

ORDINANCE NO. 2644

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHAPTER 15.08 OF THE CHULA VISTA MUNICIPAL CODE
ADOPTING THE UNIFORM BUILDING CODE, 1994 EDITION

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

SECTION I. 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 Uniform Building Code, 1994 edition, adopted by reference.
- 15.08.020 General-Section 104.2.1 amended to designate building official.
- 15.08.030 Board of Appeals and Advisors-Section 105.1 is amended. Limitations of Authority-Section 105.2 is added.
- 15.08.040 Exempted Work-Section 106.2 is amended.
- 15.08.050 Section 107 is amended by adding subsection 107.8 exempting government entitles from fee payments to reference the City's Master Fee Schedule, and to charge for fees not contained in the UBC.
- 15.08.060 Subsection 108.1.1 added to Section 108.1 to authorize compliance survey inspections.
- 15.08.070 Section 709.4.1 amended to add an exception to the requirement for parapets.
- 15.08.080 Paragraph 6 added to subsection 904.2.2 to require installation of automatic fire-extinguishing system in buildings greater than certain height.
- 15.08.090 Section 1503 amended to provide for more restrictive roof coverings.
- 15.08.100 Subsections 1511.5 and 1511.6 added to Section 1511 to require equipment enclosures on roofs and removal of obsolete roof equipment.
- 15.08.110 Appendix Table 29-A amended to specify minimum number of public restroom facilities for motor vehicle fueling stations and mercantile occupancies with fuel dispensing operations.
- 15.08.120 Appendix Table 29-A amended to specify minimum number of public restroom facilities for motor vehicle fueling stations and mercantile occupancies with fuel dispensing operations required at time of remodel, alteration or repair.

15.08.010 Uniform Building Code, 1994 Edition, adopted by reference.

There is hereby adopted by reference the Uniform Building Code, ("UBC") 1994 Edition, and Appendix Chapter 3, Division II; Appendix Chapter 15; Appendix Table A-29-A; Appendix Chapter 31, Division II and Division III of that certain document as copyrighted by the International Conference of Building Officials. Chapter 11, Accessibility is 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, 1994 Edition, and Appendix Chapter 3, Division II; Appendix Chapter 15; Appendix Table A-29-A; Appendix Chapter 31, Division II and Division III 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 104.2.1 amended to designate Building Director as "building official".

Section 104.2.1 of the UBC, as it applies in the City of Chula Vista, is hereby amended to read as follows:

Section 104.2.1 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 105.1 amended to confer "suitability of alternate materials" jurisdiction on Board of Appeals. Limitations of Authority-Section 105.2 is added.

Section 105.1 of the UBC, as it applies in the City of Chula Vista, is hereby amended to read as follows:

Section 105.1 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 105.2 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 106.2 is amended to delete exemptions for certain types of construction from the requirement to obtain a building permit. Standards of Quality-Section 1701.4 is added.

Section 106.2 of the Uniform Building Code as it applies in Chula Vista shall read as follows:

Section 106.2 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. 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.
3. 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.
4. Oil Derricks.

5. Movable cases, counters, and partitions not over 5 feet, 9 inches in height.
6. 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.
7. Television and radio antennas less than 35 feet in height.
8. Awnings projecting not more than 54 inches and attached to, and supported by, the exterior walls of buildings of Group R-3, Division 3 or U Occupancy.
9. Platforms, walks and driveways not more than 30 inches above grade and not over any basement or story below.
10. Temporary motion picture, television and theater stage sets and scenery.
11. 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.
12. 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.
13. 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 of R-3 and U Occupancies parking surfaces. (CCR Title 24 Disabled Access Required.)
- e. Re-roofing buildings of Group R and U 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.

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.

15.08.050 Section 107 amended by adding subsection 107.8 Exceptions, waiving fees for government entities.

Section 107.7 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 107.8 Retention of Plans. The retention of plans, specifications and permits are 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 108.1.1 added to Section 108.1 to authorize compliance survey inspections.

Subsection 108.1.1 is hereby added to Section 108.1 of the Uniform Building Code, as it applies in Chula Vista, and said subsection (h) shall read as follows:

Section 108.1.1 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 Subsection 709.4.1 amended to add an exception to the requirement for parapets.

EXCEPTION 6 is hereby added to subsection 6 of Subsection 709.4.1 of the Uniform Building Code, as it applies in Chula Vista, which EXCEPTION 6 shall read as follows:

Exception 6. Conversion of existing Group R occupancies to offices.

15.08.080 Subsection 904.2.1 amended to require installation of automatic fire-extinguishing system in buildings greater than certain height.

Subsection 904.2.1 of the Uniform Building Code is hereby amended, as it applies in Chula Vista, by the addition of the following:

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.

15.08.090 Section 1503 amended to provide for more restrictive roof coverings.

Section 1503 of the Uniform Building Code as it applied in Chula Vista is amended as follows:

Section 1503. The roof covering on any structure regulated by this code shall be as specified in Table No. 15-A and as classified in Section 1504. Wood shingles and wood shakes shall have a minimum Class "C" fire-resistive rating.

15.08.100 Subsections 1511.5 and 1511.6 added to Section 1511 to require equipment enclosures on roofs and removal of obsolete roof equipment.

Subsection 1511.5 is hereby added to Section 1511 of the Uniform Building Code, as it applies in Chula Vista, which subsection 1511.5 shall read as follows:

Section 1511.5 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. Equipment enclosures shall not be constructed so as to trap flammable or combustible vapors.

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

15.08.110 Appendix Table 29-A amended to specify minimum number of public restroom facilities for motor vehicle fueling stations and mercantile occupancies with fuel dispensing operations.

Table Number A-29-A - Minimum Plumbing Fixtures - Add Footnote Number 7. Motor vehicle fueling stations, inclusive of mercantile occupancies with fuel dispensing operations, shall provide public restrooms available to customers during hours of business operations. A minimum of one per sex, equipped with one water closet and one lavatory per restroom shall be provided. Restroom facilities shall comply with disabled access standards.

15.08.120 Appendix Table 29-A amended to specify minimum number of public restroom facilities for motor vehicle fueling stations and mercantile occupancies with fuel dispensing operations required at time of remodel, alteration or repair.

Table Number A-29-A - Minimum Plumbing Fixtures - Add Footnote Number 8. Any singular onsite or structural remodel, alteration or repair in excess of \$20,000 project valuation, or a collective valuation of improvements within one year from date of issuance of a permit for remodel, alteration or repair to an existing motor vehicle fueling station or an existing mercantile occupancy with fuel dispensing operations, shall comply with provisions contained in this Chapter for new construction.

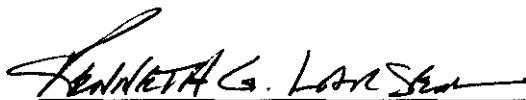
SECTION II. FINDINGS AND DECLARATION

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, 1994 Edition which are noted in the Chula Vista Municipal Code and restated in this ordinance.

SECTION III. EFFECTIVE DATE.

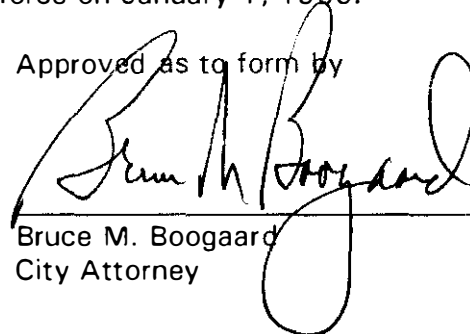
This ordinance will take effect and be in force on January 1, 1996.

Presented by



Kenneth G. Larsen, C.B.O.
Director of Building and 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 17th day of October, 1995, by the following vote:

AYES:	Councilmembers:	Alevy, Moot, Padilla, Rindone, Horton
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None



Shirley Horton, 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. 2644 had its first reading at a regular meeting held on the 10th day of October, 1995 and its second reading and adoption at a regular meeting of said City Council held on the 17th day of October, 1995.

Executed this 17th day of October, 1995.



Beverly A. Authelet, City Clerk