

ORDINANCE NO. 2784-B

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
CHAPTER 15.20 OF THE CHULA VISTA MUNICIPAL CODE  
ADOPTING THE CALIFORNIA HOUSING CODE, 1998 EDITION  
AND THE UNIFORM HOUSING CODE, 1997 EDITION

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

SECTION I. That Chapter 15.20 of the Chula Vista Municipal Code is hereby amended to read as follows:

**CHAPTER 15.20**

**HOUSING CODES**

**Sections:**

**15.20.010 California Housing Code, 1998 Edition and Uniform Housing Code, 1997 Edition, adopted by reference.**

**15.20.020 Section 201.1 amended to Designate Assistant Director of Planning and Building as "Building Official."**

**15.20.030 Section 203.1 amended to Designate Board of Appeals as "housing advisory and appeals board."**

**15.20.040 Section 304 added to Require Annual Housing Permit.**

**15.20.050 Section 305 added to Require Housing Permit Fees to be Set by City's Master Fee Schedule.**

**15.20.060 Section 306 added to Require Suspension or Revocation of Annual Housing Permit Where Operation is Non-Conforming.**

**15.20.010 California Housing Code, 1998 Edition and Uniform Housing Code, 1997 Edition, adopted by reference.**

There is hereby adopted by reference that certain document known and designated as the California Housing Code, 1998 Edition and Uniform Housing Code, 1997 Edition as copyrighted by the International Conference of Building Officials. Said document is hereby adopted as the Housing Code of the City of Chula Vista, California providing for the issuance of housing permits and 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 California Housing Code, 1998 Edition and Uniform Housing Code, 1997 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.

**15.20.020 Section 201.1 amended to Designate Assistant Director of Planning and Building as "Building Official."**

Section 201.1 of the Uniform Housing Code, as it applies in Chula Vista, shall read as follows:

Section 201.1 Authority. The building official is hereby authorized and directed to enforce all the provisions of this code. For such purpose, 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 provision 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 assistant director of planning and building.

**15.20.030 Section 203.1 amended to Designate Board of Appeals and Advisors as "housing advisory and appeals board."**

Section 203.1 of the Uniform Housing Code, and the title precedent thereto, as it applies in Chula Vista, is hereby amended to read as follows:

**Board of Appeals and Advisors.**

Section 203.1 General. In order to provide for reasonable interpretation of the provisions of this code, to mitigate specific provisions of the code which create practical difficulties in their enforcement and to hear appeals provided for hereunder, there is hereby established 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, use and occupancy of residential structures. The assistant director of planning and building 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 assistant director of planning and building with a duplicate copy to the appellant. Appeals to the Board shall be processed in accordance with the provisions contained in Section 1201 of this code or in accordance with such procedures as may be prescribed by the City Attorney of the City of Chula Vista. 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, use and occupancy of residential structures, in the City of Chula Vista.

**15.20.040 Section 304 added to require Annual Housing Permit.**

Section 304, and the title precedent thereto, is added to the Uniform Housing Code, as it applies in Chula Vista, which Section shall read as follows:

**Annual Housing Permit.**

Section 304.1 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, lodging house or hotel without first obtaining a housing permit therefor.

Section 304.2 The Annual Housing Permit provided for 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. The housing permit fee shall be paid concurrently with the business license fee.

Section 304.3 If any person, firm, partnership or corporation commences the operation of an apartment house or hotel during the calendar year, the housing permit shall be prorated on a quarterly prorata basis for the calendar year.

Section 304.4 A permit to operate and maintain an apartment house or hotel is not transferable.

**15.20.050 Section 305 added to require Housing Permit Fees to be Set by City's Master Fee Schedule.**

Section 305, and the title precedent thereto, is added to the Uniform Housing Code, as it applies in Chula Vista, which Section shall read as follows:

Housing Permit Fees - Apartment Houses, Lodging Houses, Hotels and Motels.

Section 305.1 The fee for a Housing Permit required by Section 304 of this ordinance shall be as presently designated, or as it may hereafter be amended as set forth in the Master Fee Schedule of the City of Chula Vista.

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

Separate apartment house building and separate hotel/motel building, 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.

Section 305.2 Penalty for Delinquent Payment. If the housing permit is not paid on or before the thirtieth day of the month following the date when it became due, then a penalty in an amount equal to twenty-five percent of the permit fee due and payable shall be added thereto, and no such permit shall be issued until such penalty has been paid.

Section 305.3 The assistant director of planning and building shall cause to be made such inspections, at such intervals, as shall be deemed necessary to insure compliance with the provisions of this code.

**15.20.060 Section 306 added to require Suspension or Revocation of Annual Housing Permit Where Operation is Non-Conforming.**

Section 306, and the title precedent thereto, is added to the Uniform Housing Code, as it applies in Chula Vista, which Section shall read as follows:

Suspension and Revocation of Housing Permit.

Section 306 Whenever it is found that any apartment house, lodging house, hotel or motel is not being conducted in conformity with this code, the annual housing permit to operate shall be subject to revocation or suspension by the building official.

**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 California Housing Code, 1998 Edition and the Uniform Housing Code, 1997 Edition which are noted in the Chula Vista Municipal Code and restated in this Ordinance.

SECTION III. EFFECTIVE DATE.

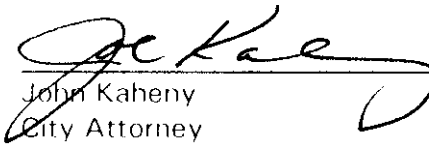
This ordinance will take effect and be in force on July 1, 1999.

Presented by

Approved as to form by



Robert Leiter  
Planning and Building Director



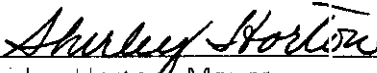
John Kaheny  
City Attorney



Brad Remp, C.B O  
Planning and Building Assistant Director/Building Official

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 8<sup>th</sup> day of June, 1999, by the following vote:

AYES:	Councilmembers:	Davis, Moot, Salas and Horton
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	Padilla
ABSTAIN:	Councilmembers:	None

  
\_\_\_\_\_  
Shirley Horton, Mayor

ATTEST:

  
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Susan Bigelow, City Clerk

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

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No.2784-B had its first reading at a regular meeting held on the 25<sup>th</sup> day of May, 1999 and its second reading and adoption at a regular meeting of said City Council held on the 8<sup>th</sup> day of June, 1999.

Executed this 8<sup>th</sup> day of June, 1999.

  
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Susan Bigelow, City Clerk