

ORDINANCE NO. 2024-1083

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CERES
AMENDING TITLE 15 OF THE CERES MUNICIPAL CODE, AND
ADOPTING BY REFERENCE THE CALIFORNIA CODE OF
REGULATIONS TITLE 24, 2022 EDITION, OF THE CALIFORNIA
BUILDING CODE**

WHEREAS, the California Building Standards Commission ("Commission") adopts a comprehensive update to the California Building Standards Code every three years; and

WHEREAS, the Commission completed the adoption of the 2022 update to the California Building Standards Code ("2022 Code") in early 2022, with updates made available to the public by July 1, 2022, and an effective date of January 1, 2023; and

WHEREAS, the City is authorized to adopt amendments to the 2022 Code in order to incorporate appendices, address unique administrative requirements of the City, and in order to modify building standards to the extent that the modifications are reasonably necessary because of local climatic, geological, or topographical conditions (pursuant to California Health and Safety Code Sections 17958.7 and 18941.5, and California Government Code Section 50022.2); and

WHEREAS, Title 15, Chapter 8, California Fire Code was previously approved for amendment by the City Council on May 28, 2024; 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. AMENDMENT OF CODE SECTION. Title 15 of the Ceres Municipal Code is hereby amended to reflect the change from the 2019 edition of the California Building Standards Code, Title 24 to the 2022 edition of the California Building Standards Code, Title 24 as noted below. Specifically, changes to the ordinance were in the following sections: 15.01.010; 15.01.030; 15.01.040; 15.02.040; 15.03.040; 15.04.010; 15.04.040; 15.05.020; 15.06.040; 15.07.020; 15.09.020; 15.10.020; 15.11.020; 15.12.020; and 15.13.020. Minor administrative changes were made to section 15.05.050; 15.05.060; 15.06.050; 15.06.070; and 15.090.060 was removed.

15.01.010 Adoption by reference of the California Building Standards Code.

The purpose of this title is to adopt by reference the 2022 edition of the California Building Standards Code, title 24—part 1; part 2, volumes I & II; part 2.5; part 3; part 4; part 5; part 6; part 8; part 9; part 10; and part 11 of the California Code of Regulations subject to the definitions, clarifications, and the amendments set forth in this title. The purpose of this title is also to provide minimum requirements and standards for the protection of public safety, health, property, and welfare of the City of Ceres. This chapter is adopted under the authority of Government Code section 50022.2 and Health and Safety Code section 18941.5.

15.01.040 Administration.

California Building Code, 2022 edition, chapter 1, divisions I and II shall serve as the administrative, organization and enforcement rules and regulations of this title, unless more specific requirements are given in another adopted code.

15.02.040 Adoption by reference of the California Building Code.

In order to regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, wiring, plumbing, use, height, area, and maintenance of all buildings and structures within the City of Ceres, the 2022 edition of the California Building Code, Title 24, part 2, volumes 1 and 2, published by the International Code Council (ICC), administrative sections, chapter 29, appendices A, C, and I; and amendments, as adopted by the Building Standards Commission of the State of California and codified at title 24, part 2 in the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Ceres, is hereby adopted and made part of this chapter as though set forth in full. A true and correct copy of the 2022 California Building Code as adopted by this section shall be on file in the office of the City of Ceres Building Division for inspection by the public.

15.03.040 Adoption by reference of the California Existing Building Code.

In order to provide minimum standards to safeguard life, limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, maintenance, and use of existing buildings while reducing the risk of death or injury that may result from the effects of earthquakes on existing unreinforced masonry bearing wall buildings within the City of Ceres, the 2022 California Existing Building Code, title 24, part 10, published by the International Code Council (ICC), in the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Ceres, is hereby adopted and made part of this chapter as though set forth in full. A true and correct copy of the 2022 California Existing Building Code as adopted by this section shall be on file in the office of the City of Ceres Building Division for inspection by the public.

