

ORDINANCE NO. 1600

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
ORDINANCE NO. 1483, ARTICLE 2, SECTION 34.203 OF  
THE CHULA VISTA CITY CODE RELATING TO DEFERRAL OF  
REQUIREMENTS FOR UNDERGROUNDING UTILITIES

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

SECTION 1: That Ordinance No. 1483, Article 2, Section  
34.203 of the Chula Vista City Code be, and the same is hereby  
amended to read as follows:

Sec. 34.203. Deferral of Requirements.


An owner or public utility company may request that  
the City Council vary from or defer the requirements of  
this Article. The applicant for such variance shall pay  
the sum of FIFTY DOLLARS (\$50.00) at the time said appli-  
cation is submitted to the Department of Public Works to  
cover the cost of the public hearing to be noticed by the  
City Clerk in accordance with notification requirements  
of the laws of the State of California. After conducting  
said public hearing the Council may defer the requirements  
of this Article after the Council finds from the evidence  
presented at the hearing that all of the following facts  
exist:

1. That extraordinary conditions exist to the extent  
that enforcement of this subsection would result in  
unnecessary hardship to the owner or the utility  
company.
2. That such deferral will not, under the circum-  
stances of the particular case, be detrimental to  
the health, safety or general welfare of the neighbor-  
hood.

In the event that the Council elects to defer the under-  
grounding requirements, the subdivider shall enter into an  
agreement with the City stipulating the acceptance of the  
establishment of an undergrounding district at some future  
date, and waiving any protests against such a district. Said  
agreement shall be binding upon the heirs, successors and  
assigns of the owner and shall be recorded.

SECTION 2: This ordinance shall take effect and be in full  
force on the thirty-first day from and after its passage and approval.

Presented and Approved by

  
George D. Lindberg, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA, CALIFORNIA, this 17th day of December,  
1974, by the following vote, to-wit:

AYES:	<i>Councilmen</i>	<u>Hobel, Hamilton, Hyde, Egdahl, Scott</u>
NAYES:	<i>Councilmen</i>	<u>None</u>
ABSENT:	<i>Councilmen</i>	<u>None</u>

Thomas D. Hamilton Jr.  
Mayor of the City of Chula Vista

ATTEST Jennie M. Fulasz  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss.  
CITY OF CHULA VISTA )

I, JENNIE M. FULASZ, City Clerk of the City of Chula Vista,  
California, DO HEREBY CERTIFY that the above and foregoing is a full,  
true and correct copy of \_\_\_\_\_ and  
that the same has not been amended or repealed.

DATED \_\_\_\_\_

(SEAL) \_\_\_\_\_  
City Clerk