

ORDINANCE NO. 2507

AN ORDINANCE OF THE CITY OF CHULA VISTA REPEALING EXISTING CHAPTER 15.08 OF THE MUNICIPAL CODE OF THE CITY OF CHULA VISTA AND ADOPTING A NEW CHAPTER 15.08 OF THE MUNICIPAL CODE OF THE CITY OF CHULA VISTA RELATING TO THE ADOPTION OF THE UNIFORM BUILDING CODE, 1991 EDITION

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

SECTION I. That existing Chapter 15.08 is hereby repealed, and a new Chapter 15.08 of the Chula Vista Municipal Code is hereby added, which Chapter shall read as follows:

Chapter 15.08

Building Code²

Sections:

- 15.08.010 Uniform Building Code, 1991 edition, adopted by reference.
- 15.08.020 General-Section 202(a) amended to designate building official.
- 15.08.030 Board of Appeals and Advisors-Section 204(a) is amended. Limitations of Authority-Section 204(b) is added.
- 15.08.040 Exempted Work-Section 301(b) is amended. Standards of Quality-Section 301(c) is added.
- 15.08.050 Section 304 is amended to reference the City's Master Fee Schedule, and to charge for fees not contained in the UBC.
- 15.08.060 Subsection (h) added to Section 305 to require inspection for compliance surveys.
- 15.08.070 Section 1710(a) amended to add an exception to the requirement for parapets.
- 15.08.080 Section 3203 amended to provide for more restrictive roof coverings.
- 15.08.090 Subsection (e) added to Section 3601 to require equipment enclosures on roofs.
- 15.08.100 Subsection (f) added to Section 3601 to require removal of obsolete roof equipment.
- 15.08.110 Paragraph 5 added to subsection (b) of Section 3802 added to require installation of automatic fire-extinguishing system in buildings greater than certain height.
- 15.08.120 Subsection (e) added to Section 4407 to require pedestrian protection at construction sites.
- 15.08.130 Table No. 44-A amended to specify permitted means of providing pedestrian protection for short periods of construction at limited height building construction sites.

15.08.010 Uniform Building Code, 1991 Edition, adopted by reference.

There is hereby adopted by reference the Uniform Building Code, ("UBC") 1991 Edition, and Chapters 1 (division I), 7, 11, 32, 35, and 49, and 55 of the Appendix that certain document as copyrighted by the International Conference of Building Officials. Chapter 31, Accessibility and Chapter 31 of the Appendix are hereby exempted. 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. Providing for the issuance of permits and collection of fees therefor and each and all such regulations, provisions, penalties, conditions and terms of the Uniform Building Code, 1991 Edition, and Chapters 1 (division I), 7, 11, 32, 35,

49, and 55 of the Appendix 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.

15.08.020 General-Section 202(a) amended to designate Building Director as "building official".

Section 202 (a) of the UBC, as it applies in the City of Chula Vista, is hereby amended to read as follows:

Section 202(a) General. The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes the building official shall have the powers of a law enforcement officer.

The building official shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code. The Building Official shall be the Director of Building and Housing.

15.08.030 Board of Appeals and Advisors-Section 204(a) amended to confer "suitability of alternate materials" jurisdiction on Board of Appeals. Limitations of Authority-Section 204(b) is added.

Section 204(a) of the UBC, as it applies in the City of Chula Vista, is hereby amended to read as follows:

Section 204(a) Board of Appeals and Advisors. To determine the suitability of alternate materials, methods of construction and to provide for reasonable interpretation of the provisions of this Code, there shall be and is hereby created a Board of Appeals and Advisors consisting of seven members who are qualified by experience and training to pass upon matters pertaining to building construction. The Director of Building and Housing shall be an ex-officio member who shall not be entitled to vote and who shall act as Secretary to the Board. The Board of Appeals and Advisors shall be appointed by the Mayor and confirmed by the City Council. The Board shall render all decisions and findings in writing to the Director of Building and Housing with a duplicate copy to the appellant. The decision of the Board is final. The Board of Appeals and Advisors shall recommend to the City Council such new legislation deemed necessary to govern construction in the City of Chula Vista.

Section 204(b) Limitations of Authority. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of the code.

15.08.040 Exempted Work-Section 301(b) is amended to delete exemptions for certain types of construction from the requirement to obtain a building permit. Standards of Quality-Section 301(c) is added.

Section 301(b) of the Uniform Building Code as it applies in Chula Vista shall read as follows:

Section 301(b) EXEMPTED WORK. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure in the City of

Chula Vista or cause the same to be done without first obtaining a separate building permit for each such building or structure from the Building Official except as follows:

1. Fences up to 72 inches and free standing masonry walls up to 48 inches in height above the highest adjacent grade.
2. Curbs and planter boxes up to 18 inches in height.
3. Detached patio covers, not exceeding 12 feet in height, with a projected roof area not to exceed 144 square feet and at least 6 feet from any building or structure on the same property.
4. One-story detached accessory buildings, not exceeding 12 feet in height used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 144 square feet and are located so as to comply with the provisions of Chula Vista Municipal Code, Section 19.58.020.
5. Oil Derricks.
6. Movable cases, counters, and partitions not over 5 feet, 9 inches in height.
7. Retaining walls which are not over 3 feet in height measured from the top of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.
8. Television and radio antennas less than 35 feet in height.
9. Awnings projecting not more than 54 inches and attached to, and supported by, the exterior walls of buildings of Group R or M Occupancy.
10. Standard electrolier not over 35 feet in height above finish grade.
11. Platforms, walks and driveways not more than 30 inches above grade and not over any basement or story below.
12. Temporary motion picture, television and theater stage sets and scenery.
13. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons.
14. Fish ponds, reflective pools or other decorative water containers with a wet surface area of 100 square feet or less and a maximum depth of 18 inches to the flood rim.
15. Repairs which involve only the replacement of component parts of existing work with similar materials for the purpose of maintenance, and which do not aggregate over \$500.00 in valuation in any twelve-month period, and do not affect any electrical, plumbing or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change, or modification in construction, exit facilities, or permanent fixtures or equipment.

Specifically exempted from permit requirements without limit to valuation are:

- a. Painting, papering, decorating and similar work.
- b. Installation of floor covering.
- c. Cabinet work.
- d. Outside paving.
- e. Re-roofing buildings of Group R and M Occupancies of less than 500 sq. ft or less than fifty percent (50%) of roof covering replacement.

This section shall not be construed to require separate building permits for dwelling and accessory buildings or structures on the same property which are described in the building permit application, plot plan and other drawings.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the City of Chula Vista.

Section 301(c) Standards of Quality. The standards listed below labeled a "U.B.C. standard" are also listed in Chapter 60, Part II, and are part of this code.

- 1. Concrete
 - A. U.B.C. Standard No. 27-13, Ready-mixed concrete.
- 2. Connections
 - A. U.B.C. Standard No. 27-7, High-strength Bolting
- 3. Fireproofing
 - A. U.B.C. Standard No. 43-8, Thickness and Density Determination for Spray-applied Fireproofing.

15.08.050 Section 304 amended to reference the City's Master Fee Schedule, and to charge fees not contained in the UBC.

Section 304 of the Uniform Building Code, as it applies in Chula Vista, shall read as follows:

Section 304(a) General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.

Section 304(b) Permit Fees. The fee for each permit shall be as set forth in the Master Fee Schedule. The determination of value or valuation under any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and

any other permanent equipment.

Section 304(c) Plan Review Fees. When a plan or other data are required to be submitted by Section 302(b), a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be 65 percent of the building permit fee as shown in the Master Fee Schedule.

Section 304(d) Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that all circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to review action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

Section 304(e) Investigation Fees: Work without a Permit.

1. Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.
2. Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the Master Fee Schedule. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 304(f) Fee Refunds. Fees paid for microfilming of documents and for Strong Motion Instrumentation are not refundable.

Section 304(g) Compliance Survey Fee. The fee for conducting a compliance survey of an existing structure shall be as specified in the City of Chula Vista Master Fee Schedule.

Section 304(h) Exceptions. The United States Government, State of California, school districts, counties, cities and other public agencies shall not be required to pay any fees for filing an application for a building permit pursuant to this code.

Section 304(i) Retention of Plans. State Law requires the retention of plans, specifications and permits for the life of the building. Therefore, the applicant shall be charged a fee to cover the actual cost of microfilming such documents as specified in the Master Fee Schedule.

15.08.060 Subsection (h) added to Section 305 to require inspection for compliance surveys.

Subsection 305(h) is hereby added to Section 305 of the Uniform Building Code, as it applies in Chula Vista, and said subsection (h) shall read as follows:

Section 305(h) Compliance Survey Inspection. Upon receipt of a written request for a compliance survey from the owner and payment of the fee specified in the Master Fee Schedule, the Building Official may inspect an existing structure to ascertain its compliance with the provisions of this code and other applicable laws and ordinances, and report findings in writing to the owner.

15.08.070 Section 1710 (a) amended to add an exception to the requirement for parapets.

EXCEPTION F is hereby added to subsection (a) of Section 1710 of the Uniform Building Code, as it applies in Chula Vista, which EXCEPTION F shall read as follows:

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

15.08.080 Section 3203 amended to provide for more restrictive roof coverings.

Section 3203 of the Uniform Building Code as it applied in Chula Vista is amended as follows:

Section 3203. The roof covering on any structure regulated by this code shall be as specified in Table No. 32-A and as classified in Section 3204. Wood shingles and wood shakes shall have a minimum Class "C" fire-resistive rating.

15.08.090 Subsection (e) added to Section 3601 to require equipment enclosures on roofs.

Subsection (e) is hereby added to Section 3601 of the Uniform Building Code, as it applies in Chula Vista, which subsection (e) shall read as follows:

Section 3601(e) Equipment Enclosure. Operating equipment, including piping and ducts located on the roof of a building, shall be shielded from view from public thoroughfares, private and public parking lots and soundproofed so as to comply with the noise abatement provisions of Sections 19.68.010 through 19.68.090 of the Chula Vista Municipal Code. Equipment enclosures shall not be constructed so as to trap flammable or combustible vapors.

