include such City seal or logo on any writing distributed for purposes of influencing the action of the electorate, or any part thereof, in any election. This section shall not be applicable to writings issued by the City of Hermosa Beach or the City Council as a whole pursuant to law.

1.08.070 - Custodian of City seal and logo.

The City Clerk of the City of Hermosa Beach shall be the official custodian of the official seal and logo of the City.

1.08.080 - Penalty.

Any person or persons violating the provisions of this Chapter shall be guilty of a misdemeanor and subject to punishment in accordance with Chapter 1.04 of the Hermosa Beach Municipal Code. Each and every day during any portion of which the provisions of this chapter are violated shall constitute a separate offense and may be punished accordingly.

SECTION 2. Section 2.08.030 (Endorsements and Seals) of Chapter 2.08 (Elections) of Title 2 (Administration and Personnel) of the Hermosa Beach Municipal Code is amended as follows:

2.08.030 Endorsements and seals.

A.——No person shall issue any campaign literature or material to the public during an election which claims or implies any endorsement of a candidate without filing with the city clerk his affidavit, signed under penalty of perjury, that he has obtained the written consent of such person whose endorsement is claimed or implied.

~~B.——No person shall in any manner, on any campaign literature or material, make use of the official seal of the city, or any facsimile or likeness of the seal~~

SECTION 3. This Ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The City Council hereby finds that under Section 15061(b)(3) of the State CEQA Guidelines, this Ordinance is exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment.

SECTION 4. This ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

SECTION 5. Prior to the expiration of fifteen (15) days after the date of its adoption, the City Clerk shall cause this Ordinance to be published in the Easy Reader, a weekly newspaper of general circulation published and circulated, in the City of Hermosa Beach in the manner provided by law.

SECTION 6. 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, and shall make minutes of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted.

PASSED, APPROVED and ADOPTED this ____ day of _____ 2020.

VOTE: AYES:
 NOES:
 ABSTAIN:
 ABSENT:

MAYOR of the City of Hermosa Beach, California

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney