

ORDINANCE NO. 011-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY, CALIFORNIA, ESTABLISHING RULES AND REGULATIONS FOR THE USE OF THE CITY SEAL, CITY LOGO, AND CITY COUNCIL PINS

WHEREAS, the City Council desires to establish rules and regulations for the use of the City Seal, City Logo, and City Council Pins, to ensure they are used only as authorized in appropriate circumstances, and to ensure that unauthorized, deceptive, misleading, or fraudulent use is prohibited.

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

SECTION 1. That Chapter 4 of Title 2 of the Yuba City Municipal Code is hereby added to read in its entirety as follows:

Chapter 4. - CITY SEAL, CITY LOGOS, and CITY COUNCIL PINS

Sec. 2-4.01 Purpose and Objectives.

The purpose of this chapter is to establish rules and regulations for the use of the City seal, City logos, and City Council pins, to ensure they are used only as authorized in appropriate circumstances, and to ensure that they are not used in a way that may be deceptive, misleading, or fraudulent.

Sec. 2-4.02 City Seal.



The City seal above, is property of the City and hereby officially adopted by City Council; all prior seal(s) are no longer in effect as of the effective date of this ordinance. An official digital copy of the City seal is on file with the City Clerk.

Sec. 2-4.02 City Logo.

The City may adopt City logos by resolution from time to time. Any official digital copy of the adopted City logos is on file with the City Clerk.

Sec. 2-4.03 City Council Pins.

The City Council pins, both for members of the Council and mayor, have been created and donated to the City for its use. An official digital copy of the adopted City Council pin is on file with the City Clerk. The City may adopt other City Council pins by resolution from time to time.

Sec. 2-4.04 Use of City Seal, City Logo, or City Council Pin.

- (a) The City Clerk has charge of the City seal and City logos, and will affix the City seal to all certificates and documents as may be required by law, by the code, or by ordinance of the City.
- (b) All other uses of the City seal, City logos, and other City logos are restricted to official City business and such other appropriate uses that further the operations of the City as may be authorized as otherwise specifically permitted in this code or City policy.
- (c) Except where authorized by law, no person may make or use the City seal, City logos, and other City logos, or any cut, facsimile, or reproduction thereof, or to make or use any seal, logo, or any design which is an imitation of, in the design of, or which may be mistaken for the City seal, City logos, or other City logos, or the design, without the written authorization of the City Manager or the City Manager's designee, and consistent with any adopted City policy.
- (d) City officials, City employees, and members of the City Council, and members of the City boards and commissions, may use stationery, printed materials and other articles with the City logos, or facsimile of the City logos, and other City logos while acting within the scope of their office or employment or City elected or appointed position.
- (e) No person, including any elected officer of the City, may use the City seal or City logos, in any correspondence or other materials distributed in favor of or against any ballot measure, as part of any political campaign, or in favor of or against any candidate for public office.
- (f) City logos may be requested to be used by outside entities or agencies for events co-hosted or supported by the City consistent with adopted guidelines approved by resolution.



- (g) The City Council pin depicted above shall be worn only by current and former members of the City Council, who were presented the pin while in office, to recognize and identify their active service, and may be worn at any time. Notwithstanding, the Council may adopt guidelines by resolution to provide for use of the City Council pin by former members of the Council on ceremonial and other specified occasions. Additionally, nothing herein shall preclude the use of a City Council pin by its original creator or other person who may be authorized by law.

Sec. 2-4.05 Violations; Penalty.

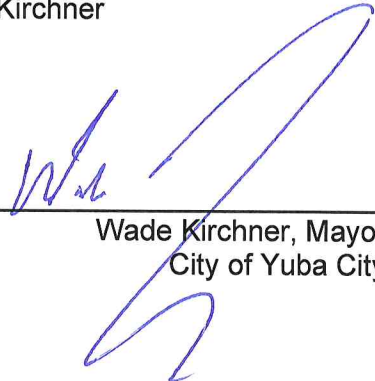
It shall be unlawful for any person to make or use the City seal, City logos, or City Council pin deceptively, fraudulently, or without express written permission from the City. Unauthorized use of the City seal, City logos, or City Council pin is guilty of a misdemeanor. Such unauthorized use is also declared a public nuisance and the City can abate or enjoin such use pursuant to this code.

SECTION 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 3. Effective Date and Publication. This ordinance shall take effect 30 days after its adoption. The City Clerk, or duly appointed deputy, shall attest to the adoption of this Ordinance and shall cause this Ordinance to be posted in the manner required by law.

Introduced and read at a regular meeting of the City Council of the City of Yuba City on the 5th day of September, 2023, and passed and adopted at a regular meeting held on the 19th day of September, 2023.

- AYES: Councilmembers Boomgaarden, Harris and Mayor Kirchner
- NOES: None
- ABSENT: Councilmembers Pasquale and Shaw

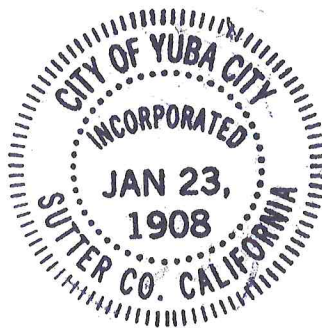


Wade Kirchner, Mayor
City of Yuba City

ATTEST:



Ciara Wakefield, Deputy City Clerk



APPROVED AS TO FORM:



Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP