

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

ORDINANCE OF THE CITY OF CHULA VISTA  
AMENDING CHAPTER 15.08 OF THE CHULA VISTA  
MUNICIPAL CODE ADOPTING THE CALIFORNIA  
BUILDING CODE, 2016 EDITION

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

**Section I. Amended Chapter 15.08**

That Chapter 15.08 of the Chula Vista Municipal Code is hereby amended to read as follows:

**Chapter 15.08  
BUILDING CODE**

Sections:

- | 15.08.010 California Building Code, ~~2013-2016~~ Edition, adopted by reference.
- | 15.08.020 Subsection 705.11 is amended to add an exception to the requirement for parapets.
- | 15.08.030 Subsection ~~15091510~~.6.4 is added to Section ~~15091510~~.6 to require equipment enclosures on roofs.

**15.08.010 California Building Code, ~~2013-2016~~ Edition, adopted by reference.**

There is hereby adopted by reference the California Building Code, ~~2013-2016~~ Edition, known as the California Code of Regulations, Title 24 part 2, including Appendix C and Appendix I, and excluding Chapter 1, Division II of that document as copyrighted by the International Code Council, and the California Building Standards Commission. Said document is hereby adopted as the Building Code of the City of Chula Vista for regulating the erection, construction, enlargement, alteration, repair, moving, demolition, conversion, occupancy, use, height, and area of all buildings and structures in the City, excepting such portions as are hereinafter deleted, modified, or amended. Municipal Code Chapter 15.06 shall serve as the administrative, organizational and enforcement rules and regulations for this Chapter.

**15.08.020 Subsection 705.11 is amended to add an exception to the requirement for parapets.**

Exception 7 is hereby added to Subsection 705.11 of the California Building Code, as it applies in Chula Vista, and shall read as follows:

Exception 7. Conversion of existing Group R occupancies to offices.

- | **15.08.030 Subsection ~~15091510~~.6.4 is added to Section ~~15091510~~.6 to require equipment enclosures on roofs.**

Subsection ~~15091510~~.6.4 is hereby added to Section ~~15091510~~.6 of the California Building Code, as it applies in Chula Vista, and shall read as follows:

Subsection ~~15091510~~.6.4 Equipment Enclosure. Operating equipment, including piping and ducts located on the roof of a building, shall be shielded from view from public thoroughfares, and private and public parking lots. Equipment enclosures shall not be constructed so as to trap flammable or combustible vapors.

Exception: Solar collectors. Does not include structural supporting members.

## **Section II. Findings and Declaration**

The City Council specifically and expressly finds and declares that adding section 15.08.020 and 15.08.030 to Chapter 15.08 is necessary due to local topographical conditions. As a result of the geographical layout of the City the City Council deems it aesthetically important to shield roof equipment enclosures from public view. Also, exempting conversion of existing Group R occupancies to offices from Subsection 705.11 of the California Building Code is an important historical exemption contained in the City Code from years past and the City Council deems this exemption necessary to preserve local topographical conditions.

## **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**

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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

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Glen R. Googins  
City Attorney