



**BILLY ALCORN
FIRE CHIEF**

Prevention and Technical Services Division
(559) 621-4181 □ FAX (559) 498-4323

Fresno Fire Department □ 911 H Street □ Fresno, CA 93721-3082

Appeal Information Packet

APPEAL REQUESTED BY: Nova Surgical
CASE NUMBER: 7557-1
LOCATION: 4928 E. Clinton Way #101, Fresno, CA 93727
APN: 49421003

PREPARED BY: Brennen Henry, Senior Fire Prevention Inspector
Fresno Fire Department
PHONE: (559) 621-4181

HEARING DETAILS: July 7, 2026, 1:00 PM
Fresno City Hall
2600 Fresno St., Council Chambers
(located on the second floor in room 2165)

cc: Nova Surgical, Appellant
Kojo H. Moore – Moore & Moore Attorneys at Law, Attorney for Appellant
Building Standards Appeals Board
Darla Scott, Supervising Fire Inspector
Christina C. Piña, Deputy City Attorney

Private and sensitive data information including, but not limited to, reporting party's contact information, driver's license numbers, social security numbers, and phone numbers have been redacted.

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SUGGESTED APPEAL FORM

Appeal of:

NOVA SURGICAL
(Name)

4928 E. Clinton Way,

(Mailing Address)

Fresno, California 93727

(City, State, Zip Code)

CITY OF FRESNO

SEP 23 2025

RECEIVED BY [Signature]

7557-1

(Citation/Case Number)

4928 E. Clinton Way, #101, Fresno, CA 93727

(Address of Violation)

kojomoorelaw@gmail.com

(Telephone Number/Email address)

Please include a copy of the specific order, citation, decision, or determination being appealed.

****Please note that additional administrative fees for Code Enforcement staff time (re-inspection and/or research) may be incurred. Please refer to your original notices for more information.****

Description of appellant's legal existing interest in the property, right or entitlement of the order, citation, decision, or determination being appealed (Are you the property owner, business owner, tenant, other?):

Appellant is business tenant and owner of the subject property

Brief description of the specific order, citation, decision, or determination being appealed (What are you appealing?):

Appellant was cited for failing to initiate a change of use in occupancy for the subject property pursuant to Fresno Municipal Code 102.3. The citation number is 7557-1.

Statement of the relief sought (What are you requesting?) **PLEASE NOTE- THE HEARING OFFICER IS PROHIBITED FROM REDUCING OR REVOKING A FINE PER FMC §1-409(g):**

Appellant seeks the citation number 7557-1 be deemed not applicable to the subject property. The Citation number is 7557-1. There has been change in use or occupancy under F.M.C. 102.3.

Reasons why such relief should be granted (Why should your request be granted?):

See Attached Notice of Appeal Letter dated September 23, 2025.

Appellant contends that there has been no change in use or occupancy has occurred at the subject property to require Appellant to initiate a change in use or occupancy for the subject property. In the alternative, Appellant request an exception under FMC. 102.3, as outlined in Notice of Appeal letter from Attorney for Appellant: Kojo H. Moore.

Will you need an interpreter at the hearing? For what language? No.

Estimate of the amount of time you will need to present your argument at a hearing: 4 hours

Would you be interested in being assisted by the FCC Law Pathways Student Advocacy Project? Yes

May they contact you by: Yes Telephone Yes email YesUSPS (using contact information provided above)?

I declare under penalty of perjury that the facts stated in this appeal are true of my own knowledge, except as to matters which are not within my knowledge and are not of public record, and as to those matters, I believe the facts stated to be true.

