

Title 15

BUILDINGS AND CONSTRUCTION

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- 15.01 General Provisions**
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- 15.04 Solar/Photovoltaic Power**
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Chapter 01

GENERAL PROVISIONS

Sections:

- 15.01.010 Adoption by Reference of the California Building Standards Code.**
- 15.01.020 Mandatory Duty of Care.**
- 15.01.030 Savings Clause.**
- 15.01.040 Administration.**
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15.01.010 Adoption by Reference of the California Building Standards Code.

The purpose of this Title is to adopt by reference the 2019 Edition of the California Building Standards Code, Title 24 - Part 1; Part 2, Volume 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.

15.01.020 Mandatory Duty of Care.

This Title is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

15.01.030 Savings Clause.

The provisions of this Title shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and effect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by this Municipal Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

15.01.040 Administration.

California Building Code, 2019 Edition, Chapter 1, Division[s] 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.

15.01.050 Liability.

This Title shall not be construed as imposing upon the City, any liability or responsibility for damage resulting from defective buildings, nor shall the City, or any official or employee thereof, be held as assuming any such liability or responsibility by reason of the inspections authorized thereunder.

Chapter 02

BUILDING CODE

Sections:

- 15.02.010 Title.**
- 15.02.020 Administration.**
- 15.02.030 Enforcement.**
- 15.02.040 Adoption by Reference of the California Building Code.**
- 15.02.050 Section 105.1.1 Annual Permits; Deleted.**
- 15.02.060 Section 105.1.2 Annual Permit Record; Deleted.**
- 15.02.070 Action on Application; Amended.**
- 15.02.080 Grading Permit Fees.**
- 15.02.090 Section 105.5 of the California Building Code Expiration; Amended.**
- 15.02.100 Section 109.2 Through Section 109.4 of the California Building Code Schedule of Permit Fees; Amended.**
- 15.02.110 Section 109.6 of the California Building Code Refunds; Amended.**
- 15.02.120 Section 111 Certificate of Occupancy; Failure to Comply; Discontinuance of Utility Service; Amended.**
- 15.02.130 Section 112.3 Authority to Disconnect Service Utilities; Amended.**

15.02.010 Title.

This Chapter shall be known and cited as the “Ceres Building Code” and may hereinafter be referred to as “Ceres Building Code.” Chapter, division, part, section, subsection, and appendix numbers used in Sections 15.02.010. through 15.02.130 are those of the California Building Code or codes adopted therein by reference.

15.02.020 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.02.030 Enforcement.

Enforcement of the Ceres Building Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal 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 2019 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 2019 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.

15.02.050 Section 105.1.1 Annual Permits; Deleted.
Section 105.1.1 of the California Building Code is deleted.

15.02.060 Section 105.1.2 Annual Permit Record; Deleted.
Section 105.1.2 of the California Building Code is deleted.

15.02.070 Action on Application; Amended.

Section 105.3.1 of the California Building Code is amended to read as follows:

PERMIT ISSUANCE. The application, plans, and specifications filed by an applicant for a permit shall be checked by the Building Official. Such plans may be reviewed by other departments of the City to check compliance with the laws and ordinances under their jurisdiction. If the Building Official is satisfied that the work described in an application for a permit and the plans filed therewith conform to the requirements of this Code and other pertinent laws and ordinances, and that the fee established by the City Council has been paid, he or she shall issue a permit therefor to the applicant.

When the Building Official issues the permit, he or she shall endorse in writing, or stamp, on both sets of plans and specifications, "ACCEPTED FOR CONSTRUCTION." Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Official, and all work shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the entire building or structure have been submitted to be approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the Code. The holder of such permit shall proceed at his or her own risk, without assurance that the permit for the entire building or structure will be granted.

A permit shall not be issued for any new building or structure, or for any building or structure which changes the occupancy as herein defined, when said building is located on property abutting a public road, street, or alley for which improvement standards have been fixed and designated, until additional right of way for the improvement of all roads, streets, or alleys adjoining the property shall be dedicated and the improvements installed and accepted by the City, except as follows:

A. The first time an addition or new structure is added which is four hundred (400) square feet or less.

B. The City Council, by minute action, has granted approval for a second or later addition, or new structure of four hundred (400) square feet or less.

C. Where the existing structure or building has been destroyed by fire or natural disaster.

On garages or carports of four hundred (400) square feet or less, the dedications and improvements shall be constructed on the full street and/or alley frontage(s) to be used by the vehicle when entering and/or exiting the garage or carport. Where improvements are required pursuant to this Section, the Building Official may issue a permit to the applicant, if an agreement to dedicate right of way with an approved security is given to insure the construction of improvements, which is accepted by the City Engineer.

15.02.080 Grading Permit Fees.

Grading Permit Fees shall be set by resolution of the City Council.

15.02.090 Section 105.5 of the California Building Code Expiration; Amended.

Section 105.5 of the California Building Code is amended to read as follows:

PERMIT EXPIRATION AND EXTENSION: Every permit issued by the Building Official under the provisions of the Code shall expire by limitation and become null and void if the building or work authorized by such permit is not completed within two (2) years from date of issuance. After expiration and before such work can be recommenced, a new permit shall first be obtained to do so, and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further, that such expiration has not exceeded one year. In order to renew action on a permit after expiration of more than one year, the permit holder shall pay a new full permit fee.

Any permit holder, holding an unexpired permit may, prior to the expiration of such permit, submit a request in writing to the Building Official for an extension of the permit. Upon the timely receipt of such request by the Building Official, the Building Official may grant a one-year extension of the permit upon the payment of the required fee for the extension, which fee shall be established by resolution of the City Council. No permit shall be extended more than twice.

15.02.100 Section 109.2 Through Section 109.4 of the California Building Code Schedule of Permit Fees; Amended.

Section 109.2 through Section 109.4 of the California Building Code are amended to add:

A. The City Council shall, by resolution, establish the number of permit fees required or authorized by this Chapter to be paid to the Building Official. The determination of value or valuation under any of the provisions of the Code shall be made by the Building Official. The valuation to be used in computing the permit and plan check fee shall be based on the actual, reasonable costs for services provided by the City.

When work for which a permit is required by this Code is started prior to obtaining a permit, a penalty equal to the amount of the permit fee shall be paid in addition to the permit fee but the payment of such penalty and permit fee shall not relieve any persons from fully complying with the requirements of the Code in the execution of the work nor from any other penalties prescribed herein.

B. EXPIRATION OF PLAN CHECK: Applications for which no permit is issued within one hundred eighty (180) days following the submission date of application shall expire by limitation, and plans submitted for checking may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for issuance of a permit for a period not exceeding one hundred eighty (180) days, upon written request filed by the applicant, prior to the expiration of the initial one hundred eighty (180) days, showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan check fee.

The Building Official may extend the time for issuance of a permit beyond three hundred sixty (360) days from the submission of the application of the permit, provided no changes have been made or will be made in the original plans and specifications for such work; no changes have been made or will be made in the building codes that are applicable to such work; no changes have been made or will be made in developing plans which would affect such work; and provided that such extensions will not prevent the addition of new City fees.

C. REINSPECTION FEE: The fee for each reinspection shall be established by resolution of the City Council.

D. FEES TO GOVERNMENTAL AGENCIES: Plan checking fees and permit fees shall not be required for the issuance of building permits to governmental agencies.

E. ROUTINE PERMIT PROCEDURE: The Building Official is hereby authorized to establish a system for the issuance of routine permits and collection of routine permit fees and to issue such directives and regulations as are deemed necessary to facilitate and govern the operation and administration of such a system.

F. DEPOSITS: A work completion guarantee deposit may be required by the Building Official for demolition or relocation of buildings and where utility connections are requested prior to the completion of any new building or structure. The amount and form of said deposits shall be established, by resolution, by the City Council.

15.02.110 Section 109.6 of the California Building Code Refunds; Amended.

Section 109.6 of the California Building Code is amended to read as follows:

A. The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

B. The Building Official may authorize the refunding of not more than eighty (80%) of the permit fee paid, when no work has been commenced under a permit issued in accordance with this Code, and the permit, or any extension thereof, has not expired.

C. The Building Official may authorize the refunding of not more than eighty percent (80%) of the plan review fee paid, when an application for a permit for which a plan review fee has been paid is withdrawn or canceled, before any plan reviewing has commenced.

15.02.120 Section 111 Certificate of Occupancy; Failure to Comply; Discontinuance of Utility Service; Amended.

Section 111.5 is added to the California Building Code to read as follows California Building Code:

Section 111.5 Discontinuance of Utility Services.

A. Whenever a temporary certificate of occupancy is granted under the authority of this Code prior to final inspection and/or final corrections, the occupant, owner, and contractor shall sign a temporary certificate of occupancy prior to occupying the building, agreeing to make all corrections required and/or listed within thirty (30) days of occupancy. If corrections are not completed within thirty (30) days, the Building Official shall have the power to request the immediate discontinuance of all services to the building or structure.

B. If any building or structure is occupied prior to the issuance of a certificate of occupancy or temporary certificate of occupancy, the Building Official shall have the power to request the immediate discontinuance of all utility services to the building or structure.

15.02.130 Section 112.3 Authority to Disconnect Service Utilities; Amended.

Section 112.3 of the California Building Code is amended to read as follows:

Section 112.3 Authority to Disconnect Service Utilities

1. DEFINITION. "Utilities," as used in this section, means the gas, electricity, water, or telephone service served by a public utility

2. AUTHORITY. The Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code in case of an emergency where necessary to eliminate an immediate hazard to life or property, or in the case where such utility connection has been made without the approval required by sections 112.1 and 112.2. The Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, of the decision to disconnect prior to taking such action under the following conditions:

A. There is an immediate hazard to life or property.

- B. Continued use of public utilities present a hazard to life or property.
- C. The public interest is served by removing the utilities.
- D. The lack of maintenance presents a hazard to life or property.
- E. The utilities contribute to the structure being an active nuisance.
- F. The structure has been posted “UNSAFE TO OCCUPY,” and the disconnection of the utilities will deter illegal reoccupation of the structure.
- G. Modifications have been made to a structure or equipment and said modifications create a hazard to life or property.
- H. The connection has been made without approval as required by sections 112.1 or 112.2.

2. NOTICE OF DISCONNECTION.

- A. When the Building Official has determined that utilities are to be disconnected, he or she shall notify the owner of the property. The notice shall state the reasons for disconnection and the length of time for the owner to correct.
- B. The notice shall be in writing and shall be posted in a conspicuous place upon the property for a period of seven days and be mailed to the property owner as shown on the assessment roll. The mailed notice shall be accompanied by a copy of this chapter.

3. APPEAL

If the property owner objects to the determination of the Building Official that the condition of the property is such as is described in this section, the property owner may file an appeal of the Building Official’s determination pursuant to Chapter 14 of this Title. If after all exhausting all appeals available under Chapter 14 of this Title, the determination of the Building official is upheld, the property owner shall be allowed seven days thereafter to comply after which the Building Official can cause the utilities to be disconnected after providing notice in accordance with this section.

4. DISCONNECTION

If, after giving notice as provided by this section, the owner has failed to comply with the notice or has not successfully objected thereto, the building official shall cause the utilities to be disconnected.

Chapter 03

EXISTING BUILDING CODE

Sections:

- 15.03.010 Title.**
- 15.03.020 Administration.**
- 15.03.030 Enforcement.**
- 15.03.040 Adoption by Reference of the California Existing Building Code.**

15.03.010 Title.

This Chapter shall be known and cited as the “Ceres Existing Building Code” and may hereinafter be referred to as “Ceres Existing Building Code.” Chapter, division, part, section, subsection, and appendix numbers used in Sections 15.03.010 through 15.03.040 are those of the California Existing Building Code or codes adopted therein by reference.

15.03.020 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.03.030 Enforcement.

Enforcement of Ceres Existing Building Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

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 2019 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 2019 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.

Chapter 04

SOLAR/PHOTOVOLTAIC POWER

Sections:

- 15.04.010 Title.**
- 15.04.020 Administration.**
- 15.04.030 Enforcement.**
- 15.04.040 Solar/Photovoltaic Power Systems.**

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 2019 California Residential Code, 2019 California Electrical Code, 2019 California Building Code, 2019 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.

15.04.020 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.04.030 Enforcement.

Enforcement of Ceres Solar Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

15.04.040 Solar/Photovoltaic Power Systems.

A. Where installed. Solar Photovoltaic Power Systems shall comply with the requirements of the 2019 California Residential Code, 2019 California Electrical Code, 2019 California Building Code, 2019 California Fire Code and California State Fire Marshal Solar Photovoltaic Installation Guidelines (the “Solar Photovoltaic Installation Guideline,” published April 22, 2008).

B. The City may impose fees related to Solar/Photovoltaic Power Systems and from time to time amend said fees by resolution.

C. SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM.

1. The following words and phrases as used in this section are defined as follows:

a. **ELECTRONIC SUBMITTAL.** The utilization of one or more of the following:

- i. E-mail;
- ii. The internet;
- iii. Facsimile.

b. **SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM.** Includes all of the following:

- i. A solar energy system that is no larger than ten kilowatts alternating current nameplate rating or 30 kilowatts thermal.
- ii. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of Civil Code section 714, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
- iii. A solar energy system that is installed on a single or duplex family dwelling.
- iv. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

c. **SOLAR ENERGY SYSTEM.** Has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Civil Code section 801.5, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

2. Government Code section 65850.5 provides that in developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The building official is hereby authorized and directed to develop and adopt such checklist.

3. The checklist shall be published on the City's website. The applicant shall submit the permit application and associated documentation to the City's building division either by personal or, if available, electronic submittal together with any required permit processing and inspection fees. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications and other documentation may be used in lieu of a wet signature.

4. Prior to submitting an application, the applicant shall:

- a. Verify to the City's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and

b. At the applicant's cost, verify to the City's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads.

5. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner and may include a consolidated inspection by the Building Inspector and Fire Department designee. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however, the subsequent inspection need not conform to the requirements of this subsection.

6. An application that satisfies the information requirements in the checklist, as determined by the building official, shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

7. Upon confirmation by the building official of the application and supporting documentation being complete and meeting the requirements of the checklist, the building official shall administratively approve the application and issue all required permits or authorizations within one to three working days in which the permit application is submitted. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

Chapter 05

CALIFORNIA ELECTRIC CODE

Sections:

- 15.05.010 Title.**
15.05.020 Adoption by Reference of the California Electric Code.
15.05.030 Administration.
15.05.040 Enforcement.
15.05.050 Article 89.108.4.1.A Amended; Work Not Requiring Permit.
15.05.060 Article 89.108.9.1A Amended; Dangerous and Unsafe Construction.