15.04.010 Title.

This chapter shall be known and cited as the "Ceres Solar/Photovoltaic Power Code" and may hereinafter be referred to as "Ceres Solar Code." Chapter, division, part, section, subsection, and appendix numbers used in sections 15.04.010 through 15.04.040 are those of the 2022 California Residential Code, 2022 California Electrical Code, 2022

California Building Code, 2022 California Fire Code and California State Fire Marshal Solar Photovoltaic Installation Guidelines (the "Solar Photovoltaic Installation Guideline," published April 22, 2008), and codes adopted therein by reference.

15.04.040 Solar/photovoltaic power systems.

- A. Where installed. Solar photovoltaic power systems shall comply with the requirements of the 2022 California Residential Code, 2022 California Electrical Code, 2022 California Building Code, 2022 California Fire Code and California State Fire Marshal Solar Photovoltaic Installation Guidelines (the "Solar Photovoltaic Installation Guideline," published April 22, 2008).

15.05.020 Adoption by reference of the California Electric Code.

In order to provide minimum standards for the proper regulation of the installation of electrical systems within the City of Ceres, the 2022 edition of the California Electrical Code, title 24, part 3, and all appendix chapters, published by the National Fire Protection Association (NFPA), as adopted by the Building Standards Commission of the State of California and codified in the California Building Standards Code at title 24, part 3, of the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Ceres, is hereby adopted and made a part of the chapter as though set forth. A true and correct copy of the current California Electrical Code shall be in the office of the City of Ceres Building Division for inspection and use by the public.

15.05.050 Article 89.108.4.1. amended; Work Not Requiring Permit.

Article 89.108.4.1 of the California Electric Code is amended to add the following paragraphs:

- A. No permit shall be required for the installation, alteration or repair of electrical wiring, services, appliances, apparatus or equipment installed by or for any public utility, municipal corporation or public district for use of such utility, municipal corporation or public district in the generation, transmission, distribution or metering of electrical energy, or in the operation of signals with a transmission of intelligence in the exercise of its function as serving utility.

15.05.060 Article 89.108.9.1. amended; Dangerous and Unsafe Construction.

Article 89.108.9.1 of the California Electric Code is amended to add the following paragraph:

- A. Any portion of an electrical system found by the Building Official to be unsafe as defined by the Health and Safety Code, division 13 or herein is hereby declared to be a nuisance.
- B. Whenever it is brought to the attention of the Building Official that any unsafe equipment or conditions exist or that any construction or work regulated by this Code is dangerous, a nuisance or a menace to life, health of property or otherwise in violation of this Code, the Building Official, upon determining such information to be a fact, shall order any person, firm or corporation using or maintaining any such equipment or condition or responsible for the use or maintenance thereof, to discontinue the use or maintenance thereof, or to repair,

alter, change, remove or demolish the same, as necessary for the proper protection of life, health or property. The Building Official may order any person, firm or corporation supplying electricity to such equipment or system to discontinue supplying electricity thereto until such equipment or system is made safe to life, health or property. Every such order shall be in writing, addressed to the permit holder and/or the owner, agent or person responsible for the premises in which such equipment or condition exists, and shall specify the date or time for compliance with such order.

- C. Refusal, failure or neglect to comply with any such notice or order shall be considered a violation of this Code.
- D. When any electrical system is maintained in violation of this Code and in violation of any notice issued, pursuant to the provisions of this section or where a nuisance exists in any building or on any lot upon which a building is situated, the Building Official shall institute any appropriate action or proceedings in any court of competent jurisdiction to prevent, restrain, correct, or abate the violation or nuisance.

