

**ORDINANCE NO. \_\_\_\_\_**

**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 \_\_\_\_ day of \_\_\_\_\_, 2022, and was passed and adopted at a regular meeting of said City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2022, by the following called vote:

**AYES:**                      **Council Members:**

**NOES:**                      **Council Members:**

**ABSTAIN:**                  **Council Members:**

**ABSENT:**                  **Council Members:**

**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**