

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHAPTER 15.12 TO THE CHULA VISTA MUNICIPAL CODE,
GREEN BUILDING STANDARDS, ADOPTING THE
CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022
EDITION AND LOCAL AMENDMENTS THERETO

WHEREAS, the California Building Standards Commission requires jurisdictions within the State to begin enforcing the 2022 Editions of the California building codes on January 1, 2023; and

WHEREAS, local jurisdictions are permitted to adopt local amendments to the State building codes before they take effect; and

WHEREAS, local amendments cannot be less restrictive than the State building codes and must be based on findings that the amendments are necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, the proposed ordinance adopts the 2022 California Green Building Standards Code and proposes the re-adoption of an existing non-technical local amendment to the current locally adopted Green Building Standards Code.

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

Section I. Amended Chapter 15.12

That chapter 15.12 of the Chula Vista Municipal Code is hereby amended to read as follows:

**Chapter 15.12
Green Building Standards**

Sections:

Section 15.12.001 California Green Building Standards Code, ~~2019~~ 2022 Edition, adopted by reference

Section 15.12.005 California Green Building Standards Code Subsection 102.4

Section 15.12.001 California Green Building Standards Code, ~~2019~~ 2022 Edition, adopted by reference

There is hereby adopted by reference the California Green Building Standards Code, ~~2019~~ 2022 Edition, known as the California Code of Regulations, Title 24 part 11, as copyrighted by the California Building Standards Commission. Said document is hereby adopted as the green building code of the City of Chula Vista for enhancing the design and construction of buildings, building additions and alterations through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices,

excepting such portions as are hereinafter deleted, modified, or amended. Chapter 15.06 ~~CVMC~~ of the Chula Vista Municipal Code shall serve as the administrative, organizational and enforcement rules and regulations for this chapter.

Section 15.12.005 California Green Building Standards Code Subsection 102.4

Subsection 102.4 is ~~hereby~~ added to ~~section~~Section 102 of the California Green Building Standards Code, as it applies in Chula Vista, and shall read as follows:

102.4 Consultant Services. The Building Official may require the applicant to retain the services of a consultant having expertise in ~~g~~Green ~~b~~Building and/or energy efficiency techniques to review and evaluate complex systems and/or alternate methods or materials of construction and provide recommendations as to compliance with the requirements of this code. The cost of such consultant shall be paid by the applicant.

Section II. 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 III. 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 IV. Effective Date

This ordinance will take effect and be in force thirty days after final passage but not before January 1, 2023.

Section V. 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.

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Presented by

Approved as to form by

Laura C. Black, AICP
Director of Development Services

Glen R. Googins
City Attorney