15.06.040 Adoption by reference of the California Plumbing Code.

In order to provide minimum requirements and standards for the protection of the public health, safety, and general welfare and to regulate the erection, installation, alteration, addition, repair, relocation, replacement, maintenance, and use of any plumbing system within the City of Ceres, the 2022 edition of the California Plumbing Code, title 24, part 5 and all appendix chapters, published by the International Association of Plumbing and Mechanical Officials (IAPMO), as adopted by the Building Standards Commission of the State of California and codified in the California Building Standards Code at title 24, part 5 of the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Ceres, is hereby adopted and made a part of this chapter as though set forth in full. A true and correct copy of the 2022 California Plumbing Code as adopted by this section shall be on file in the office of the City of Ceres Building Division for inspection and use by the public.

15.06.050 Section 103.1 of the California Plumbing Code amended; General.

Section 103.1. of the California Plumbing Code is amended for clarification and to read as follows:

The Building Official shall be the authority duly appointed to enforce this Code. Whenever the term "Authority Having Jurisdiction" is used in the said California Plumbing Code it shall be construed to mean the Building Official or his authorized representative.

15.06.060 Section 104.4.3 of the California Plumbing Code deleted; Expiration.

15.06.060 Section 104.4.3 of the California Plumbing Code deleted; Expiration.

Section 104.4.3 of the California Plumbing Code deleted.

15.06.070 Section 104.5 of the California Plumbing Code deleted; Fees.

Section 104.5 of the California Plumbing Code is hereby deleted.

15.07.020 Adoption by reference to the California Mechanical Code.

A. In order to provide minimum standards to safeguard life, limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, maintenance, and use of heating, ventilating, cooling, refrigeration systems, and other heat-producing appliances and systems within the City of Ceres, the 2022 edition of the California Mechanical Code, title 24, part 4, and all appendix chapters, published by the International Association of Mechanical and Plumbing Officials (IAPMO), as adopted by the Building Standards Commission of the State of California and codified in the California Building Standards Code at title 24, part 4 of the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Ceres, is hereby adopted and made a part of this chapter as though set forth in full herein. A true and correct copy of the 2022 California Mechanical Code as adopted by this section shall be on file in the office of the City of Ceres Building Division for inspection and use by the public.

15.09.020 Adoption by reference of the California Residential Code.

The purpose of the chapter is to establish minimum requirements to safeguard the public health, safety, and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting, ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment, and to provide safety to firefighters and emergency responders during emergency operations. The provisions of the Residential Code shall apply to the construction, alteration, enlargement, replacement, repair, equipment, use, occupancy, location, maintenance, removal, and demolition of every detached one and two single-family dwellings, townhouse not more than three stories above grade plane in height with a separate means of egress and structures accessory thereto within the City of Ceres. Therefore, the 2022 California Residential Code, title 24, part 2.5, published by the International Code Council (ICC), in the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Ceres, is hereby adopted and made part of this chapter as though set forth in full. A true and correct copy of the 2022 California Residential Code as adopted by this section shall be on file in the office of the City of Ceres Building Division for inspection by the public.

15.09.060 DELETED

15.10.020 Adoption by reference of California Green Building Standards Code.

A. In order to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact, and encouraging sustainable construction practices within the City of Ceres, the 2022 edition of the California Green Building Standards Code, title 24, part 11 (also known as the CALGreen Code), published by the International Code Council (ICC), in the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Ceres, is hereby adopted and made part of this chapter as though set forth in full. The provisions of the Green Building Standards Code shall apply to the planning, design, use, and occupancy of every newly constructed building or structure, unless otherwise indicated in this title, throughout the City of

Ceres. A true and correct copy of the 2022 California Green Building Standards Code as adopted by this section shall be on file in the office of the City of Ceres Building Division for inspection and use by the public.

- B. Where in any specific case, different sections of the Green Building Regulations specify different materials, methods of construction, or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply.

15.11.020 Adoption by reference of California Administrative Code.

In order to regulate the erection, construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, equipment, wiring, plumbing, use, height, area, and maintenance of all buildings and structures within the City of Ceres, the 2022 edition of the California Administrative Code, published by the International Code Council (ICC), as adopted by the Building Standards Commission of the State of California and codified in the California Building Standards Code at title 24, part 1, of the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Ceres, is hereby adopted and made a part of this chapter as though set forth in full herein. A true and correct copy of the 2022 California Administrative Code as adopted by this section shall be on file in the office of the City of Ceres Building Division for examination and use by the public.

