

STAFF REPORT



ITEM NO. 16
CITY OF OCEANSIDE

DATE: April 4, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Oceanside Fire Department

SUBJECT: **ESTABLISHMENT OF FEE SCHEDULE FOR RE-INSPECTIONS OF SPECIFIED OCCUPANCIES CONDUCTED BY THE FIRE DEPARTMENT**

SYNOPSIS

Staff recommends that the City Council adopt a resolution to establish a fee schedule for the Fire Department's re-inspections of specified occupancies. These fees are designed to cover the cost of re-inspections required by Health and Safety Code section 13146.2 and would become effective July 1, 2012. The Fire Department does not currently charge a fee for this service.

BACKGROUND

The Fire Prevention Division's primary objective is to decrease the incidence and severity of uncontrolled fire. It does this by using a systems approach, which includes services that ensure that new construction and development is planned and developed in accordance with existing fire codes, and that life safety features of the code are inspected prior to the issuance of the Certificate of Occupancy (COO) by the Building Division.

The second system used to decrease the severity and incidence of uncontrolled fire is an annual or periodic inspection program after the occupancy receives its COO. A well managed, comprehensive inspection program is the proactive system designed to prevent fires before they start.

The Fire Prevention Division has successfully kept pace with plan check and inspection service for development and new construction during the years 2001-2007, while maintaining the same number of FTE positions as in FY 97/98. The program of annual inspections, however, did not perform as well during the economic up-cycle of 2001-2007.

Although the Fire Prevention Division has currently been conducting the required annual inspections, the City does not have a fee schedule in place to recover the cost of the re-inspections that occur as a result of required corrections.

ANALYSIS

The California Health and Safety Code requires the local jurisdictions providing fire protection services to perform annual fire inspections for certain occupancy classifications as described in Health and Safety Code section 17921(b). The Health and Safety Code further authorizes the City to charge and collect a fee for such inspections or re-inspections from the owner of the structure in an amount sufficient to pay the costs of the inspection. These inspections function as the foundation of fire prevention for existing high life safety hazard occupancies and encompass all pertinent aspects of fire and life safety code enforcement. The occupancies included in the annual inspection mandate are hotels, motels, apartments, vacation timeshares and condominiums of 3 units or more. The authority for cost-recovery-based-fees for providing this service is contained in section 13146.2(b). The initial inspection is at no cost, however if a re-inspection is required, the owner of the occupancy would be responsible for any re-inspection fees.

FISCAL IMPACT

For FY 11-12, the Fire Prevention revenue is projected to be \$127,000 with expenses at \$858,000. The revenue GL account is 550551101.4451.0011 (Inspection-Annual-OFD).

The current fee for fire inspections for new development is \$119 per inspection. Staff proposes the following structure for the residential occupancy re-inspection fee:

3-10 units	\$119.00
11-30 units	\$179.00
31-50 units	\$238.00
\$15 for each additional 10 units	

The amounts of these fees were determined based on the average inspection time estimates for the type of structure indicated, as applied to the cost of staff time for personnel involved in conducting the inspections. Staff anticipates cost-recovery for the program will be approximately \$100,000 annually, based on inspecting approximately 900 occupancies of various sizes throughout the City. Even with the increase, Fire Prevention is not a full cost-recovery program.

As a comparison, annual inspection fees for residential occupancies in the cities of San Diego and Escondido are as follows:

San Diego		Escondido	
0-5000sq.ft	\$217.00	3-16 units	\$180.00
5000-10000sq.ft.	\$246.00	17-32 units	\$225.00
>10000sq.ft.	\$470.00	>32 units	\$270.00

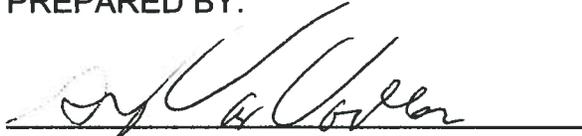
CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATIONS

Staff recommends that the City Council adopt a resolution to establish a fee schedule for the Fire Department's re-inspections of specified occupancies. These fees are designed to cover the cost of re-inspections required by Health and Safety Code section 13146.2 and would become effective July 1, 2012. The Fire Department does not currently charge a fee for this service.

PREPARED BY:



Greg VanVoorhees
Acting Assistant Fire Marshal

SUBMITTED BY:



Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs-Lawrence, Deputy City Manager
Darryl Hebert, Fire Chief
Teri Ferro, Financial Services Director







Attachment:

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE ESTABLISHING A FEE SCHEDULE FOR ANNUAL
4 FIRE RE-INSPECTIONS FOR SPECIFIED OCCUPANCIES.

5 WHEREAS, California health and Safety Code section 13146.2 requires the Oceanside
6 Fire Department to conduct annual inspections of certain structures for compliance with
7 building standards and other regulations of the State Fire Marshal; and

8 WHEREAS, subsection (b) of the California Health and Safety Code section 13146.2
9 authorizes the City of Oceanside to charge and collect a fee from the owner of each structure
10 re-inspected as required in an amount sufficient to pay the costs of such re-inspection; and

11 WHEREAS, on April 4, 2012, the City Council of the City of Oceanside conducted a
12 duly noticed public hearing for the purpose of considering establishment of a fee schedule to
13 recover costs for required annual fire prevention re-inspection services; and

14 WHEREAS, the City Council heard all persons desiring to speak either in favor of, or in
15 opposition to, the establishment of such fee schedule; and

16 WHEREAS, the Oceanside City Council wishes to establish a fee schedule to recover
17 the costs of annual fire prevention re-inspection services.

18 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

19 SECTION 1. The Oceanside City Council hereby finds that the fee schedule
20 attached hereto as Exhibit A is in an amount that is sufficient to pay the costs of the inspection
21 required by health and Safety Code section 13146.2. The fee schedule for fire re-inspection
22 And prevention services, attached hereto as Exhibit A, is hereby adopted, effective July 1,
23 2012.

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1 PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this
2 _____ day of _____, 2012, by the following vote:

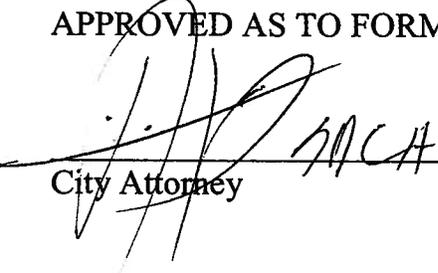
- 3
- 4 AYES:
- 5 NAYS:
- 6 ABSENT:
- 7 ABSTAIN:
- 8
- 9

MAYOR OF THE CITY OF OCEANSIDE

11 ATTEST:

APPROVED AS TO FORM:

13 _____
14 City Clerk



City Attorney

1 **Exhibit A- Fire Department Fee Schedule**
2 (Hotels, Motels, Lodging Houses, Apartment Houses, Condominiums)
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DESCRIPTION	RE-INSPECTION FEE
3-10 unit structure	\$119.00
11-30 unit structure	\$179.00
31-50 unit structure	\$238.00
structure with more than 50 units	\$238.00 + \$15 for each additional 10 units over 50

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