15.05.010 Title.

This Chapter shall be known and cited as the “Ceres Electrical Code” and may hereinafter be referred to as “Ceres Electrical Code.” Chapter, division, part, section, subsection, and appendix numbers used in Sections 15.05.010 through 15.05.060 those of the California Electrical Code or codes adopted therein by reference.

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 2019 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.

15.05.030 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.05.040 Enforcement.

Enforcement of Ceres Electrical Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

15.05.050 Article 89.108.4.1.A Amended; Work Not Requiring Permit.

Article 89.108.4.1(a) 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.A 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.

Chapter 06

CALIFORNIA PLUMBING CODE

Sections:

- 15.06.010 Title.**
15.06.020 Administration.
15.06.030 Enforcement.
15.06.040 Adoption by Reference of the California Plumbing Code.
15.06.050 Section 103.1 of the California Plumbing Code Amended; Administrative Authority.
15.06.060 Section 104.4.3 of the California Plumbing Code Deleted; Expiration of Permit.
15.06.070 Section 104.5 of the California Plumbing Code Deleted; Permit Fees.

15.06.010 Title.

This Chapter shall be known and cited as the “Ceres Plumbing Code” and may hereinafter be referred to as “Ceres Plumbing Code.” Chapter, division, part, section, subsection, and appendix numbers used in Sections 15.06.010 through 15.06.070 are those of the Ceres Plumbing Code or codes adopted therein by reference.

15.06.020 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are provided in this in Chapter.

15.06.030 Enforcement.

Enforcement of Ceres Plumbing Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

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 2019 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 2019 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; Administrative Authority.

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 "Administrative Authority" 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 of Permit.

Section 104.4.3of the California Plumbing Code is hereby deleted.

15.06.070 Section 104.5 of the California Plumbing Code Deleted; Permit Fees.

Section 104.5 of the California Plumbing Code is hereby deleted.

Chapter 07

CALIFORNIA MECHANICAL CODE

Sections:

- 15.07.010 Title.**
15.07.020 Adoption by Reference to the California Mechanical Code.
15.07.030 Administration.
15.07.040 Enforcement.
15.07.050 Section 104.4.3 of the California Mechanical Code Deleted; Expiration.
15.07.060 Section 104.5 of the California Mechanical Code Amended; General.

15.07.010 Title.

This Chapter shall be known and cited as the “Ceres Mechanical Code” and may hereinafter be referred to as “Ceres Mechanical Code.” Chapter, division, part, section, subsection, and appendix numbers used in Sections 15.07.010 through 15.07.060 are those of the Ceres Mechanical Code or codes adopted therein by reference.

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 2019 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 2019 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.

15.07.030 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.07.040 Enforcement.

Enforcement of Ceres Mechanical Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

15.07.050 Section 104.4.3 of the California Mechanical Code Deleted; Expiration.

Section 104.4.3 of the California Mechanical Code is hereby deleted.

15.07.060 Section 104.5 of the California Mechanical Code Amended; General.
Section 104.5 of the California Mechanical Code is hereby amended to read as follows:

The fees shall be determined and adopted by the City Council.

Chapter 08

CALIFORNIA FIRE CODE

Sections:

15.08.010	Title.
15.08.020	Adoption by Reference of the California Fire Code.
15.08.030	Administration.
15.08.040	Enforcement.
15.08.050	Section 105.1.2 of the CFC Amended; Types of Permits.
15.08.060	Section 105.2 of the CFC Amended; Application.
15.08.070	Section 105.6.8 of the CFC Amended; Compressed Gases.
15.08.080	Section 105.6.10 of the CFC Amended; Cryogenic Fluids.
15.08.090	Section 105.6.16 of the CFC Amended; Flammable and Combustible Liquids.
15.08.100	Section 105.6.25 of the CFC Amended; Lumber Yards and Woodworking Plants.
15.08.110	Section 110.4 of the CFC Amended; Violation Penalties.
15.08.120	Section 312.1 of the CFC Amended; Vehicle Impact Protection.
15.08.130	Section 503 of the CFC Amended; Fire Apparatus Access Roads.
15.08.140	Section 507.5.1 of the CFC Amended; Where Required.
15.08.150	Section 507.5.7 of the CFC Added; Hydrants.
15.08.160	Section 507.5.8 of the CFC Added; Hydrant Identification.
15.08.170	Section 603.8 of the CFC Amended; Incinerators.
15.08.180	Section 603.8.1 of the CFC Deleted; Residential Incinerators.
15.08.190	Section 603.8.2 of the CFC Deleted; Spark Arrestor.
15.08.200	Section 603.8.3 of the CFC Deleted; Restrictions.
15.08.210	Section 603.8.4 of the CFC Deleted. Time of Burning.
15.08.220	Section 903.2 of the CFC Amended; Automatic Fire Sprinkler Systems.
15.08.230	Section 906.9.1 of the CFC Amended; Extinguishers Weighing 40 Pounds of Less.
15.08.240.	Section 5001.5.2 of the CFC Amended. Hazardous Materials Inventory Statement.
15.08.250	Section 5003.3.1.4 of the CFC Amended. Deposits of Hazardous Materials; Cleanup, Abatement, or Mitigation Required; Liability for Costs.
15.08.260	Section 5601.2 of the CFC Added; Fireworks Manufacturing.
15.08.270	Section 3308.2 of the CFC Added; Fireworks Public Display.
15.08.280	Section 3308.3 of the CFC Added; “Safe and Sane” Fireworks Sales.
15.08.290	Findings for Changes, Modifications, and Additions to the 2010 California Fire Code Part 9.

15.08.010 Title.

This Chapter shall be known and cited as the “Ceres Fire Code” and may hereinafter be referred to as “Ceres Fire Code.” Chapter, division, part, section, subsection, and appendix numbers used in sections 15.08.010 through 15.08.209 are those of the California Fire Code or codes adopted therein by reference.

15.08.020 Adoption by Reference of the California Fire Code.

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, 2019 Edition, including Appendix Chapter 4 and Appendix B, BB, D, E, F, G, I, K, N, O and Division 1 California Administration and Division II 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, 2019 Edition, on file in the office of the City of Ceres Building Division is hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this Chapter be and is adopted by reference as the Fire Code of the City of Ceres.

15.08.030 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.08.040 Enforcement.

Enforcement of Ceres Fire Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

15.08.050 Section 105.1.2 of the CFC Amended; Types of Permits.

Section 105.1.2 of the California Fire Code is hereby amended to read as follows:

Section 105.1.2 *Types of Permits.* Permits required by this Code, see Section 105.1.1 through 105.7.25, shall be issued by the fire code official. Permit fees, if any, adopted by the Council of the City of Ceres by Resolution from time to time, affixing a fee for any permit issued pursuant to the Fire Code.

15.08.060 Section 105.2 of the CFC Amended; Application.

Section 105.2 *Application.* of the California Fire Code is hereby amended to read as follows:

Section 105.2 Application for a permit required by this Code shall be made to the fire code official in such form and detail as prescribed by the fire code official. Applications for permits

shall be accompanied by such plans prescribed by the fire code official and applicable fees established by resolution by the Ceres City Council.

15.08.070 Section 105.6.8 of the CFC Amended; Compressed Gases.

Section 105.6.8 of the California Fire Code is hereby amended to read as follows:

Section 105.6.8 *Compressed Gases*. An operational permit is required for the storage, use, or handling at normal temperatures and pressures of compressed gases in excess of the amounts listed in Table 105.6.8, and to install any piped distribution system for compressed gases, or to install a non-flammable medical gas manifold system. When the compressed gases in use or storage exceed the amounts listed in Table 105.6.8, a permit is required to install, repair, abandon, remove, place temporarily out of service, close or substantially modify a compressed gas system.