The provisions of this Municipal Code shall not serve as the administrative, organizational, and enforcement rules and regulations for the chapters contained in the title. The administrative, organizational, and enforcement rules for this title are contained in and based on California Building Code, part 2, volume 1, chapter 1, divisions I and II.

15.12.020 Adoption by reference of California Energy Code.

In order to provide minimum standards to safeguard life, limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, maintenance and use of manufactured devices that have been certified by their manufacturer to meet or exceed minimum specifications or efficiencies by the California Energy Commission within the City of Ceres, the 2022 edition of the California Energy Code, title 24, part 6, and all appendix chapters, published by the International Code Council, as adopted by the Building Standards Commission of the State of California and codified in the California Building Standards Code at title 24, part 6 of the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Ceres, is hereby adopted and made a part of this chapter as though set forth in full. A true and correct copy of the 2022 California Energy Code as adopted by this section shall be on file in the office of the City of Ceres Building Division for inspection and use by the public.

15.13.020 Historical Building Code.

In order to provide minimum standards to safeguard life, limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, maintenance and use of historical buildings to provide solutions for the preservation of qualified historical buildings or properties, to promote sustainability, to provide access for persons with disabilities, to provide a cost-effective

approach to preservation, and to provide for the reasonable safety of the occupants or users within the City of Ceres, the 2022 California Historical Building Code, title 24, part 8, published by the International Code Council (ICC), in the California Code of Regulations, except as specifically repealed or amended by ordinance of the City of Ceres, is hereby adopted and made part of this chapter as though set forth in full. A true and correct copy of the 2022 California Historical Building Code as adopted by this section shall be on file in the office of the City of Ceres Building Division for inspection by the public.

SECTION 2. FINDINGS AND DECLARATION. Various provisions of this ordinance contain minor modification to the 2022 Edition of the California Building Standards Code. These changes are administrative in nature and do not constitute changes or modifications to requirements contained in the California Building Standards Code. References in City forms, documents and regulations to the formerly adopted Title 15 of the Ceres Municipal Code, shall be construed to apply to the most current and adopted corresponding provisions contained within Title 15 of the Ceres Municipal Code.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect 30 days from and after the date of its passage and before the expiration of 15 days after its passage it shall be published once, with the members voting for and against the same, in the Ceres Courier, a newspaper published in the City of Ceres, State of California in accordance with Government Code section 25124(b)(1).

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. This Ordinance shall be posted 15 days prior to the public hearing. The first publication of Notice of Hearing and Ordinance shall be posted once a week for two weeks prior to the public hearing. A second publication of Notice of Hearing and Ordinance shall be posted once a week for two weeks prior public hearing.

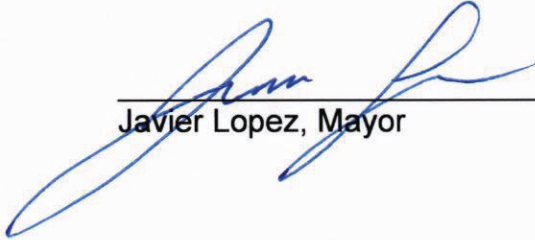
SECTION 6. CALIFORNIA ENVIRONMENTAL QUALITY ACT. The City Council finds that adoption of this ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA," and 14 Cal. Code Reg. §§ 15000 et seq., "CEQA Guidelines") under the general rule that CEQA 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 meeting of the Ceres City Council held on the 24th day of June 2024, and passed and adopted as Ordinance No. 2024-1083 at a regular meeting of the City Council held on the 22nd day of July 2024, by the following vote:

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




Javier Lopez, Mayor

ATTEST:



Fallon Martin, City Clerk

APPROVED AS TO FORM:



Nubia I. Goldstein, City Attorney