

ORDINANCE NO. 2545

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MERCED, CALIFORNIA,
AMENDING CHAPTER 17.04, "BUILDING
CODE," SECTIONS 17.04.010, 17.05.010,
17.06.010, 17.07.010, 17.09.010, 17.10.010,
17.12.010, 17.20.010, 17.24.010, 17.28.020, AND
17.34.010 OF THE MERCED MUNICIPAL
CODE TO ADOPT BY REFERENCE THE
CALIFORNIA BUILDING CODE,
CALIFORNIA ADMINISTRATIVE CODE,
CALIFORNIA ELECTRICAL CODE,
CALIFORNIA MECHANICAL CODE, AND
CALIFORNIA PLUMBING CODE**

THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN
AS FOLLOWS:

SECTION 1. AMENDMENT TO CODE. Section 17.04.010,
"Adoption," of the Merced Municipal Code is hereby amended to read as
follows:

"17.04.010 Building Code - Adoption.

Those certain documents, three (3) certified copies of
which are on file in the Office of the City Clerk,
marked and designated as California Code of
Regulations Title 24, Part 2, '2022 California Building
Code, Volumes 1 & 2, including Scope and
Administration Division II, Appendix F, 'Rodent
Proofing,' Appendix H, 'Signs,' Appendix I 'Patio
Covers' and Appendix J, 'Grading,' based on the 2021
International Building Code as published by the
International Code Council and amended by the
California Building Standards Commission are
adopted by reference as the Building Code for the City
of Merced. The appendix chapters in California Code
of Regulations Title 24, Part 2, 2022 California
Building Codes Volumes 1 and 2 may be allowed to

be used as an alternate construction method. They must be used in their entirety and are subject to the approval of the Building Official.”

SECTION 2. AMENDMENT TO CODE. Section 17.05.010, “Residential Code – Adoption,” of the Merced Municipal Code is hereby amended to read as follows:

“17.05.010 Residential Code - Adoption.

Those certain documents, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as California Code of Regulations Title 24, Part 2.5, ‘2022 California Residential Building Code’ including Scope and Administration Division II, Appendix chapters, AE, ‘Manufactured Housing Used as Dwelling,’ AH, ‘Patio Covers,’ AJ, ‘Existing Buildings and Structures,’ AQ, ‘Tiny House,’ and AX, ‘Swimming Pool Safety Act,’ based on the 2021 International Residential Building Code as published by the International Code Council and amended by the California Building Standards Commission are adopted by reference as the Residential Building Code for the City of Merced. The appendix chapters in California Code of Regulations Title 24, Part 2.5, 2022 California Residential Building Code may be allowed to be used as an alternate construction method. They must be used in their entirety and are subject to the approval of the Building Official.”

SECTION 3. AMENDMENT TO CODE. Section 17.06.010, “Existing Building Code – Adoption,” of the Merced Municipal Code is hereby amended to read as follows:

“17.06.010 Existing Building Code - Adoption.

Those certain documents, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as California Code of Regulations Title 24, Part 10, ‘2022 California Existing Building Code’ based on the 2021 International

Existing Building Code and as amended by the California Building Standards Commission are adopted by reference as the Existing Building Code for the City of Merced.”

SECTION 4. AMENDMENT TO CODE. Section 17.07.010, “Green Building Standards Code – Adoption,” of the Merced Municipal Code is hereby amended to read as follows:

“17.07.010 Green Building Standards Code – Adoption.

Those certain documents, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as California Code of Regulations Title 24, Part 11, ‘2022 California Green Standards Code’ as published by the International Code Council for the California Building Standards Commission are adopted by reference as the Green Building Standards Code for the City of Merced.”

SECTION 5. AMENDMENT TO CODE. Section 17.09.010, “Historical Code – Adoption,” of the Merced Municipal Code is hereby amended to read as follows:

“17.09.010 Historical Code - Adoption.

Those certain documents, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as California Code of Regulations Title 24, Part 8, ‘2022 California Historical Building Code’ as published by the International Code Council for California Building Standards Commission is adopted by reference as the Historical Building Code for the City of Merced.”

SECTION 6. AMENDMENT TO CODE. Section 17.10.010, “Energy Code – Adoption,” of the Merced Municipal Code is hereby amended to read as follows:

“17.10.010 Energy Code - Adoption.

Those certain documents, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as California Code of Regulations Title 24, Part 6, ‘2022 California Energy Code’ as published by the International Code Council for California Building Standards Commission is adopted by reference as the Energy Code for the City of Merced.”

SECTION 7. AMENDMENT TO CODE. Section 17.12.010, “California Administrative Code – Adoption,” of the Merced Municipal Code is hereby amended to read as follows:

“17.12.010 California Administrative Code-- Adoption.

Those certain documents, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as California Code of Regulations Title 24, Part I, ‘2022 California Administrative Code’ as published by the International Code Council for California Building Standards Commission are adopted by reference as the Administrative Code for the City of Merced.”

SECTION 8. AMENDMENT TO CODE. Section 17.20.010, “California Electrical Code – Adoption,” of the Merced Municipal Code is hereby amended to read as follows:

“17.20.010 California Electrical Code- Adoption.

Those certain documents, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as California Code of Regulations Title 24, Part 3, ‘2022 California Electrical Code’ based on the 2020 National Electrical Code and amended by the California Building Standards Commission are adopted by reference as the Electrical Code for the City of Merced.”

SECTION 9. AMENDMENT TO CODE. Section 17.24.010, “California Mechanical Code – Adoption,” of the Merced Municipal Code is hereby amended to read as follows:

“17.24.010 California Mechanical Code - Adoption.

Those certain documents, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as California Code of Regulations Title 24, Part 4, ‘2022 California Mechanical Code’ based on the 2021 Uniform Mechanical Code and as amended by the California Building Standards Commission are adopted by reference as the Mechanical Code for the City of Merced.”

SECTION 10. AMENDMENT TO CODE. Section 17.28.020, “California Plumbing Code – Adoption,” of the Merced Municipal Code is hereby amended to read as follows:

“17.28.020 California Plumbing Code- Adoption.

Those certain documents, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as California Code of Regulations Title 24, Part 5, ‘2022 California Plumbing Code’ based on the 2021 Uniform Plumbing Code and as amended by the California Building Standards Commission are adopted by reference as the Plumbing Code for the City of Merced.”

SECTION 11. AMENDMENT TO CODE. Section 17.34.010, “Reference Standards Code – Adoption,” of the Merced Municipal Code is hereby amended to read as follows:

“17.34.010 Referenced Standards Code - Adoption.

Those certain documents, three (3) certified copies of which are on file in the Office of the City Clerk, marked and designated as California Code of Regulations Title 24, Part 12, '2022 California Referenced Standards Code' as published by the International Code Council for the California Building Standards Commission are adopted by reference as the Referenced Standards Code for the City of Merced."

SECTION 12. FINDINGS. The City Council of the the City of Merced finds that the the building standards, rules, and regulations established in Title 24 of the 2022 Edition of the California Code of Regualtions, including applicable appendicies, shall be adopted and incorporated by reference into the Merced Municipal Code, Chapter 17.04, "Building Code," Sections 17.040.010, 17.05.010, 17.06.010, 17.07.010, 17.09.010, 17.10.010, 17.12. 010, 17.20.010, 17.24.010, 17.28.020, and 17.34.010.

The City Council finds that the location of Merced wihin an area of expansive clay soils, and the extreme hot summer temperatures with very low humidity, seasonal winds of high velocities, extreme seasonal visibilty redution due to thick fog, the amendments to the standards, rules, and regulations to mitigate unique local climatic, geographical, and topographical conditions and impose substantially the same requirements as contained in the 2022 Edition of the California Code of Regulations, Title 24, including applicable appendices.

