

ORDINANCE NO. 1606

AN ORDINANCE OF THE CITY OF CHULA VISTA, CALIFORNIA AMENDING SECTIONS 16A.1, 16A.3, 16A.5, 16A.6, 16A.7 AND REPEALING SECTIONS 16A.2, 16A.8 OF CHAPTER 16A OF THE CHULA VISTA CITY CODE, RELATING TO THE ADOPTION OF THE UNIFORM HOUSING CODE, 1973 EDITION.

THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. That Sections 16A.1, 16A.3, 16A.5, 16A.6, 16A.7 of the Chula Vista City Code be, and the same are hereby amended to read as follows:

Section 16A.1. ADOPTED BY REFERENCE. There is hereby adopted by reference that certain document known and designated as the "Uniform Housing Code, 1973 Edition" as copyrighted by the International Conference of Building Officials, three (3) copies of which are on file in the office of the City Clerk. Said document is hereby adopted as the Housing Code of the City of Chula Vista, California, providing the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public and the owners and occupants of residential buildings in the City of Chula Vista, and the regulations, provisions, penalties, conditions and terms of said Uniform Housing Code, 1973 Edition, are hereby referred to, adopted, and made a part hereof, as though fully set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

Section 16A.3. AMENDMENT OF SECTION 203. Section 203 of the code adopted by Section 16A.1 is hereby amended and shall read as follows:

Section 203. ADVISORY AND APPEALS BOARD. In order to provide for final interpretation of the provisions of this Code and to hear appeals provided for hereunder, there is hereby established a Building and Housing Advisory and Appeals Board consisting of seven members who are not employees of the City. The Building Official shall be an ex officio member of and shall act as Secretary to said Board. The Board shall be appointed by the Mayor and shall hold office at his pleasure. The Board may adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the Building Official. Appeals to the Board shall be processed in accordance with the provisions contained in Section 1201 of this Code. Copies of all rules or regulations adopted by the Board shall be delivered to the Building Official who shall make them freely accessible to the public.

Section. 16A.5. AMENDMENT OF SECTION 304. Section 304 of the code adopted by Section 16A.1 is hereby amended and shall read as follows:

Section 304. ANNUAL HOUSING PERMIT.

(a). Housing Permit. It shall be unlawful for any person, firm, partnership, or corporation, either for himself or itself, or for any other person, firm, partnership, or corporation to own or operate an apartment house or hotel without first obtaining a housing permit therefor.

(b). The annual housing permit provided in this code shall be due and payable to the City of Chula Vista on the first day of January of each year in advance.

(c). If any person, firm, partnership or corporation commences the operation of an apartment house or hotel during the calendar year, his housing permit shall be prorated on a quarterly prorata basis for the calendar year.

(d). A permit to operate and maintain an apartment house or hotel is not transferable.

Section 16A.6. AMENDMENT OF SECTION 305. Section 305 of the code adopted by Section 16A.1 is hereby amended and shall read as follows:

Section 305. Housing Permit Fees - Apartment Houses and Hotels.

(a). Fee Schedule. The fee for a Housing Permit required by Section H-304 of this Ordinance shall be as follows:

1. For each apartment house or hotel containing not more than six (6) units - \$9.00.
2. For each apartment house or hotel containing not less than seven (7) but no more than ten (10) units - \$12.00.
3. For each apartment house or hotel containing not less than eleven (11) but no more than fifteen (15) units - \$14.00.
4. For each apartment house or hotel containing more than fifteen (15) units - \$14.00 plus thirty-five cents (35¢) for each unit in excess of 15.

For the purpose of this section, a "unit" shall mean each apartment in an apartment house, each sleeping room in a hotel, and each apartment and each hotel sleeping room in a building containing both apartments and hotel sleeping rooms.

Separate apartment house buildings and separate hotel buildings, or combination thereof, located upon a single parcel of land or contiguous parcels of land, under the same ownership, shall be treated as one apartment house or hotel for the purpose of computing the fee prescribed by this section.

(b). Penalty for Delinquent Payment. If the Housing Permit fee is not paid on or before the thirtieth (30th) day of the month following the date when it became due, then a penalty in an amount equal to twenty-five percent (25%) of the permit fee due and payable shall be added thereto, and no such permit shall be issued until such penalty has been paid. If the permit fee is not paid on or before the ninetieth (90th) day from the date when it became due, then a penalty in an amount of fifty percent (50%) of the permit fee shall be added thereto and no permit shall be issued until such penalty has been paid. In addition thereto, such delinquent licenses shall be liable for prosecution and the penalty herein provided for failure to pay said permit fee as required by subsection 304(a) of Section 16A.5.

Section 16A.7. AMENDMENT OF SECTION 307. Section 307 of the Code adopted by Section 16A.1 is hereby amended and shall read as follows:

Section 307. SUSPENSION AND REVOCATION OF HOUSING PERMIT. Whenever it is found that any apartment house, motel or hotel is not being conducted in conformity with this Code, the annual housing permit to operate same shall be subject to revocation or suspension by the Building and Housing Inspection Department.

SECTION II. That Sections 16A.2, 16A.8 of Chapter 16A of the Chula Vista City Code be and the same are hereby deleted.

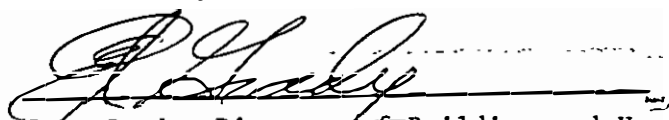
SECTION III. Any person violating any of the provisions of the code adopted by this ordinance, or who shall violate any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each day or portion thereof during which any violation of any of the provisions of said code or this ordinance is committed, continued or permitted, and upon conviction of any such violation, shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months or by both such fine and imprisonment.


SECTION IV. If any section, subsection, sentence, clause or phrase of this ordinance or the Uniform Housing Code, 1973 Edition, is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance or the Uniform Housing Code, 1973 Edition, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

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

Presented by

Approved as to form by


Gene Grady, Director of Building and Housing


George D. Lindberg, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, this 21st day of January 1975, 197 , by the following vote, to-wit:

AYES:	<i>Councilmen</i>	<u>Scott, Hobel, Hamilton, Hyde, Egdahl</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