Executed at Fresno, California on 9/23/25
(City and State) (Date)

Kojo H. Moore
(Signature of Appellant)

Attorney for Appellant Nova Surgical

City Manager's Office
Attn: Michael D. Flores
2600 Fresno Street
Fresno, CA 93721-3601
Phone: (559) 621-7766
Fax: (559) 621-7776

MOORE & MOORE
ATTORNEYS AT LAW
2014 Tulare Street, Suite 527
Fresno, California 93721

KOJO H. MOORE

Telephone: (559) 273-5847
Facsimile: (559) 933-3022

www.kojomoorelaw@gmail.com

September 23, 2025

Hearing Officer
Office of the City Manager
Fresno City Hall
2600 Fresno Street
Fresno, California 93721

NOTICE OF APPEAL
OF FIRST ADMINISTRATIVE CITATION
HEALTH & SAFETY CODE CITATION

| | | |
|------------|-------------------------------|--|
| Re: | Recipient: | Nova Surgical |
| | Citation Number: | 7557-1 |
| | Inspection Date: | September 9, 2025 |
| | Violation: | Failure to Initiate Change of Use 2022 F.M.C. § 102.3 |
| | Location of Violation: | 4928 E. Clinton Way #101 Fresno, California 93727 |
| | Assessor's Parcel No.: | 494-210-03 |

Dear Hearing Officer:

Please be advised that I represent Nova Surgical located at 4928 E. Clinton Way, Suite 101, Fresno, California 93721 in the above referenced administrative matter. This letter is sent for the purposes of appealing the First Administrative Citation - Health & Safety Violation issued on September 9, 2025, by the Fresno Fire Department, through Fire Inspector Brittany Deegan.

NOTICE IS HEREBY GIVEN, that Nova Surgical appeals the above citation pursuant to Fresno Municipal Code § 1-407. Appellant Nova Surgical submits that there has been no change of use or occupancy at the aforementioned property and therefore that it is not reasonably necessary for Nova Surgical to initiate a change of use or occupancy pursuant to 2022 Fresno Municipal Code § 102.3 for the subject property as stated in Citation Number 7557-1.

**Hearing Officer
Office of the City Manager
Notice of Appeal - Citation No. 7557-1
Page 2**

In the alternative, pursuant to F.M.C. 102.3, Appellant is requesting approval by both fire and building code officials, that Appellant's change of occupancy be permitted without complying with the requirements of this code and the California Existing Building Code, because the proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy.

Please find enclosed a United States Postal Order in the amount of seventy-five dollars (\$75.00) for the Administrative Hearing Fee associated with this Notice of Appeal.

Please direct all correspondence concerning this appeal to my attention at the following address:

Kojo H. Moore, Esq.
Moore & Moore
Attorneys at Law
2014 Tulare Street, Suite 527
Fresno, California 93721
Telephone: (559) 273-5847
Facsimile: (559) 933-3022
www.kojomoorelaw@gmail.com

Thank you in advance for your prompt attention to this matter.

Very truly yours,

Kojo Moore

KOJO H. MOORE

cc: Nova Surgical
Vikram Singh, M.D.



If you wish to talk to the inspector about this citation, it is important that you call to schedule an appointment. Inspectors are in the field each day and may not be available if you come in without an appointment.

FIRST ADMINISTRATIVE CITATION HEALTH AND SAFETY CODE CITATION

- 1. Inspection Date: 09/09/2025 Time: 11:15 Citation Number: 7557-1
- 2. Location of violation(s): Nova Surgical- 4928 E Clinton Way #101 APN: 49421003
- 3. The following violations were observed at the date and time noted above: During the fire inspection performed on July 23, 2025 a change of use was required, and 45 days was granted to initiate the permit and plans submittal process. As of September 9, 2025, the process has not been started nor has documentation of significant progress been provided.
- 4. The following action is necessary on your part to correct the violation(s): Contact the Planning and Development Department at City Hall to initiate a Change of Use within 45 days. 2022 FMC 102.3

5. A fine/penalty of \$800 per violation has been imposed. General code citations may be issued in the amounts of up to \$250 per violation for the first citation, up to \$500 per violation for the second citation, and up to \$1000 per violation for the third and subsequent citations. Health and Safety code citations may be issued in the amounts of up to \$800 per violation for the first citation, up to \$1,200 per violation for the second citation, and up to \$1,600 per violation for the third and subsequent citations. (Fresno Municipal Code section 1-302 and 1-308(g) & Master Fee Schedule) **Payment method should be by cash, money order, or check, payable to the "City of Fresno, Fire Department," 911 H Street, Fresno, CA 93721.** Please write the citation number on the check or money order.

Please pay this citation within 30 days. No invoice will be sent.

TOTAL AMOUNT DUE: \$800

PAYMENT DUE BY: October 9, 2025

- 6. FURTHER FAILURE TO COMPLY WITH THE ENCLOSED CORRECTIVE NOTICE MAY RESULT IN ADDITIONAL CITATIONS WITH INCREASED PENALTIES FOR THE SAME VIOLATION(S) ON A DAILY BASIS; AND/OR FURTHER LEGAL ACTION. (FMC § 1-304(d)) Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Code is committed, continued, or permitted by such person and shall be punished accordingly.
- 7. COLLECTIONS: PLEASE NOTE that should you fail to pay these charges in full within 30 days, the City may seek collection through any of the following means: (1) a collection agency; (2) a lien; (3) property assessment; and/or (4) legal action. (FMC 1-501 et seq.) Before a lien or special assessment would be placed on your property, an administrative hearing officer will confirm the costs by a public hearing. You will receive notice of the hearing at least fifteen days prior to the date of the hearing and will be allowed to file an objection. If you fail to pay these charges within 30 days, a late fee of 1.5% or a minimum of \$1.00 will be assessed to your outstanding balance.
- 8. APPEAL: You have the right to contest this citation by filing an appeal within fifteen (15) days from the date this citation was mailed (noted below). (FMC § 1-407(b)) You may file the appeal with the Hearing Officer at the Office of the City Manager, City of Fresno, 2600 Fresno Street, Room 2064, Fresno, CA 93721. There is an Administrative Hearing Fee of \$35 for residential up to two units, \$55 for three or more units and \$75 for commercial units. Please bring or send a check or money order with the request for appeal. If payment is not included with the request for appeal you will be billed.

Recipient

Nova Surgical

Recipient's Address

4928 E Clinton Way #101
Fresno, CA 93727

Fire Inspector

Brittany Deegan

Fire Inspector's Phone Number

559-621-4129

DELIVERED BY MAIL

Fire Inspector's Signature

I, the above-signed Inspector, certify under penalty of perjury that I caused this citation to be delivered by mail to the above named recipient at the recipient's address on: September 9, 2025.



PERMIT # ERS #7557

FRESNO FIRE DEPARTMENT SPECIAL HAZARD PERMIT

PERMIT DATE(S): July 31, 2027

DBA: NOVA SURGICAL INSTITUTE INC
ADDR: 6640 VAN NUYS BLVD, SUITE 101
CITY-ST: VAN NUYS, CA 91405

SPECIAL HAZARD PERMIT FOR:

COMPRESSES GAS

NOVA SURGICAL INSTITUTE INC
4928 E CLINTON WAY, SUITE 101
FRESNO, CA 93727

BILLY ALCORN / FIRE CHIEF

**VOID UNLESS
VALIDATED**

NON TRANSFERABLE
CIS FORM 21

**POST CONSPICUOUSLY
AT PLACE OF BUSINESS**

Pursuant to Fresno Municipal Code and conditioned upon payment of the required fees, the person, firm or corporation named is hereby granted a permit for period indicated.

CUSTOMER'S RECEIPT



SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION

Pay to *City of Fresno*

Address



KEEP THIS RECEIPT FOR YOUR RECORDS

NOT NEGOTIABLE

Serial Number

38089558912

Year, Month, Day
2025-07-23

Post Office
937000

Amount
\$75.00

Clerk
01

POSTAL MONEY ORDER



Serial Number

38089558912

Year, Month, Day
2025-07-23

Post Office
937000

U.S. Dollars and Cents

\$75.00

Seventy Five Dollars and 00/100 *****

Amount

Clerk
01

Pay to

City of Fresno

Address

2606 Fresno Street #2064

From

Nova Surgical

Memo

Fresno CA 93721

Address

4928 E. Clinton Hwy #101

Citation # 7557-1

Fresno, CA 93727

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SEE REVERSE WARNING • NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

