

**ORDINANCE NO. 2023-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA AMENDING SECTIONS 8.04.010, 8.05.010, 8.12.010, AND 8.16.010 TO CLARIFY THE APPENDICES ADOPTED OF THE MENIFEE MUNICIPAL CODE**

**WHEREAS**, the California Building Standards Commission has adopted and published the 2022 California Building Standards Code (“CBSC”), codified in Title 24 of the California Code of Regulations; and

**WHEREAS**, the 2022 CBSC contains, among other parts, the California Building Code (Title 24, Part 2), California Residential Code (Title 24, Part 2.5), California Electrical Code (Title 24, Part 3), California Mechanical Code (Title 24, Part 4), California Plumbing Code (Title 24, Part 5), California Fire Code (Title 24, Part 9), and California Green Building Standards Code [“CALGreen Code”] (Title 24, Part 11); and

**WHEREAS**, on November 16, 2022, the City Council of the City of Menifee adopted the 2022 CBSC provisions; and

**WHEREAS**, the City submitted its adopted code to the California Department of General Services to review the City’s adoption of the 2022 CBSC, but returned the adoption with comments; and

**WHEREAS**, City staff has reviewed the comments from the Department of General Services and instituted the changes required by the state; and

**WHEREAS**, this Ordinance seeks to update the City’s prior adoption to comply with state requirements.

**NOW, THEREFORE**, the City Council of the City of Menifee does hereby ordain as follows:

**SECTION 1. Recitals.** The recitals above are true and correct and are incorporated herein in full.

**SECTION 2. Code Amendments.** Sections 8.04.010, 8.05.010, 8.12.010, and 8.16.010 of the Menifee Development Code are replaced in their entirety as described by Exhibit “A” attached hereto.

**SECTION 3. References to Prior Code.** Unless superseded and expressly repealed, references in the City forms, documents, and regulations to the chapters and sections of the former City’s Building and Construction Code, Title 8 of the Menifee Municipal Code, shall be construed to apply to the corresponding provisions contained in this Ordinance of the City of Menifee and all other ordinances or parts or ordinances in conflict herewith are hereby superseded and expressly repealed.

**SECTION 4. Severability and Validity.** If any section, subsection, paragraph, or sentence of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid, or beyond the authority of the City of Menifee by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

This Ordinance was introduced on the \_\_\_\_ day of July 2023 and **APPROVED AND ADOPTED** on the \_\_\_\_ day of August 2023.

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Bill Zimmerman, Mayor

ATTEST:

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Sarah Manwaring,  
City Clerk

APPROVED AS TO FORM:

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Jeffrey T. Melching, City Attorney

## **EXHIBIT A**

### **TITLE 8: BUILDINGS AND CONSTRUCTION**

#### **CHAPTER 8.04: BUILDING CODE**

8.04.010 Adoption by reference

#### **§8.04.010 ADOPTION BY REFERENCE**

Except as hereinafter changed or modified, the 2022 California Building Code as published by the State Building Standards Commission, including all of its chapters (including Chapters 1 through 35), tables, indices, addenda, footnotes, and appendices (including appendices E, I, J, K, L, and P), are hereby adopted by reference as the Menifee Building Code and incorporated into this title. A copy of the 2022 California Building Code, including the above-designated appendices, shall be on file in the office of the City Clerk.

#### **CHAPTER 8.05: RESIDENTIAL CODE**

8.05.010 Adoption of the California Residential Code

#### **§8.05.010 ADOPTION OF THE CALIFORNIA RESIDENTIAL CODE.**

(A) Except as hereinafter modified or changed, the 2022 California Residential Code published by the State Building Standards Commission, including all of its chapters (including Chapters 1 through 44), tables, indices, addenda, footnotes, and appendices (including appendices AA through AZ, but not including appendices AF, AI, AJ, AK, AL, AO, AR, AT, AU, and AV), is hereby adopted by reference as the Menifee Residential Code and incorporated into this title.

(B) A copy of the 2022 California Residential Code shall be on file in the office of the City Clerk.

#### **CHAPTER 8.12: MECHANICAL CODE**

8.12.010 Adoption of Mechanical Code

#### **§8.12.010 ADOPTION OF MECHANICAL CODE.**

(A) Except as hereinafter changed or modified, the 2022 California Mechanical Code as published by the State Building Standards Commission, including all of its chapters (including Chapters 1 through 17), tables, indices, addenda, footnotes, and appendices (including appendices A, B, C, and D), are hereby adopted by reference as the Menifee Mechanical Code and incorporated into this title.

A copy of the 2022 California Mechanical Code, including the above-designated appendix, shall

be on file in the office of the City Clerk.

**CHAPTER 8.16: PLUMBING CODE**

8.16.010 Adoption of Plumbing Code

**§8.16.010 ADOPTION OF PLUMBING CODE.**

Except as hereinafter changed or modified, the 2022 California Plumbing Code as published by the State Building Standards Commission, including all of its chapters (including Chapters 1 through 17), tables, indices, addenda, footnotes, and appendices (including appendices A, B, D, H, I, and J), are hereby adopted by reference as the Menifee Plumbing Code and incorporated into this title.

A copy of the 2022 California Plumbing Code, including the above-designated appendices, shall be on file in the office of the City Clerk.