

ORDINANCE NO. 3389

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
CHAPTER 15.24 OF THE CHULA VISTA MUNICIPAL CODE  
ADOPTING THE CALIFORNIA ELECTRICAL CODE, 2016  
EDITION

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

**Section I. Amended Chapter 15.24**

That Chapter 15.24 of the Chula Vista Municipal Code is hereby amended to read  
as follows:

**Chapter 15.24  
ELECTRICAL CODE AND REGULATIONS\***

Sections:

- 15.24.010 California Electrical Code, 2016 Edition, adopted by reference.
- 15.24.035 Previously used materials.
- 15.24.045 Distribution panels – Separate required when.
- 15.24.050 Circuit cards to be posted when.
- 15.24.055 Electric fences – Defined – Prohibited.
- 15.24.060 Phase arrangement – Amended.
- 15.24.065 Photovoltaic Pre-wiring Requirements.

\* For statutory provisions exempting electrical contractors from licensing under an electrical repairman's statute, see Bus. and Prof. Code § 9804. For statutory provisions authorizing cities to regulate the materials used in wiring structures for electricity and in piping them for water, gas or electricity, and to regulate the manner of such piping, see Gov. Code § 38660.

Prior legislation: Ords. 2045, 2158, 2292, 2459, 2506, 2639 and 2647.

**15.24.010 California Electrical Code, 2016 Edition, adopted by reference.**

There is hereby adopted by reference the California Electrical Code, 2016 Edition, known as the California Code of Regulations Title 24, Part 3, as copyrighted by the National Fire Protection Association and the California Building Standards Commission. Said document is hereby adopted as the electrical code of the City of Chula Vista, regulating the installation, repair, operation and maintenance of all electrical wiring and electrical apparatus of any nature whatsoever, whether inside or outside of any building within the City, excepting such portions as are hereinafter deleted, modified, or amended. Chapter 15.06 CVMC shall serve as the administrative, organizational and enforcement rules and regulations for this chapter.

**15.24.035 Previously used materials.**

Previously used materials shall not be reused in any work without approval by the Building Official.

**15.24.045 Distribution panels – Separate required when.**

Each store in a store building, each flat in a flat building, and each building used as a dwelling shall be so wired that each store, apartment, flat or dwelling shall have separate lighting and/or power distribution panels. Such panels shall not serve other portions of the building. Hotels, motels, hotel apartments and similar types of buildings may be wired from one or more distribution panels.

**15.24.050 Circuit cards to be posted when.**

When requested by the Building Official, a complete schedule of circuits showing the number, kind and capacity of each outlet on each circuit shall be posted on each job prior to rough inspection.

**15.24.055 Electric fences – Defined – Prohibited.**

A. As used herein, the term “electric fence” includes all fences which in any way use electrical energy as an additional deterrent or have wires charged with electricity which are not covered with adequate insulation to protect persons and animals coming in contact therewith.

B. No electric fence may be constructed, maintained or operated within the City.

**15.24.060 Phase arrangement – Amended.**

Section 408.3(E)(1) of the California Electrical Code is hereby amended to read:  
AC Phase Arrangement. The phase arrangement on three-phase buses shall be A, B, C from front to back, top to bottom, or left to right, as viewed from the front of the switchboard or panelboard. The C phase shall be that phase having the higher voltage ground on three-phase, four-wire delta-connected systems. Other busbar arrangements may be permitted for additions to existing installations and shall be marked.

**15.24.065 Photovoltaic Pre-wiring Requirements.**

All new residential units shall include electrical conduit specifically designed to allow the later installation of a photovoltaic (PV) system which utilizes solar energy as a means to provide electricity. No building permit shall be issued unless the requirements of this section and the Chula Vista Photovoltaic Pre-Wiring Installation Requirements are incorporated into the approved building plans.

The provisions of this chapter can be modified or waived when it can be satisfactorily demonstrated to the Building Official that the requirements of this section are impractical due to shading, building orientation, construction constraints or configuration of the parcel.

## **Section II. Findings and Declaration**

The City Council of the City of Chula Vista specifically and expressly finds and declares that each of the amendments noted above to the 2016 Edition of the California Electrical Code is necessary due to local climatic, geological and topographical conditions.

The City Council of the City of Chula Vista specifically and expressly finds and declares that adding section 15.24.065 to Chapter 15.24 is necessary due to local climatic conditions. As a result of high summer ambient temperatures and periods of heat waves, average load demand and peak load demand of energy used in Chula Vista is an important factor concerning public safety and adverse economic impacts of power outages or power reductions. Facilitating the installation of Photovoltaic systems will have local and regional benefits in the reduction of total and peak energy use and greenhouse gas emissions.

## **Section III. Severability**

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

## **Section IV. Construction**

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

## **Section V. Effective Date**

This ordinance will take effect and be in force thirty days after final passage but not before January 1, 2017.

## **Section VI. Publication**

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by



Kelly G. Broughton, FASLA  
Director of Development Services

Approved as to form by



Glen R. Googins  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 6th day of December 2016, by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, McCann, Miesen, and Salas

NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Mary Salas, Mayor

ATTEST:



Donna R. Norris, CMC, City Clerk

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

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3389 had its first reading at a regular meeting held on the 15th day of November 2016 and its second reading and adoption at a regular meeting of said City Council held on the 6th day of December 2016; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

12/23/2016  
Dated



Donna R. Norris, CMC, City Clerk