



# FRESNO COUNTY FIRE

PROTECTION DISTRICT

*Honor, Integrity, Cooperation & Professionalism*

## MEMORANDUM

**Date:** 12/03/2019

**To:** Board Directors

**Attn:** Mike Del Puppo  
President

**From:** Fire District Staff

**Subject:** Ordinance 2019-01 Adopting the 2019 California Fire Code with Local Amendments

## BOARD OF DIRECTOR'S BRIEFING PAPER

### ISSUE:

All jurisdictions within the State of California have the opportunity to adopt local amendments to the California Codes, between the date of approval and the "Effective Date" (the day which these new regulations are enforceable). The Fire District Staff is providing Ordinance #2019 - 01 that includes adoption of the 2019 California Fire Code as well as local amendments to the Fire Code. Ordinance #2019 - 01 will replace Ordinance #2016-01. The Ordinance also provides findings as required by State Law.

### BACKGROUND:

The California Building Standards Commission (CBSC) is tasked with adoption and promulgation of the construction doctrine for the State of California. The documents are contained in the California Code of Regulations, Title 24. A model code is selected by the CBSC to use as a base document. The specific State of California requirements are then overlaid onto this base document. This work is done by the corresponding State Agency that is responsible for administering the respective Part or Parts of Title 24. Part 9 of Title 24 is the

California Fire Code. The California Fire Code is administered by the State Fire Marshal's Office.

Once the State Fire Marshal's Office has drafted its amendments to the model code, the documents are published for public comment and a public hearing is held at the CBSC. Typically, the documents are approved or amended and approved. Following the approval, an effective date is established by the CBSC for the new California Fire Code. The purpose of this delay in the effective date allows local agencies to review the approved documents. During this period, local amendments can be approved so that they will be consistent from the existing code into the newly adopted version. The time period also allows the local agencies to receive training so that they may properly understand the changes to the Codes and enforce them properly.

### **DISCUSSION:**

The Ordinance provided to the Board includes both the adoption of the California Fire Code as well as some local amendments. The local amendments are intended to codify existing District procedures as well as acknowledge requirements that are needed due to the nature of the great variety of topography and climate zones encountered within the District.

As a matter of principle, all fire related regulations are focused on the protection of lives and property within the District.

### **ALTERNATIVES:**

The California Fire Code will become effective whether it is adopted or not. However, the local regulations within the District that are currently adopted will cease to be enforceable if they are not re-adopted in conjunction with the new 2019 California Fire Code. Therefore, only a complete alternate Ordinance would be adequate to continue the use of our currently adopted local provisions.

**IMPACTS** *(Consider potential consequences related to each of the following areas of concern for proposed alternatives):*

- Fiscal – There are no negative Fiscal Impacts with adoption, however, failure to adopt would endanger the enforceability of our current fee schedule as it relates to Protection and Planning Fee Schedule.

- Operational - Failure to adopt the proposed Ordinance would disable staff's ability to utilize and enforce existing District procedures as they relate to the Fire Code.
- Legal – The adoption of the proposed Ordinance complies with the legal requirements for the State of California.
- Labor – No known impact.
- Sociopolitical – No known impact.
- Policy – Failure to adopt the proposed Ordinance would disable staff's ability to utilize and enforce existing District procedures as they relate to the Fire Code.
- Health and safety – - The adoption of the proposed Ordinance is inherently designed for the improvement of the health, safety, and welfare of the residents and visitors of the District.
- Environmental – Adoption of the proposed Ordinance will help protect the environment from natural disasters such as the spread of wildfire. Failure to adopt would have a negative impact upon the environment.
- Interagency – No known impact.

**RECOMMENDATION:**

Staff recommends that the Board approves Ordinance 2019 -01 as submitted.

**APPROVED:**

  
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Mark A. Johnson, Chief

12/13/2019  
\_\_\_\_\_  
Date