

SECOND READING AND ADOPTION

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHAPTER 15.06 OF THE CHULA VISTA MUNICIPAL CODE,
ADMINISTRATIVE PROVISIONS FOR THE TECHNICAL
BUILDING CODES

The City Council of the City of Chula Vista does ordain as follows:

Section I. Amended Chapter 15.06

That certain Sections of Chapter 15.06, Administrative Provisions for the Technical Building Codes, are amended to read as follows:

Section 15.06.001 Purpose

Section 15.06.001, Purpose, is hereby amended and shall read as follows:

The purpose of this chapter is to establish rules and regulations for the administration and enforcement of certain technical codes, which codes are identified in and adopted in the manner indicated in Chapters 15.08, 15.09, 15.10, 15.12, 15.14, 15.16, 15.24, 15.26 and 15.28 CVMC, and associated with site preparation and construction, location, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment.

Section 15.06.005 Scope

Section 15.06.005, Scope, is hereby amended and shall read as follows:

The provisions of this chapter shall serve as the administrative, organizational and enforcement rules and regulations for the technical codes identified in and adopted in the manner indicated in Chapters 15.08, 15.09, 15.10, 15.12, 15.14, 15.16, 15.24, 15.26 and 15.28, and which regulate site preparation and construction, location, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment. Provisions contained in the appendices of the technical codes shall not apply unless specifically adopted by the City of Chula Vista.

Section 15.06.015 Definitions

The first paragraph of Section 15.06.015 is hereby amended and shall read as follows:

For the purposes of this chapter, and Chapters 15.08, 15.10, 15.12, 15.14, 15.16, 15.24, 15.26 and 15.28 CVMC, the following words have the meanings shown in this section. Where a term is not defined in this section, but is defined in one of the technical codes, such term shall have the meaning ascribed to it in the technical code. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. Words used in the singular include the plural, and the plural the singular. Words used in the masculine gender include the feminine, and the feminine include the masculine.

The definition of Technical codes in Section 15.06.015 is hereby amended and shall read as follows:

“Technical code” means those codes identified in and adopted in the manner indicated in Chapters 15.08, 15.09, 15.10, 15.12, 15.14, 15.16, 15.24, 15.26 and 15.28.

Section 15.06.080 Permits

Section 15.06.080(B)(1)(c) is hereby amended and shall read as follows:

c. Fences up to 72 inches and freestanding masonry walls up to 48 inches in height above the highest adjacent grade. Fences, walls or gates that extend across fire apparatus access roads require a permit from the Chula Vista Fire Department.

Section 15.06.080(B)(1)(o) is hereby amended and shall read as follows:

o. The installation of replacement windows in existing window openings associated with a residential dwelling unit with no modifications to the existing rough opening or to the exterior weather proofing and of same operating style as the existing window or a style that provides for an equal or greater window opening area than the existing window.

Section II. Scope of Amendment

This Amendment changes only those Sections specifically identified in Section I, above. No other changes to Chapter 15.06 are contemplated or intended by this Ordinance. The balance of Chapter 15.06 shall remain unchanged and continue in full force and effect.

Section III. 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 IV. 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 V. Effective Date

This ordinance will take effect and be in force thirty days after final passage but not before January 1, 2017.

Section VI. 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