SECTION 14. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 15. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 16. PUBLICATION. The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the 21st day of November, 2022, and was passed and adopted at a regular meeting of said City Council held on the 5th day of December, 2022, by the following called vote:

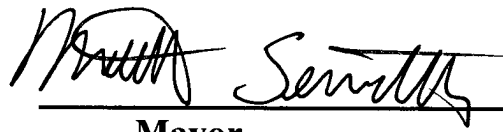
AYES: 7 **Council Members:** BOYLE, DEANDA, ORNELAS, PEREZ, SERRATTO, SMITH, XIONG

NOES: 0 **Council Members:** NONE

ABSTAIN: 0 **Council Members:** NONE

ABSENT: 0 **Council Members:** NONE

APPROVED:



Mayor

ATTEST:
STEPHANIE R. DIETZ, CITY CLERK


BY: 

Assistant/Deputy City Clerk



(SEAL)

APPROVED AS TO FORM:

BY:  9/22/2022

City Attorney **Date**

**PROOF OF PUBLICATION
(2015.5 C.C.P.)
Proof of Publication of**

STATE OF CALIFORNIA}
}SS
}
COUNTY OF MERCED

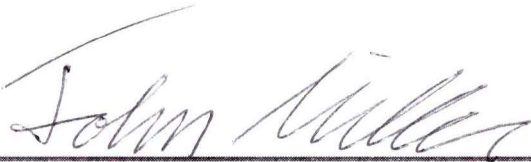
I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitles matter. I am the printer foreman or principal clerk of The Merced County Times, a newspaper of general circulation, printed and published in the City of Winton, County of Merced, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Merced, State of California, under the date of December 14, 1999, Case Number 143600; that the notice, of which the annexed is a printed copy has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

LEGAL # 11283

ORDINANCE NO. 2545

PUBLICATION DATES: 12-8-2022

I certify (or declare) under penalty of perjury that the foregoing is true and correct.



Dated this: 8th of December 2022

This space is for the County Clerk's
Filing Stamp

**Legal # 11283
PUBLIC NOTICE OF
ADOPTION OF ORDINANCE
CITY OF MERCED
ORDINANCE NO.
NOTICE IS HEREBY
GIVEN that on
December 5th, 2022, the
City Council of the City of
Merced adopted Ordinance No. 2545, entitled:
"AN ORDINANCE OF
THE CITY COUNCIL OF
THE CITY OF MERCED,
CALIFORNIA, AMENDING
CHAPTER 17.04,
'BUILDING CODE,'
SECTIONS 17.04.010,
17.05.010, 17.06.010,
17.07.010, 17.09.010,
17.10.010, 17.12.010,
17.20.010, 17.24.010,
17.28.020, AND
17.34.010 OF THE
MERCED MUNICIPAL
CODE TO ADOPT BY
REFERENCE THE CALIFORNIA BUILDING
CODE, CALIFORNIA
ADMINISTRATIVE
CODE, CALIFORNIA
ELECTRICAL CODE,
CALIFORNIA MECHANICAL
CODE, AND
CALIFORNIA PLUMBING
CODE"**
**Ordinance No. 2545
amends the Municipal
Code to adopt by reference
the latest
versions of the Building
Code,
Administrative Code,
Electrical Code,
Mechanical Code, and
Plumbing Code.**

**Ordinance No. 2545 was
adopted by the following
roll call vote of the City
Council:**
**AYES: 7 Council
Members: BOYLE,
DEANDA, ORNELAS,
PEREZ, SERRATTO,
SMITH, XIONG**
**NOES: 0 Council
Members: NONE**
**ABSTAIN: 0 Council
Members: NONE**
**ABSENT: 0 Council
Members: NONE**
A copy of the full text of
Ordinance No. 2545 is
available for review in
the Office of the City
Clerk, City of Merced,
678 West 18th Street,
Merced, California, and
on the City's website at
www.cityofmerced.org.
**ALEJANDRA MEDINA
DEPUTY CITY
CLERK
PUBLISH: December 8,
2022**