15.08.080 Section 105.6.10 of the CFC Amended; Cryogenic Fluids.

Section 105.6.10 of the California Fire Code is hereby amended to read as follows:

Section 105.6.10 *Cryogenic Fluids*. An operational permit is required to produce, store, transport onsite, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.10. A construction permit is required to install a cryogenic vessel or piping system for the storage or distribution of cryogens. See also Chapter 55.

Exception: Permits are not required where federal or state regulations apply and for fuel systems of a vehicle.

15.08.090 Section 105.6.16 of the CFC Amended; Flammable and Combustible Liquids.

Section 105.6.16 of the California Fire Code is hereby amended to add the following:

Paragraph 12. To store, handle or use class III-B liquids with a flashpoint of less than 500 degrees F., in excess of 110 gallons.

Paragraph 13. To install, alter, remove, test, abandon, place temporarily out of service or otherwise dispose of any flammable or combustible liquid tank.

15.08.100 Section 105.6.25 of the CFC Amended; Lumber Yards and Woodworking Plants.

Section 105.6.25 of the California Fire Code is hereby amended to read as follows:

Section 105.6.25 *Lumber Yards and Woodworking Plants*. An operational permit is required to operate any woodworking plant. See Chapter 28.

15.08.110 Section 110.4 of the CFC Amended; Violation Penalties.

Section 110.4 of the 2019 California Fire Code, Division II Administration is hereby amended to read as follows:

Section 110.4 *Violations Penalties*. People who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Chief, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction, punishable by fine of not more one hundred thirty dollars (\$130.00) for the first conviction, a fine not exceeding seven hundred dollars (\$700.00) dollars for a second conviction within a one year period, and a fine of one thousand three hundred dollars (\$1,300) for a third conviction within a one year period. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

15.08.120 Section 312.2 of the CFC Amended; Vehicle Impact Protection.

Section 312.2 of the California Fire Code is hereby amended to read as follows:

Section 312.2. *Posts*. Guard posts or other approved means shall be provided to protect storage tanks and connected piping, valves and fittings; dispensing areas; and use areas subject to vehicular damage. When guard posts are installed, the posts shall be:

1. Constructed of steel not less than six (6) inches in diameter and concrete filled,
2. Spaced not more than four (4) feet between posts on center,
3. Set not less than three (3) feet deep in a concrete footing of not less than a fifteen (15) inch diameter,
4. Set with the top of the posts not less than three (3) feet above ground, and
5. Located not less than five (5) feet from the tank.

15.08.130 Section 503 of the CFC Amended; Fire Apparatus Access Roads.

Section 503.5 of the California Fire Code is hereby amended to read as follows:

Section 503.5 *Closure of Accessway*. The Fire Prevention Bureau is authorized to require the installation and maintenance of gates or other approved barricades across roads, trails or other access ways, not including public streets, alleys or highways.

Section 503.5.1 of the California Fire Code is hereby amended to read as follows:

Section 503.5.1 *Secured gates and barricades*. When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways that have been closed and

obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official. Locks, gates, doors, barricades, chains, enclosures, signs, tags or seals which have been installed by the Fire Prevention Bureau or by its order or under its control shall not be removed, unlocked, destroyed, tampered with or otherwise molested in any manner.

Exception: The restriction on use shall not apply to public officers acting within the scope of their duty.

Section 503.5.2 of the California Fire Code is unchanged and remains as adopted.

Section 503.5.3 is added to the California Fire Code and reads as follows:

Section 503.5.3 *Control of and Obstruction of Fire Apparatus Access.* The required width of a fire apparatus road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established by Section 503.2.1 shall be maintained at all times. Entrances to roads, trails or other access ways that have been closed with gates and barriers in accordance with Section 503.5.1 shall not be obstructed by parked vehicles.

Section 503.6 of the California Fire Code is hereby amended to read as follows:

Section 503.6 *Security Gates.* The installation of security gates across from fire apparatus access roads shall be approved by the Fire Chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation system shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325 and ASTM 2200.

Section 503.6.1 is added to the California Fire Code and reads as follows:

Section 503.6.1 *Plans and Specifications.* Prior to the installation of any gate or other device that will obstruct the access of emergency vehicles or emergency personnel, to any area, the person wishing to install the device shall submit plans and specifications to the Ceres Building Division with routing to the Fire Department for plan approval. Plans shall include the following information:

1. Site plan drawn to scale with the following:
 - a. Property lines.
 - b. Building footprint(s).
 - c. Proposed fence, pedestrian gate(s), vehicular gate(s).
 - d. Non-motorized gates shall include a Knox Key Switch/Knox Box and the proposed location.

e. Motorized gate systems shall include a "Puck" system with a wire loop in the ground.

f. Physical address.

g. California contractor's license number, company name, address, and telephone number.

2. Product specifications shall be provided which include:

a. Method of operation.

Section 503.6.2 is added to the California Fire Code and reads as follows:

Section 503.6.2 *Unguarded gates.*

1. If the vehicle gate is for one-way traffic, the gate width must be a minimum of twelve feet. If the vehicle access gate is for two-way traffic, the gate width must be a minimum of 20 feet in width. A Knox Key Switch must be installed on the "Entrance" and "Exit" side of each gate.

2. The Knox switch on the "Exit" side of each gate can be eliminated if the gate has a "free exit." A "free exit" is a sensor pad in the asphalt that senses the vehicle and automatically opens the gate. If you do not have a "free exit", you shall install a Knox switch on the "exit" side of the gate.

3. You may install one Knox switch on a vehicle access gate provided that the switch is "easily" accessible from both the "exit" and the "entrance" side of the gate. The switch must also be mounted in a location that will not cause harm to the firefighters. Please contact the Ceres Fire Department to verify that the location is acceptable prior to installation.

4. You shall install a minimum of one pedestrian walk-thru gate per the complex.

5. All pedestrian walk-thru gates shall swing in the direction of exit travel.

6. The locking hardware on all pedestrian walk-thru gates shall have self-releasing hardware. The hardware must have either a doorknob or a door handle. Thumb operated deadbolts, double-keyed deadbolts, or combination keypads are not acceptable.

7. When pedestrian walk-thru gates are installed more than ten (10) feet from any vehicle access gate, a Knox Box is required within eighteen (18) inches of the pedestrian walk-thru gate opening.

Section 503.6.3 is added to the California Fire Code and reads as follows:

Section 503.6.3 *Definitions.*

1. "Pedestrian gate" means a gate used exclusively for pedestrian ingress and egress.
2. "Vehicular gate" means a gate for vehicle ingress and egress.
3. "Residential properties" include single- and multi-family dwellings, such as apartments and condominiums.
4. "Gated community development" means a community that may consist of single- or multi-family dwellings, or other accessory uses, that are enclosed within a geographical area by restrictive gates.

15.08.140 Section 507.5.1 of the CFC Amended; Where Required.

Section 507.5.1 of the California Fire Code is hereby amended to read as follows:

Section 507.5.1 *Distribution of Fire Hydrants.* Fire hydrants shall be nominally spaced every 500 linear feet in residential areas comprised of single-family dwellings. In commercial or industrial areas, and in residential areas containing condominiums, townhouses, or apartments, fire hydrants shall be nominally spaced every 300 feet. The Fire Chief may require that fire hydrants be placed at closer intervals to conform to street intersections, unusual street curvatures, or fire flow requirements.

