

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF CHULA VISTA
AMENDING CHAPTER 15.09 TO THE CHULA VISTA
MUNICIPAL CODE, RESIDENTIAL CODE, ADOPTING
THE CALIFORNIA RESIDENTIAL CODE, 2022
EDITION

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 Residential Code with no local amendments.

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

Section I. Amended Chapter 15.09

That Chapter 15.09 of the Chula Vista Municipal Code is hereby amended to read as follows:

**Chapter 15.09
RESIDENTIAL CODE**

Sections:

15.09.010 California Residential Code, ~~2019~~ 2022 Edition, adopted by reference.

15.09.010 California Residential Code, ~~2019~~ 2022 Edition, adopted by reference.

There is hereby adopted by reference the California Residential Code, ~~2019-2022~~ Edition, known as the California Code of Regulations, Title 24 part 2.5, including Appendix AH, AQ, AS, ~~V-AX~~ and ~~X-AZ~~, as adopted by state agencies, and excluding Chapter 1, Division II of that document as copyrighted by the International Code Council and the California Building Standards Commission. Said document is hereby adopted as the residential code of the City of Chula Vista for regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every detached one-and two-family dwelling, townhouse not more than three stories above grade plane in height with a separate means of egress and structures accessory thereto throughout the City, excepting such portions as

are hereinafter deleted, modified, or amended. Municipal Code ~~Chapter~~chapter 15.06 shall serve as the administrative, organizational and enforcement rules and regulations for this ~~Chapter~~chapter.

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.

Presented by

Approved as to form by

Laura C. Black, AICP
Director of Development Services

Glen R. Googins
City Attorney