

**RESOLUTION NO. 2023-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
ACKNOWLEDGING RECEIPT OF A REPORT  
MADE BY THE FIRE CHIEF OF THE MERCED  
FIRE DEPARTMENT REGARDING THE  
INSPECTION OF CERTAIN OCCUPANCIES  
REQUIRED TO PERFORM ANNUAL  
INSPECTIONS IN SUCH OCCUPANCIES  
PURSUANT TO SECTIONS 13146.2 AND 13146.3  
OF THE CALIFORNIA HEALTH AND SAFETY  
CODE**

WHEREAS, California Health & Safety Code Section 13146.4 was added in 2018, and became effective on September 27, 2018;

WHEREAS, California Health & Safety Code Sections 13146.2 and 13146.3 require all fire departments, including the Merced Fire Department, that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards, as provided;

WHEREAS, California Health & Safety Code Section 13146.4 requires all fire departments, including the Merced Fire Department, that provide fire protection services to report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3; and,

WHEREAS, the City Council of the City of Merced intends this Resolution to fulfill the requirements of the California Health & Safety Code regarding acknowledgment of the Merced Fire Department's compliance with California Health and Safety Code Sections 13146.2 and 13146.3.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City Council of the City of Merced expressly acknowledges the measure of compliance of the Merced Fire Department with

California Health and Safety Code Sections 13146.2 and 13146.3 in the area encompassed by the City of Merced, as follows:

A. EDUCATIONAL GROUP E OCCUPANCIES:

Educational Group E occupancies are generally those public and private schools, used by more than six persons at any one time for educational purposes through the 12th grade. Within the City of Merced, there lie 35 Group E occupancies, buildings, structures and/or facilities.

During the reporting period of October 1, 2022 through September 30, 2023, the Merced Fire Department completed the annual inspection of 35 Group E occupancies, buildings, structures and/or facilities. This is a compliance rate of 100% for this reporting period.

B. RESIDENTIAL GROUP R OCCUPANCIES:

Residential Group R occupancies, for the purposes of this resolution, are generally those occupancies containing sleeping units and include: hotels, motels, apartments (three units or more), etc. as well as other residential occupancies (including a number of residential care facilities). These residential care facilities have a number of different sub-classifications, and they may contain residents or clients that have a range of needs, including those related to custodial care, mobility impairments, cognitive disabilities, etc. The residents may also be non-ambulatory or bedridden. Within the City of Merced, there lie 508 Group R (and their associated sub-categories) occupancies of this nature.

During the reporting year of October 1, 2022 through September 30, 2023, the Merced Fire Department completed the annual inspection of 508 Group R occupancies, buildings, structures and/or facilities. This is a compliance rate of 100% for this reporting period.

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PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2023, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:


\_\_\_\_\_  
Mayor

ATTEST:  
STEPHANIE R. DIETZ, CITY CLERK

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

(SEAL)

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney      10/17/2023  
Date