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

15.08.100 Subsection (f) added to Section 3601 to require removal of obsolete roof equipment.

Subsection (f) is hereby added to Section 3601 of the Uniform Building Code, as it applies in Chula Vista, which subsection (f) shall read as follows:

Section 3601(f) Obsolete Roof Equipment. Mechanical equipment including piping and ducts located on the roof of a building and no longer in operation shall be removed from the roof.

15.08.110 Paragraph 5 added to subsection (b) of Section 3802 added to require installation of automatic fire-extinguishing system in buildings greater than certain height.

Paragraph 5 is hereby added to subsection (b) of Section 3802 of the Uniform Building Code, as it applies in Chula Vista, which Paragraph 5 shall read as follows:

Paragraph 5 In every building regardless of occupancy, group or type of construction, when such building is more than 40 feet or four stories or more in height.

15.08.120 Subsection (e) added to Section 4407 to require pedestrian protection at construction sites.

Subsection (e) is hereby added to Section 4407 of the Uniform Building Code, as it applies in Chula Vista, which subsection shall read as follows:

Section 4407(e) Construction Site. At any construction site wherein an excavation of 3 feet 6 inches or more is dug shall be required to be completely fenced around the perimeter of the site with either a solid wooden fence or woven wire fence not less than 6 feet in height. Said fence shall be equipped with gates that can be locked during such periods as construction is not in progress and that said fence shall be appropriately posted with no trespassing signs, provided however, that said requirements shall not apply to single family and multiple family dwellings of less than three units or to construction sites where said excavations is not in existence for more than a 24-hour period. Excavations of 3 feet 6 inches or more on such sites shall not be left unattended without substantial temporary covering or barricades.

15.08.130 Table No. 44-A amended to specify permitted means of providing pedestrian protection for short periods of construction at limited height building construction sites.

Table No. 44-A--"Type of Protection Required for Pedestrians" is hereby amended to add Footnote 1 thereto, which footnote shall read as follows:

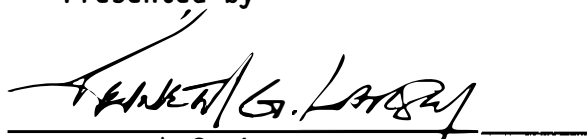
Footnote 1: Upon prior approval for buildings not exceeding 24 feet in height, protection may be provided by using scaffolding or barricades when painting, sandblasting, adding light-weight veneer or renovating the facade. Construction time cannot exceed 10 working days.

SECTION II. FINDINGS AND DECLARATION

The City Council of the City of Chula Vista specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the Uniform Building Code, 1991 Edition which are noted in the Chula Vista Municipal Code and restated in this ordinance.

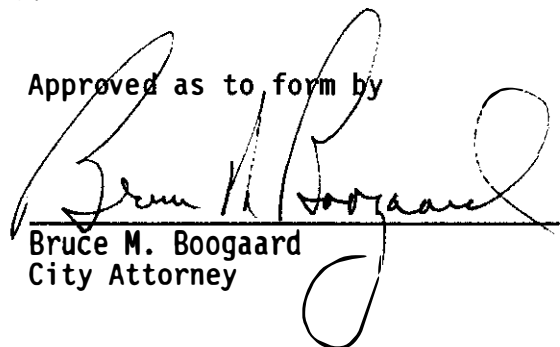
SECTION III. This ordinance will take effect and be in force on the thirtieth day from and after its passage and approval.

Presented by



Kenneth G. Larsen
Director of Building & Housing

Approved as to form by



Bruce M. Boogaard
City Attorney

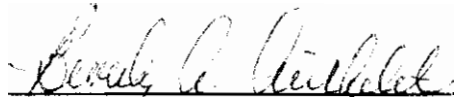
PASSED, APPROVED and ADOPTED by the City Council of the City of Chula Vista, California, this 19th day of May, 1992, by the following vote:

| | | |
|----------|-----------------|---|
| AYES: | Councilmembers: | Grasser Horton, Malcolm, Moore, Rindone, Nader |
| NOES: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |
| ABSTAIN: | Councilmembers: | None |



Tim Nader, Mayor

ATTEST:

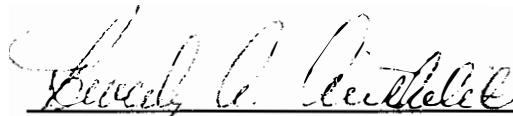


Beverly A. Authelet, City Clerk

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

I, Beverly A. Authelet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2507 had its first reading on April 21, 1992, and its second reading and adoption at a regular meeting of said City Council held on the 19th day of May, 1992.

Executed this 19th day of May, 1992.



Beverly A. Authelet, City Clerk