Divided streets shall have hydrants on both sides of the street and shall, where applicable, be installed in alternative or staggered positions so that hydrants will not be directly opposite from each other.

Exception: For Group U occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 the distance requirements shall be not more than 600 feet (183 m).

15.08.150 Section 507.5.7 of the CFC Added; Hydrants.

Section 507.5.7 of the California Fire Code is hereby added to reads as follows:

Section 507.5.7 *Hydrants.* The Fire Chief is authorized to determine the types of hydrants acceptable for installation. In areas where public or private water mains are not available for the provision of required fire flow, the Fire Chief may require that water supply for firefighting be in accordance with NFPA Standard # 1142, 2017 Edition (standard on Water Supplies for Suburban and Rural Fire Fighting).

15.08.160 Section 507.5.8 of the CFC Added; Hydrant Identification.

Section 507.5.8 of the California Fire Code is hereby added to read as follows:

Section 507.5.8 *Hydrant Identification.* All fire hydrants shall be identified with a blue pavement marker which is raised and reflective.

15.08.170 Section 603.8 of the CFC Amended; Incinerators.

Section 603.8 of the 2019 California Fire Code is hereby amended to read as follows:

Section 603.8. *Incinerators.* The use of incinerators is prohibited inside the City limits of Ceres.

Exception: Incinerators used by state-licensed facilities for the cremation of human or pet remains.

15.08.180 Section 603.8.1 of the CFC Deleted; Residential Incinerators.

Section 603.8.1 of the California Fire Code is hereby deleted.

15.08.190 Section 603.8.2 of the CFC Deleted; Spark Arrestor.

Section 603.8.2 of the California Fire Code is hereby deleted.

15.08.200 Section 603.8.3 of the CFC Deleted; Restrictions.

Section 603.8.3 of the California Fire Code is hereby deleted.

15.08.210 Section 603.8.4 of the CFC Deleted. Time of Burning.

Section 603.8.4 of the California Fire Code is hereby deleted.

15.08.220 Section 903.2 of the CFC Amended. Automatic Fire Sprinkler Systems.

Section 903.2 of the California Fire Code is hereby amended to read as follows:

Section 903.2 *Where required.*

1. New Construction.

An approved automatic fire sprinkler system is required in the locations described in Sections 903.2.1 through 903.2.12 in all new buildings and structures constructed on or after the effective date of this ordinance, notwithstanding the use and occupancy thereof, when the total floor area under one roof exceeds five thousand (5,000) square feet. Fire area separation walls shall not be used for the purpose of eliminating automatic fire sprinkler systems required by this section.

- (a) When automatic sprinkler systems are required by the Ceres Municipal Code or the 2019 California Fire Code for certain uses and/or occupancies, the requirements of Section 903.2 of the 2019 California Fire Code shall also apply.

Exception: Carports, sheds, tanks, towers and agricultural buildings.

2. Existing Buildings and Structures.

An approved automatic fire sprinkler system shall be installed in the locations described in Section 903.2.1 through 903.2.12 in all existing buildings and structures when the value of additions, alterations or repairs are made within any twelve-month period that exceed fifty (50) percent of the current county assessed valuation for improvements only in the existing building

or structure that exceeds five thousand (5,000) square feet or additions result in said building or structure exceeding five thousand (5,000) square feet.

1. *Exception:* Carports, sheds, tanks, towers and agricultural buildings.
2. Each portion of an existing building or structure separated by one or more fire walls, constructed in accordance with the current adopted edition of the Building Code, when each portion does not exceed five thousand (5,000) square feet.

15.08.230 Section 906.9.1 of the CFC Amended; Extinguishers Weighing 40 Pounds or Less.:

Section 906.9.1 of the California Fire Code is hereby amended to read as follows:

Section 906.9.1. *Extinguishers Weighing 40 Pounds or Less.* Portable fire extinguishers having a gross weight not exceeding forty (40) lbs. (18 kg) shall be installed so that their tops are not more than four (4) feet above the floor.

Existing Installations. Portable fire extinguishers shall only be required to be lowered during tenant improvements.

15.08.240 Section 5001.5.2 of the CFC Amended. Hazardous Materials Inventory Statement.

Section 5001.5.2 of the 2019 California Fire Code is hereby amended by adding the following:

10. Key Box. When required by the Fire Code Official, an approved key box, sized to contain emergency information, (HMMP, HMIS, and Material Safety Data Sheets) shall be provided.

15.08.250 Section 5003.3.1.4 of the CFC Amended. Deposits of Hazardous Materials; Cleanup, Abatement, or Mitigation Required; Liability for Costs.

Section 5003.3.1.5 of the 2019 California Fire Code is hereby added to read as follows:

Section 5003.3.1.5. *Responsibility for Cleanup.* The person, firm or corporation responsible for an unauthorized discharge shall initiate and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the jurisdiction. When deemed necessary by the Fire Chief, cleanup can be initiated by the Fire Department or by an authorized individual or firm. Costs associated with such cleanup shall be borne by the owner, operator or other person responsible for the unauthorized discharge. The remedy provided by this section shall be in addition to any other remedies provided by law.

For purposes of this section, costs incurred by the City shall include, but shall not necessarily be limited to, the following: actual labor costs of City personnel, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation; cost of materials obtained directly by the City; and cost of any contract labor and materials. The authority to recover costs under this section shall not include actual fire suppression services that are normally or usually provided by the Fire Department.

15.08.260 Section 5601.1 of the CFC Amended; Scope.

Section 5601.1 of the California Fire Code is hereby amended to read as follows:

Section 5601.1. *Scope.* The provisions of this chapter shall govern the possession, storage, handling, sale and use of explosives, explosive materials, fireworks, rockets, emergency signaling devices, and small arms ammunition. The manufacturing of fireworks is prohibited in the City of Ceres. The term "Fireworks" shall be as defined by the Health and Safety Code section 12511.

15.08.270 Section 5608.2 of the CFC Added; Fireworks Display.

Section 5608.2 of the California Fire Code is hereby added to read as follows:

Section 5608.2. *Fireworks Display.*

Section 5608.2.1 *Permit.* Every permit application for approval to conduct a public display of fireworks shall be accompanied by a non-refundable fee as established by resolution of the City Council from time to time.

Section 5608.2.2 *Approval.* The Fire Chief may grant the permit as applied for, or with conditions thereto, unless he/she finds that to do so would be contrary to the public health, safety, or welfare. The decision of the Fire Chief shall be in writing and shall be mailed, postage prepaid, to the applicant.

Section 5608.2.3 *Appeal Process.* The decision of the Fire Chief, in acting on an application for permission to conduct a public display in accordance with the provisions of this Section may be appealed to the City Manager. Notice of an appeal of the Fire Chief's decision shall be filed by the applicant, with the City Clerk, within ten (10) days after the date of the decision. Upon failure to file such notice within the ten-day period, the action of the Fire Chief shall be final and conclusive. The applicant may appeal the decision of the City Manager to the City Council by filing a notice of appeal to the City Clerk within ten (10) days after the date of the City Manager decision. Upon failure to file such notice within the ten-day period, the action of the City Manager, or his/her designee, shall be final and conclusive.

15.08.280 Section 5608.3 of the CFC Added; "Safe and Sane" Fireworks Sales.

Section 5608.3 of the California Fire Code is hereby added to read as follows:

Section 5608.3 *Storage of Safe and Sane Fireworks.*

A. The storage of fireworks within the City of Ceres is limited to State of California Fire Marshal approved and labeled "Safe and Sane" fireworks by wholesalers licensed by the State of California and retailers.

B. Wholesalers may store safe and sane fireworks within the City of Ceres solely during the period of June 1 through July 31 of each year. Storage facilities shall comply with NFPA 1124 adopted 2006 or as approved by the Fire Chief.

15.08.290 Findings for Changes, Modifications, and Additions to the 2019 California Fire Code Part 9.

Pursuant to California Health and Safety Code Sections 17958.5, 17958.7 and 18941.5, the City of Ceres hereby expressly finds that all of the changes and modifications to the 2019 California Building Standard Code made by this Title and which are not merely administrative changes, are reasonably necessary because of local Climatic, Geological or Topographical condition within the City of Ceres as more particularly described in the table set forth below.

Finding(s) Application	Condition	Findings
CCR California Fire Code Part 9	Climactic	Reduced visibility due to dense fog occurring during winter months which causes delays in fire response
CCR California Fire Code Part 9	Topographical	Delayed fire response by railroad tracks that: a. Divide the City from East to West b. Tracks run parallel to Highway 99 through the City, restricting response at locations where overpasses are not provided
CCR California Fire Code Part 9	Topographical	Turlock Irrigation District canal restricts access to Neighborhood developments. Mitchell Rd. from Faith Home Rd. to Hwy 99 at Mitchell Rd.
CCR California Fire Code Part 9	Topographical	Delayed fire response due to Hwy 99, which divides the City in half. Delays are due to major traffic congestion at overcrossings
CCR California Fire Code Part 9	Climactic	Summer conditions are very dry, hot and windy causing ordinary combustibles to easily ignite and fires to spread rapidly

Chapter 09

CALIFORNIA RESIDENTIAL CODE

Sections:

- 15.09.010 Title.**
- 15.09.020 Adoption by Reference of the California Residential Code.**
- 15.09.030 Administration.**
- 15.09.040 Enforcement.**
- 15.09.050 Section R105.5 of the California Residential Code Deleted; Expiration.**
- 15.09.060 Appendix J of the California Residential Code; Amended.**

15.09.010 Title.

This Chapter shall be known and cited as the “Ceres Residential Code” and may hereinafter be referred to as “Ceres Residential Code.” Chapter, division, part, section, subsection, and appendix numbers used in Sections 15.09.010 through 15.09.060 are those of the California Residential Code or codes adopted therein by reference.

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 2019 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 2019 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.

15.09.030 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.09.040 Enforcement.

Enforcement of Ceres Residential Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

15.09.050 Section R105.5 of the California Residential Code Deleted; Expiration.
Section R105.5 of the California Residential Code is hereby deleted.

15.09.060 Appendix J of the California Residential Code; Amended.
Appendix J of the California Residential Code is hereby amended to read as follows:
Appendix J Delete the word "international" and replace with "California".

Chapter 10

CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

15.10.010	Title.
15.10.020	Adoption by Reference of California Green Building Standards Code.
15.10.030	Administration.
15.10.040	Enforcement.

15.10.010 Title.

This Chapter shall be known as the “Green Building Regulations of the City of Ceres” and shall regulate the construction of new buildings within this jurisdiction, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in the California Green Building Code, and hydraulic flood control structures. The Green Building Regulations shall also apply to City-owned buildings.

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 2019 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 2019 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.

15.10.030 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.10.040 Enforcement.

Enforcement of Green Building Regulations of the City of Ceres shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

Chapter 11

CALIFORNIA ADMINISTRATIVE CODE

Sections:

- 15.11.010 Title.**
15.11.020 Adoption by Reference of California Administrative Code.
15.11.030 Administration.
15.11.040 Enforcement.

15.11.010 Title.

This Chapter shall be known and cited as the “Ceres Administrative Code” and may hereinafter be referred to as “Ceres Administrative Code.” Chapter, division, part, section, subsection, and appendix numbers used in Sections 15.11.010 through 15.11.040 are those of the California Administrative Code or codes adopted therein by reference.

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 2019 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 2019 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.

15.11.030 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.11.040 Enforcement.

Enforcement of Ceres Administrative Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

Chapter 12

ENERGY CODE

Sections:

- 15.12.010 Title.**
15.12.020 Adoption by Reference of California Energy Code.
15.12.030 Administration.
15.12.040 Enforcement.

15.12.010 Title.

This Chapter shall be known and cited as the “Ceres Energy Code” and may hereinafter be referred to as “Ceres Energy Code.” Chapter, division, part, section, subsection, and appendix numbers used in Sections 15.12.010 through 15.12.040 are those of the California Energy Code or codes adopted therein by reference.

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 2019 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 2019 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.

15.12.030 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.12.040 Enforcement.

Enforcement of Ceres Energy Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

Chapter 13

HISTORICAL BUILDING CODE

Sections:

- 15.13.010 Title.**
15.13.020 Historical Building Code.
15.13.030 Administration.
15.13.040 Enforcement.

15.13.010 Title.

This Chapter shall be known and cited as the “Ceres Historical Building Code” and may hereinafter be referred to as “Ceres Historical Building Code.” Chapter, division, part, section, subsection, and appendix numbers used in Sections 15.13.010 through 15.13.040 are those of the California Historical Building Code or codes adopted therein by reference.

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 2019 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 2019 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.

15.13.030 Administration.

This Chapter is to be administered in accordance with Chapter 15.01.040, Administration under General Provisions, unless more specific requirements are given in this Chapter.

15.13.040 Enforcement.

Enforcement of Ceres Historical Building Code shall be in accordance with Chapter 15.02.020, California Building Code Administration, unless more specific requirements are provided in this Municipal Code.

Chapter 14

BOARD OF BUILDING AND CONSTRUCTION APPEALS

Sections:

- 15.14.010 Board of Appeals.**
- 15.14.020 Selection of Board; Term.**
- 15.14.030 Advisory Authority.**
- 15.14.040 Rules and Procedures.**
- 15.14.050 Appeal Procedure.**
- 15.14.060 Use of Stanislaus County Building Code Board of Appeals**

15.14.010 Board of Appeals.

In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the provisions of the California Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, the California Green Building Standards, the California Historical Code, the California Existing Building Code, and the California Residential Code, and to hear appeals as provided for in said codes, the City Council may appoint a Board of Building and Construction Appeals (hereinafter referred to as the "Board") consisting of five (5) members who are not City staff or members of City Council, who are qualified by experience and training to pass upon matters pertaining to building construction and safety. The Building Official shall be an ex-officio member of the Board without power to vote and shall act as secretary of the Board. (Ord. 80-557 § 4 (part), 1980)

15.14.020 Selection of Board; Term.

The Board shall be appointed by the City Council and shall hold office at its pleasure. Board members may be removed by a majority of the City Council for cause or otherwise. The employment, performance evaluation, compensation, and benefits of the Board shall not be directly or indirectly conditioned upon the amount of administrative decisions, orders, or determinations made by the Building Official upheld by the Board.

15.14.030 Advisory Authority.

The Board may recommend to the City Council such new legislation but these recommendations shall not be binding upon the City Council. The Board may advise and make recommendations to the Building Official in the interpretation of the codes set forth in this title, but such interpretations shall not be binding of the Building Official.

15.14.040 Rules and Procedures.

Except as otherwise provided herein, the Board shall adopt reasonable rules and regulations for conducting its business. A quorum for conducting business shall be at least three (3) voting members.

15.14.050 Appeal Procedure.

A. The Board shall hear appeals relating to decisions, orders, or determinations made by the Building Official relating to the application of the various codes set forth under this Title, which adversely affect any person, firm, or corporation.

B. All appeals shall be in writing and shall be directed to the Building Official within ten (10) days of the appellant(s)'s receipt of written notice of the decision to be appealed. As soon as practicable after receiving a written appeal, the Building Official shall fix a date, time and place for the hearing of the appeal by the Board. Such date shall be not less than ten (10) days nor more than forty-five (45) days from the date the appeal was filed with the Building Official.

C. Written notice of the date, time, and location of the hearing shall be served to the appellant (s) at least ten (10) days prior to the date of the hearing by the Building Official either by personal service or by certified mail where postage thereof is prepaid and return receipt requested. Mailings shall be addressed to the appellant(s) at the address(es) shown on the appeal.

D. The hearing shall be informal in nature and the Board may conduct the hearing informally, both as to rules of procedure and admission of evidence, in any manner which shall provide a fair and impartial hearing. The administrative decision upon which the appeal is based may be reversed or modified only by an affirmative vote of a majority of the authorized membership of the Board. A vote of less than a majority of the Board shall result in upholding the original administrative decision.

E. The Board's decision shall be in writing and shall be rendered within fifteen (15) days after the close of the hearing. All decisions shall be delivered to the Building Official with a copy to the appellant. The Board's decisions relating to appeals shall be binding.

F. Decisions made by the Board may be appealed to City Council pursuant to Title 1 General Appeal Process.

15.14.060 Use of Stanislaus County Building Code Board of Appeals.

Notwithstanding sections 15.14.010 to 15.14.050 of this Chapter, the City may authorized the Stanislaus County Building Code Board of Appeals to hear appeals relating to decisions, orders, or determinations made by the Building Official relating to the application of the various codes set forth under this Title, which adversely affect any person, firm, or corporation. If authorized, the Stanislaus County Building Code Board of Appeals shall be authorized to hear such appeals subject to the rules of the Stanislaus County Building Code Board of Appeals.

Chapter 15

POST-DISASTER SAFETY ASSESSMENT PLACARDS

Sections:

- 15.15.010 Intent.**
- 15.15.020 Application Provisions.**
- 15.15.030 Definitions.**
- 15.15.040 Placards.**

15.15.010 Intent.

This Chapter establishes the standard placards to be used to indicate the condition of a structure for continued occupancy after any natural or manmade disaster. This Chapter further authorizes the Building Inspection Division, as well as authorized representatives of the jurisdiction where the natural or manmade disaster occurred, to post the appropriate placard at each entry/exit point to a building or structure upon completion of a safety assessment.

15.15.020 Application Provisions.

The provisions of this Chapter are applicable to all buildings and structures of all occupancies regulated by the City following each natural or man-made disaster.

15.15.030 Definitions.

"Safety assessment" means a visual, nondestructive examination of a building or structure for the purpose of determining the condition for continued occupancy following a natural or man-made disaster.

15.15.040 Placards.

A. The following are descriptions of the official jurisdiction placards to be used to designate the condition for continued occupancy of buildings or structures.

1. **INSPECTED - Lawful Occupancy Permitted (GREEN):** Is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.
2. **RESTRICTED USE (YELLOW):** Is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.
3. **UNSAFE - Do Not Enter or Occupy (RED):** Is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings

or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the Building Official or his/her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used as or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.

B. The name of the jurisdiction, its address, and phone number shall be permanently affixed to each placard.

C. Once a placard has been attached to a building or structure, the placard is not to be removed, altered or covered until authorized to do so by the Building Official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this Section. Unauthorized removal of the placards is a misdemeanor and is punishable as provided in this Title.

Chapter 16

DISASTER REPAIR AND RECONSTRUCTION

Sections:

- 15.16.010 Intent.**
- 15.16.020 Application of Provisions.**
- 15.16.030 Definitions.**
- 15.16.040 Repair Criteria.**
- 15.16.050 Repair Criteria for Chimneys.**
- 15.16.060 Repair Criteria for Essential Services Facilities.**
- 15.16.070 Repair Criteria for Historic Buildings or Structures.**
- 15.16.080 Masonry Buildings and Structures.**
- 15.16.090 Board of Appeals.**

15.16.010 Intent.

This Chapter establishes standards and regulations for the expeditious repair and reconstruction of structures damaged as a result of a disaster for which a local emergency has been declared by the City Council. This Chapter does not allow exemptions from the building, fire, electrical, mechanical, plumbing, or other codes.

15.16.020 Application of Provisions.

A. The provisions of this Chapter are applicable to all buildings and structures of all occupancies regulated by the City following each disaster when a local emergency has been declared by the City Council. The Council may extend the provisions as necessary.

B. When approved by the Building Official, the requirements of this Chapter may be waived in favor of repair recommendations included in an engineering evaluation as defined in Section 15.16.030 of this Chapter.

15.16.030 Definitions.

For the purposes of this Chapter the following definitions apply:

“Architect” means an individual licensed by the State of California to practice architecture as defined in the State of California Business and Professions Code.

“Civil Engineer” means an individual registered by the State of California to practice civil engineering as defined in the State of California Business and Professions Code.

“Current Code” means the latest adopted editions of the California Code of Regulations Title 24 as adopted by the City of Ceres in accordance with operation of law pursuant to Section 18941.5 of the State of California Health and Safety Code.

“Engineering Evaluation” means an evaluation of a damaged building or structure, or suspected damaged building or structure, performed under the direction of a structural engineer, civil engineer or architect retained by the owner of the building or structure.

Engineering evaluations shall, at a minimum, contain recommendations for repair with appropriate opinion of construction cost for those repairs.

“Essential service facility” means those buildings or structures which have been designated by the City Council to house facilities which are necessary for the emergency operations subsequent to a disaster.

“Replacement value” means the dollar value, as determined by the Building Official, of replacing the damaged structure with a new structure of the same size, construction material and occupancy on the same site.

“Structural engineer” means an individual registered by the State of California to practice civil engineering and to use the title structural engineer as defined in the State of California Business and Professions Code.

“Value of repair” means the dollar value, as determined by the Building Official, of making the necessary repairs to the damaged structure.

15.16.040 Repair Criteria.

Buildings and structures of all occupancies, except as otherwise noted, which have been damaged as a result of a disaster shall be repaired in accordance with the following criteria:

A. When the estimated value of repair does not exceed ten percent (10%) of the replacement value of the structure, the damaged portion(s) shall be restored to their pre-disaster condition.

Exception: When the damaged elements include suspended ceiling systems, the ceiling system shall be repaired and all bracing required by the current code shall be installed.

B. When the estimated value of repair is greater than ten percent (10%), but less than fifty percent (50%), of the replacement value of the structure, the damaged elements, as well as all critical ties, supported elements and supporting elements associated with the damaged elements, shall be repaired and/or brought into conformance with the structural requirements of the current code.

C. When the estimated value of repair is fifty percent (50%) or more than the replacement value of the structure, the entire structure shall be brought into conformance with the structural requirements of the current code.

D. In Group R, Division 3 occupancies, the repair value of damaged chimneys shall be excluded from the computation of percentage of replacement value. Damaged chimneys shall be repaired in accordance with Section 15.16.050 of this Chapter.

15.16.050 Repair Criteria for Chimneys.

A. All damaged chimneys must be repaired or reconstructed to comply with the requirements of the current code. Damaged portions of chimneys shall be removed in accordance with the following criteria:

1. When the damaged portion of the chimney is located between the roof line and the top of the chimney, the damaged portion shall be removed to the roof line, provided the roof and ceiling anchorage are in sound condition. The reconstructed portion of the chimney shall be braced to the roof structure.
2. For a single-story structure where the damaged portion of the chimney is below the roof line, or the damaged portion extends from above the roof line to below the roof line, the chimney shall be removed to the top of the fireplace.
3. For a multi-story structure, the damaged portion of the chimney shall be removed from the top to a floor line where sound anchorage is found.
4. In any structure where the fireplace has been damaged, the entire chimney and fireplace shall be removed to the foundation. If the foundation is in sound condition, the fireplace and chimney may be reconstructed using the existing foundation. If the foundation has been damaged, it shall be removed and replaced.

B. Where existing conditions preclude the installation of all anchorage required by the current code, alternate systems may be used in accordance with the alternate methods and materials provisions of the current code when approved by the Building Official. Such alternate systems shall be designed and detailed by a structural engineer, civil engineer or architect.

C. When the portion of the chimney extending above the roof line exceeds two (2) times the least dimension of the chimney, that portion above the roof line shall be braced to the roof structure.

15.16.060 Repair Criteria for Essential Services Facilities.

A. Buildings or structures housing essential services facilities which have been damaged as a result of a disaster shall have an engineering evaluation performed.

B. Minimum criteria for repair shall be as follows:

1. When the estimated value of repair is less than fifty percent (50%) of the replacement value of the structure, the damaged elements, as well as all critical ties, supported elements and supporting elements associated with the damaged elements, shall be repaired and/or brought into conformance with the structural requirements of the current code.
2. When the estimated value of repair is fifty percent (50%) or more than the replacement value of the structure, the entire structure shall be brought into conformance with the structural requirements of the current code.

15.16.070 Repair Criteria for Historic Buildings or Structures.

A. Buildings or structures which are included on a National, State or local Register of Historic Places or which are qualifying structures within a recognized historic district, which have been damaged as a result of a disaster, shall have an engineering evaluation performed.

B. The minimum criteria for repair shall be as included in Section 15.16.040, "Repair Criteria," of this Chapter, with due consideration given to the historical rating and nature of the structures. Additional standards and criteria, as noted in part 8, title 24, California Code of Regulations, the State Historic Building Code shall apply.

C. Where conflicts exist between the standards contained herein and the State Historic Building Code, the Historic Building Code shall govern.

15.16.080 Masonry Buildings and Structures.

A. The latest adopted editions of the California Code of Regulations Title 24 as adopted by the City of Ceres in accordance with operation of law pursuant to section 18941.5 of the State of California Health and Safety Code shall apply to determine repair criteria for masonry buildings and structures.

B. All damaged bearing walls constructed of unreinforced masonry shall be repaired and strengthened to fully comply with all current California Code of Regulations Title 24 as adopted by the City of Ceres.

15.16.090 Board of Appeals.

The provisions of this Chapter may be appealed to the City Board of Building and Construction Appeals, pursuant to Section 15.17.050 of this Title.

Chapter 17

POST-DISASTER DEMOLITION

Sections:

- 15.17.010 Intent.**
- 15.17.020 Application of Provisions.**
- 15.17.030 Definitions.**
- 15.17.040 Demolition Criteria.**
- 15.17.050 Demolition Criteria for Historic Buildings or Structures.**
- 15.17.060 Board of Appeals.**

15.17.010 Intent.

This Chapter establishes demolition criteria for all buildings and structures damaged, as a result of a disaster for which a local emergency has been declared by the City Council to the degree where demolition is a viable alternative to repair.

15.17.020 Application of Provisions.

The provisions of this Chapter are applicable to all buildings or structures regulated by the City following each disaster when a local emergency has been declared by the City Council. Except as modified by this Title, the current California Code of Regulations as adopted by the City shall apply.

15.17.030 Definitions.

For the purpose of this Chapter, and except where otherwise expressly defined in another section of this Chapter, the following words and phrases shall have the meanings provided in this Section. Where words and phrases are not expressly defined under this Chapter, they shall be construed as their ordinary meaning within the context which they are used:

“Event” means any natural occurrence which results in the declaration of a disaster and shall include wind storms, earthquakes, floods, etc.

“Historic building or structure” means any building or structure included in the National Register of Historic Places, the State Register of Historic Places or Points of Interest, or a local register of historic places. Historic buildings and structures shall also include those buildings and structures within a recognized historic district wherein the specific building has historic significance.

“State Historic Preservation Officer (SHPO)” means the individual appointed by the Governor, pursuant to section 101(b)(1) of the National Historic Preservation Act of 1966, as amended, to administer the State Historic Preservation Program.

15.17.040 Demolition Criteria.

A. Within seven (7) days after the event, should any building or structure be determined by the Building Official to represent an imminent hazard to public health and safety, or to pose an imminent threat to the public right-of-way, it shall be condemned and immediately demolished. Such condemnation and demolition shall be performed in the interest of public health and safety without condemnation hearings otherwise required by this Municipal Code.

B. If, after the specified time frame noted in subsection A of this Section, any building or structure is determined by the Building Official to represent a hazard to the health and safety of the public, or which poses a threat to the public right-of-way, the Building Official shall duly notify the building owner and proceed with a condemnation hearing within ten (10) business days of the notice in accordance with Section 15.14.010 of this Title.

C. For any building or structure wherein the owner has decided to demolish rather than repair, the owner, or owner's representative shall follow the established procedures to secure a demolition permit.

15.17.050 Demolition Criteria for Historic Buildings or Structures.

A. Within seven (7) days after the event, any historic building or structure determined by the Building Official to represent an imminent hazard to the health and safety of the public, or to pose an imminent threat to the public right-of-way, the Building Official shall notify the State Historic Preservation Officer that one of the following actions will be taken:

1. Whenever possible, within reasonable limits as determined by the Building Official, the building or structure shall be braced or shored in such a manner as to mitigate the hazard to public health and safety or the hazard to the public right-of-way.

2. Whenever bracing or shoring is determined not to be reasonable, the Building Official shall cause the building or structure to be condemned and immediately demolished. Such condemnation and demolition shall be performed in the interest of public health and safety without a condemnation hearing as otherwise required by the California Building Code or by this Municipal Code. Prior to commencing demolition, the Building Official shall photographically record as much of the entire building or structure as may safely be done.

B. If, after the specified time frame noted in subsection A of this Section, and less than thirty (30) days after the event, an historic building or structure is determined by the Building Official to represent a hazard to the health and safety of the public, or to pose a threat to the public right-of-way, the Building Official shall duly notify the building owner of his/her intent to proceed with a condemnation hearing within ten (10) business days of the notice in accordance with Section 15.14.010 of this Title. The Building Official shall also notify the Federal Emergency Management Agency, in accordance with the National Historic Preservation Act of 1966, as amended, of their intent to hold a condemnation hearing.

C. For any historic building or structure wherein the Building Official and the owner have agreed to demolish the building or structure within thirty (30) days after the event, the Building Official

shall submit to the Federal Emergency Management Agency, in accordance with the National Historic Preservation Act of 1966, as amended, a request to demolish. Said request shall include all substantiating data.

D. If after thirty (30) days from the event the Building Official and the owner of a historic building or structure agree that the building or structure should be demolished, such action will be subject to the review process established by the National Historic Preservation Act of 1966, as amended.

15.17.060 Board of Appeals.

The provisions of this Chapter may be appealed to the City Board of Building and Construction Appeals pursuant to Section 15.17.050 of this Title.