

**ORDINANCE NO. 2024-1082**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CERES  
AMENDING TITLE 15, BUILDINGS AND CONSTRUCTION, CHAPTER  
8, CALIFORNIA FIRE CODE, OF THE CERES MUNICIPAL CODE TO  
ADOPT THE 2022 CALIFORNIA FIRE CODE**

**WHEREAS**, Health and Safety Code Section 18938 makes provisions published in the California Building Standards Code pursuant to Health and Safety Code Section 17922 applicable to all occupancies throughout the State and effective one hundred and eighty days after publication by the California Building Standards Commission (the Commission), or at a later date established by the Commission; and

**WHEREAS**, Health and Safety Code Section 17958.5 permits cities in adopting provisions of the California Building Standards Code to make such changes in such provisions as the city determines, pursuant to Health and Safety Code Section 17958.7, are reasonably necessary because of local climatic, geological, or topographical conditions; and

**WHEREAS**, Health and Safety Code Section 17958.7 requires that a city, before making changes pursuant to Health and Safety Code Section 17958.5, make an express finding that such changes are reasonably necessary because of local climatic, geological or topographical conditions; and

**WHEREAS**, under Health and Safety Code Section 17958.7, changes pursuant to Health and Safety Code Section 17958.5 may not become effective until the required findings and changes have been filed with the California Building Standards Commission; and

**WHEREAS**, Government Code Section 50022.2 permits enactment of City Ordinances that adopt codes or statutes, including codes of the State of California, by reference; and

**WHEREAS**, notice of the Ordinance was published in accordance with Government Code Sections 50022.3 and 6066; and that such notice was sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

**NOW, THEREFORE, THE CITY OF CERES CITY COUNCIL DOES ORDAIN AS FOLLOWS:**

**SECTION 1. ADDITION OF CODE SECTION. Chapter 8 OF Title 15 of the Ceres Municipal Code is hereby amended with the following:**

That certain document, one copy of which is on file in the Office of the City Clerk of the City of Ceres being marked and designated as "California Fire Code" hereafter designated as "CFC" Part 9 of Title 24 California Code of Regulations as published by the International Code Council, 2023Edition, including Chapter 1 with Divisions I and II but deleting section 111.1-111.4 and adopting chapter 26 and Sections 104.1, 104.11,



104.11.1, 104.12-104.12.3, 104.3, 104.3.1, 105.6.9, 106, 107.1, 108, 109, 113, 114, 303, 305, 306, 307, 308.1.4, 308.1.6.3, 309, 311, 321, 403.10.5, 503, 510.3, 805, 806, 807, and 808, Chapter 4 and Appendix B, BB, C, CC, D, E, F, G, I, K, N, O and Division 1 California Administration and Division II scope Administration as published by the International Code Council, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and providing penalties for the violation thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said California Fire Code, 2023 Edition, on file in the office of the City of Ceres Building Division is hereby referred to, adopted, and made a part in accordance with, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this Chapter and is adopted as the Fire Code of the City of Ceres.

Section 503.2.3 is added to the California Fire Code and reads as follows:

Section 503.2.3 Surfaces. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced as to support all weather driving capabilities. All weather shall be concrete or asphalt.

Appendix D Section D101.1 is added to the California Fire Code and reads as follows:

Section D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the California Fire Code and apply only to private property and roads.

**SECTION 2. FINDINGS AND DECLARATION.** As required by the 2023 California Fire Code, Section 101.1 the Council of the City of Ceres finds and declares that the foregoing additions, modifications and changes to the regulations adopted pursuant to the 2023 California Fire Code are reasonably necessary because of local climate and geographic conditions. The ordinance also prescribes local procedures to be used in the administration and enforcement of this Code; provides for local interpretations of this Code and makes other changes in this Code consistent with local custom and practices as reflected in the prior local Fire Code.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

**SECTION 4. SAVINGS.** The provisions of this ordinance shall not affect any proceedings, suit or prosecution heretofore or hereafter commenced under the provisions of the Municipal Code as they existed prior to the effective date of this ordinance. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred under the provisions of the Municipal Code as they existed prior to the effective date of this ordinance shall be discharged or affected by the adoption of this ordinance; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted or proceeded with in all respects as if this ordinance had not been adopted.



**SECTION 5. PUBLICATION.** At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in the *Ceres Courier*, the official newspaper of the City of Ceres, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

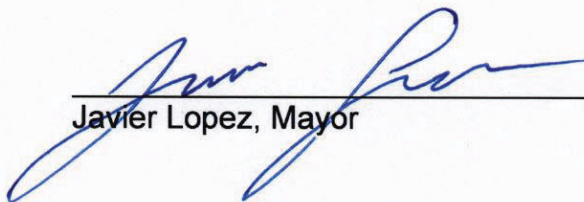
**SECTION 6. CALIFORNIA ENVIRONMENTAL QUALITY ACT.** The City Council finds that adoption of this ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA," and 14 Cal. Code Reg. §§ 15000 et seq., "CEQA Guidelines") under the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, and in this case it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (CEQA Guidelines § 15061(b)(3)).

**SECTION 7. SEVERABILITY CLAUSE.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The Council hereby declares that it would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

**SECTION 8. CERTIFICATION OF COUNCIL ADOPTION AND APPROVAL.** This Ordinance was introduced at a special meeting of the City Council held on the 28<sup>th</sup> day of May 2024, and passed and adopted as Ordinance No. 2024-1082 at a regular meeting of the City Council held on the 24<sup>th</sup> day of June 2024, by the following vote:

AYES:	Councilmembers: Casey, Martinez, Silveira, Vierra & Mayor Lopez
NOES:	Councilmembers: None
ABSENT:	Councilmembers: None
ABSTAIN:	Councilmembers: None


APPROVED:

  
Javier Lopez, Mayor

ATTEST:

  
Fallon Martin, City Clerk

APPROVED AS TO FORM:

  
Nubia I. Goldstein, City Attorney