

ORDINANCE NO. 2021-348

AN ORDINANCE OF THE TOWN OF WINDSOR REPEALING ORDINANCE NO. 2019-338 IN ITS ENTIRETY AND PARTIALLY REPEALING ORDINANCE NO. 2019-339 AS IT RELATES TO THE ALL-ELECTRIC RESIDENTIAL REACH CODE

WHEREAS, on October 16, 2019, by Ordinance No. 2019-338, the Town adopted an Ordinance adding Chapter 7, “All-Electric Residential Reach Code” to the Windsor Municipal Code Title VII, “Building and Housing;” and

WHEREAS, on November 20, 2019, by Ordinance No. 2019-339, the Town adopted an Ordinance adopting by Reference the 2019 Edition of the California Code of Regulations, Title 24, and making local amendments to various portions of the Title 24 Codes, including amendments for the All-Electric Residential Reach Code; and

WHEREAS, the Town Council desires to repeal Ordinance 2019-338 in its entirety, including Section 4 of that Ordinance, which added Chapter 7 “All-Electric Residential Reach Code” to Title VII (“Building and Housing”) to the Windsor Municipal Code; and

WHEREAS, the Town Council desires to partially repeal Ordinance 2019-339, insofar as those portions related to the All-Electric Residential Reach Code.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor does ordain as follows:

SECTION 1. RECITALS.

The above recitals are true and correct, and made a part of this Ordinance.

SECTION 2. REPEAL OF ORDINANCE NO. 2019-338 IN ITS ENTIRETY.

Ordinance No. 2019-338 is hereby repealed, in its entirety. Accordingly, the “All-Electric Residential Reach Code” codified within the Town of Windsor Municipal Code as Article 1 (“Requiring All-Electric Construction in New Construction Low-Rise Residential Buildings”), Chapter 7 (“All-Electric Residential Reach Code”) of Title VII (“Building and Housing”) is hereby repealed, in its entirety.

SECTION 3. PARTIAL REPEAL OF ORDINANCE NO. 2019-339 AS IT RELATES TO THE ALL-ELECTRIC RESIDENTIAL REACH CODE.

Ordinance No. 2019-339 is hereby repealed, in part, as follows:

1. Section 6 (“Further Energy Code Findings and Determinations”) of Ordinance No. 2019-339 is hereby repealed in its entirety.
2. Section 7 (“Title VII Municipal Code Amendments and Additions”) of Ordinance No. 2019-339 is hereby partially repealed, as follows:

Sections 7-2-801 – 7-2-8011 of Ordinance No, 2019-339 are hereby repealed, which are codified within Article 8 (“California Energy Code – Title 24, Part 6”), Chapter 2 (“California Code of Regulations”) of Title VII (“Building and Housing”) of the Town of Windsor Municipal Code.

SECTION 4. CEQA.

The Town Council finds that this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 5. SEVERABILITY.

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council of the Town of Windsor hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 6. EFFECTIVE DATE AND PUBLICATION.

This ordinance shall take effect thirty (30) days after adoption. Council authorizes the posting of the full text of the ordinance or publication of a summary of the ordinance pursuant to Government Code Section 36933 (c).

PASSED, APPROVED, AND ADOPTED this 20th day of January 2021, by the following vote:

AYES:	COUNCILMEMBERS FUDGE, LEMUS, VICE MAYOR SALMON AND MAYOR FOPPOLI
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE



DOMINIC FOPPOLI, AT-LARGE MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK