

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

**AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
AMENDING CHAPTER 17.05, “RESIDENTIAL  
BUILDING CODE,” OF THE MERCED  
MUNICIPAL CODE**

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

**SECTION 1. AMENDMENT TO CODE.** Chapter 17.05,  
“Residential Building Code,” of the Merced Municipal Code is hereby amended to  
read as follows:

**“Chapter 17.05  
RESIDENTIAL CODE**

**ARTICLE I.  
RESIDENTIAL CODE**

- 17.05.010 Residential Code Adoption.**
- 17.05.015 Climatic and Geographic Design Criteria.**
- 17.05.020 Violation—Penalty.**

**ARTICLE II.  
ADDITIONAL PROVISIONS**

- 17.05.030 Small Residential Solar Systems –  
Defined.**
- 17.05.040 Small Residential Solar Systems –  
Permitting Process.**
- 17.05.050 Small Residential Solar Systems –  
Inspection Process.**

**ARTICLE I.  
RESIDENTIAL CODE**

**17.05.010 Residential Code—Adoption.**

Those certain documents, three (3) certified copies of which are on file in the Office of the city clerk, marked and designated as California Code of Regulations Title 24, Part 2.5, ‘2013 California Residential Building Code’ including Scope and Administration Division II, Appendix chapters, E, ‘Manufactured Housing Used as Dwelling,’ G, ‘Swimming Pools, Spas and Hot Tubs,’ H, ‘Patio Covers,’ and J, ‘Existing Buildings and Structures,’ based on the 2012 International Residential Building Code as published by the International Code Council and amended by the California Building Standards Commission are adopted by reference as the residential building code for the City of Merced. The appendix chapters in California Code of Regulations Title 24, Part 2.5, 2013, California Residential Building Code may be allowed to be used as an alternate construction method. They must be used in their entirety and are subject to the approval of the building official.

**17.05.015 Climatic and geographic design criteria.**

Table R301.2(1), three (3) certified copies of which are on file in the Office of the City Clerk, is hereby adopted as the City of Merced's criteria for climatic and geographic design.

**17.05.020 Violation—Penalty.**

It shall be unlawful and a misdemeanor, subject to punishment in accordance with Chapter 1.12 of this Code, for any person to violate any provision of the residential code or any code updated by reference.

**ARTICLE II.  
ADDITIONAL PROVISIONS**

**17.05.030 Small Residential Solar Systems –  
Defined.**

Unless otherwise specified, the following definitions shall be applicable small residential rooftop solar energy systems.

‘Small residential rooftop solar energy system’ means all of the following:

- A. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
- B. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City
- C. A solar energy system that is installed on a single or duplex family dwelling.
- D. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

Solar energy system has the same meaning set forth in Civil Code Section 801.5(a) (1) and (2), as such section or subdivision may be amended, renumbered, or re-designated from time to time.

**17.05.040 Small Residential Solar Systems –  
Permitting Process.**

The expedited, streamlined permitting process for small residential rooftop solar energy systems shall comply with the applicable requirements contained in Section

17.05.030 of the Merced Municipal Code and all of the following:

- A. The Building Official shall develop a checklist of all requirements that small rooftop solar energy systems must comply with to be eligible for expedited review.
- B. The checklist and required permitting documentation shall be published on a publically accessible internet website.
- C. As allowed by available resources, the Building Division shall allow for electronic submittal of a permit application and associated documentation and shall allow electronic signature in lieu of a wet signature.
- D. The Building Division shall determine whether the application and supporting documentation are complete and meet all requirements of the California Building Standards Codes and then shall promptly approve or deny the application in writing.
- E. If the application is approved, the Building Division shall issue all required permits.

**17.05.050 Small Residential Solar Systems – Inspection Process.**

Small residential rooftop solar energy systems eligible for expedited, streamlined permitting process shall only require one inspection, unless the installation is found to be out of compliance with the California Building Standards Codes or a separate fire safety inspection is required.”

**SECTION 2. EFFECTIVE DATE.** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

**SECTION 3. SEVERABILITY.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any

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

**SECTION 4. PUBLICATION.** The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the \_\_\_\_ day of \_\_\_\_\_, 2015, and was passed and adopted at a regular meeting of said City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2015, by the following called vote:

**AYES: Council Members:**

**NOES: Council Members:**

**ABSTAIN: Council Members:**

**ABSENT: Council Members:**

**APPROVED:**

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**Mayor**

**ATTEST:**  
**JOHN M. BRAMBLE, CITY CLERK**

**BY:** \_\_\_\_\_  
**Assistant/Deputy City Clerk**

**(SEAL)**

**APPROVED AS TO FORM:**  
**RANDOLPH S. HOM, CITY ATTORNEY**

*Ker Ayed* / *10/8/15*  
\_\_\_\_\_  
**City Attorney** / **Date**