

11/4/2008

AGENDA REPORT

H1

TO: Dave Adams, City Manager *DA*

FROM: Meg Monahan, City Clerk

SUBJECT: Consideration of an Ordinance Pertaining to Solar Heating for Swimming Pools

RECOMMENDATION:

By motion, approve second reading and adoption of an ordinance entitled, "AN ORDINANCE OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA, ADDING SECTION 8-6.03 TO CHAPTER 6 OF TITLE 8 OF THE SAN JUAN CAPISTRANO MUNICIPAL CODE PERTAINING TO SOLAR HEATING FOR SWIMMING POOLS."

SITUATION:

On October 21, 2008 the City Council approved, first reading and introduction of an ordinance requiring installation of solar heating for new swimming pool construction. The Ordinance will go into effect 30 days following such action.

NOTIFICATION:

The City Clerk's office will provide all necessary publication and posting of the ordinance as required by law.

RECOMMENDATION:

By motion, approve second reading and adoption of an ordinance entitled, "AN ORDINANCE OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA, ADDING SECTION 8-6.03 TO CHAPTER 6 OF TITLE 8 OF THE SAN JUAN CAPISTRANO MUNICIPAL CODE PERTAINING TO SOLAR HEATING FOR SWIMMING POOLS."

Respectfully submitted,



Meg Monahan, MMC
City Clerk

Attachments: 1. Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SAN JUAN CAPISTRANO,
CALIFORNIA, ADDING SECTION 8-6.03 TO CHAPTER 6 OF TITLE 8
OF THE SAN JUAN CAPISTRANO MUNICIPAL CODE PERTAINING TO
SOLAR HEATING FOR SWIMMING POOLS

Whereas, on December 18, 2007, the City Council adopted a sustainability charter, and adopted green building and solar energy incentive programs; and

Whereas, in adopting the sustainability charter, the Council committed to become a sustainable city that continues to meet its current environmental, economic and social needs without compromising the ability of future generations to do the same; and

Whereas, the City Council finds that solar pool heating systems are readily available, and the use of these systems will promote the City's commitment to become a sustainable city.

NOW, THEREFORE, the City Council of the City of San Juan Capistrano hereby ordains as follows:

SECTION 1. Section 8-6.03 is hereby added to Chapter 6 of Title 8 of the San Juan Capistrano Municipal Code to read as follows:

Sec. 8-6.03. Swimming Pool Heating.

(a) All swimming pools proposed to be heated shall be equipped with a solar pool heating system, installed in accordance with the manufacturer's specifications and the 2006 Uniform Swimming Pool, Spa & Hot Tub Code.

(b) Conventional gas pool heating systems may be installed to swimming pool heating systems provided that the swimming pool shall be equipped with a solar heating system which contains an unglazed solar collector area of not less than one-half of the surface area of the swimming pool, or shall consist of an alternative design, which, in the opinion of the Building Official, is sufficient to meet or exceed a sixty-five percent (65%) reduction of the energy requirements of conventional gas pool heating sources.

(c) This section shall not apply to stand-alone spas or Jacuzzis not plumbed or otherwise connected to a swimming pool or to swimming pools with existing conventional gas heaters.

SECTION 2. Effective Date. This ordinance shall take effect and be enforced thirty (30) days after passage. The regulations adopted by this ordinance shall not apply to construction for which a valid permit has been issued as of the effective date of this ordinance.

SECTION 3. SEVERABILITY. If any section, subsection, clause or phrase of this Ordinance or any part thereof is for any reason held to be invalid, unconstitutional or unenforceable by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of the Ordinance. The City Council declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrase would be declared invalid, unconstitutional or unenforceable.

SECTION 4. CERTIFICATION. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen (15) days after passage and adoption as required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five (5) days prior to the date of adoption of this Ordinance; and, within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2008.

MAYOR

ATTEST:

CITY CLERK