# Legislation Details (With Text)

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| **Type:** | Action Item | | | **Status:** | Passed |
| **File created:** | 5/24/2019 | | | **In control:** | City Council |
| **On agenda:** | 6/13/2019 | | | **Final action:** | 6/13/2019 |
| **Title:** | Actions pertaining to California Health and Safety Code Sections 13146.2 and 13146.3:<br>1. Approve the measure of compliance of the Fresno Fire Department for certain occupancies in the City of Fresno.<br>2. RESOLUTION - Acknowledging receipt of a report made by the Fire Chief of the Fresno Fire Department regarding annual inspections of certain occupancies. | | | | |
| **Sponsors:** | Fire Department | | | | |
| **Indexes:** | | | | | |
| **Code sections:** | | | | | |
| **Attachments:** | 1. A19-0651 -Resolution- Fire and Life Safety Inspections Annual Reporting.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 6/13/2019 | 1 | City Council | adopted | Pass |

## REPORT TO THE CITY COUNCIL

**June 13, 2019**

**FROM:** KERRI L. DONIS, Fire Chief
Fire Department

**BY:** THEODORE F. SEMONIOUS, Deputy Chief
Fire Department

## SUBJECT

Actions pertaining to California Health and Safety Code Sections 13146.2 and 13146.3:

1. Approve the measure of compliance of the Fresno Fire Department for certain occupancies in the City of Fresno.
2. RESOLUTION - Acknowledging receipt of a report made by the Fire Chief of the Fresno Fire Department regarding annual inspections of certain occupancies.

## RECOMMENDATION

Staff recommends City Council acknowledge the receipt of the report by the Fire Chief of the measure of compliance of the Fresno Fire Department regarding the inspection of certain occupancies required to perform annual inspections of certain occupancies pursuant to California Health and Safety Code Sections 13146.2 and 13146.3.

## EXECUTIVE SUMMARY

The State of California adopted into law Health and Safety Code Section 13146.4, which made the reporting of compliance of annual state mandated Fire and Life Safety Inspections in educational and certain residential occupancies. This reporting is to be done in a resolution prior to the annual budgeting of funds for fire departments.

## BACKGROUND

As a result of the loss of life due to fires in uninspected occupancies, state legislation produced a bill, which the governor signed into law on September 27, 2018, that would require the reporting of the completion rate of state required inspections in educational and certain residential occupancies.

The Fire Department compiled the data for the inspections completed in calendar year 2018. The following information depicts the total occupancies compared to the completed inspections.

The Department is responsible for 2,637 state mandated annual inspections. This total is broken down into 256 Group E educational occupancies, and 2,381 Group R residential occupancies. Residential Group R occupancies, for the purposes of this report, are generally those occupancies containing sleeping units, and include hotels, motels, apartments (three (3) units or more), as well as other residential occupancies (including a number of residential care facilities).

The completion rate of inspections for Group E occupancies were 98%, or 251 of 256 educational occupancies inspected in 2018. The completion rate of inspections for Group R occupancies were 95% or 2,265 of 2,381 of residential occupancies.

These results fall short of the state mandated requirement. The Department has made additional staffing requests to meet the state requirements. However, with citywide financial constraints being a challenge for new positions, the Department will make some adjustments to its existing inspection practices to ensure all state mandated inspections are completed for the upcoming year.

This approach is a short-term solution to achieve a 100% state mandated inspection completion rate, noting that general business inspections will fall further behind in the inspection cycle; noting the industry standard best practice and Department recommendation is triennial inspections for all other business inspections. Future additional staff will be essential to ensure new construction plan review, Business Friendly Fresno 2.0!, Money-Back Guarantee program, general inspections and other Fire Prevention code related inspections are completed in a timely manner.

## ENVIRONMENTAL FINDINGS

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15278, this item does not qualify as a project as defined by CEQA.

## LOCAL PREFERENCE

Local preference was not implemented because this item does not include a bid or an award of contract.

## FISCAL IMPACT

The reduction of responses may result in a decrease of maintenance costs on apparatus, resulting in a positive impact to the General Fund.

Attachment: Resolution