1:000000 11931:

3808955891211

CITY OF FRESNO
SEP 23 2025
RECEIVED BY: *[Signature]*



OFFICE OF THE CITY ATTORNEY
CODE ENFORCEMENT

Andrew Janz
City Attorney

December 15, 2025

VIA FIRST-CLASS MAIL AND EMAIL

Moore & Moore
Attn: Kojo Moore
2014 Tulare Street, Suite 527
Fresno, CA 93721
kojomooorelaw@gmail.com

**RE: Nova Surgical
4928 E Clinton Way, #101
Citation Number 7557**

Mr. Moore,

The City is in receipt of your Administrative Appeal of the above-referenced citation received September 23, 2025, as well as your Request for Exemption for Change of Use or Occupancy dated October 30, 2025.

The Fire Department's ultimate concern is the health and safety of the occupants of the facility, including staff and patients. During an inspection on July 23, 2025, by Fire Prevention Inspector Brittany Deegan, it was determined that there was a change of use or occupancy. On August 11, Inspector Deegan requested:

Nova Surgical shall provide an operational statement and an emergency plan complying with 2022 California Fire Code Chapter 4. The operational statement shall include the following: the amounts and types of surgeries being performed, the ratio of staffing relative to the number of patients, and the level or extent of anesthesia on patients' ability to provide self-care.

Inspector Deegan issued an \$800 citation on September 9, 2025. Subsequently, at a reinspection on October 30, 2025, other violations were corrected, but this violation remained. To date, a clear, updated operational statement has not been received. All relevant reports and email correspondence referred to above are enclosed.

In order to resolve this violation, the Fire Department is still requesting a clear and updated operational statement as outlined above. To provide some more guidance, this operational statement must clearly state whether or not the patients are "rendered incapable of self-preservation" by the services provided at the facility. The definition of "incapable of self-preservation" is defined as:

Persons who, because of age, physical limitations, mental limitations, chemical dependency or medical treatment, cannot respond as an individual to an emergency situation.

(2022 California Fire Code, Definitions, section 202)

However, on the other hand, if the patients are unable to respond as an individual to an emergency, then it is the Department's belief that a change of occupancy would be required.

As of today's date, a hearing on the appeal has not been set. I believe we may be able to resolve this if your client can provide the requested documentation. If this is not possible, please let me know, and an appeal hearing for the citation will be set. If I do not hear from you by December 19, 2025, we will move forward with setting the hearing.

Sincerely,



Christina Roberson
Assistant City Attorney

Attachments: FFD Inspection Report July 23, 2025
FFD Inspection Report October 30, 2025
Email Correspondence

CAR:th



Billy P. Alcorn
Fire Chief

Theodore F. Semonious, Deputy Fire Chief
Fire Prevention and Investigations Division
(559) 621-4181 - FAX (559) 498-4323
Fresno Fire Department - 911 H Street - Fresno, CA 93721-3082

NOVA SURGICAL
4928 E CLINTON WAY 101 FRESNO CA 93727

Fire Prevention Inspection Result

| | | |
|---------------------------------|---------------------|---------------------|
| Inspection Status | Inspected by | Completed at |
| Completed with distinct hazards | Deegan, Brittany | 07/23/2025 09:30:00 |

| | | |
|----------------------|--|--|
| Business Name | Business Address | Billing Address |
| NOVA SURGICAL | 4928 E CLINTON WAY #101 FRESNO, CA, 93727 | 4928 E CLINTON WAY 101 FRESNO CA 93727 #101 |

A fire survey was made at the above-listed premises on 07/23/2025 09:30:00. Your attention is directed to the following conditions that must be corrected in order to meet the minimum fire and life safety requirements:

CFC Ch. 1 - Scope and Administration:

! Distinct Hazard

ITEM: FMC 102.3 Change of use or occupancy

REMARK:

The use of the occupancy appears to have changed from the original design use of a B business office to a B business medical. Provide documentation of an approved change of use within 15 days, or contact the Planning and Development Department at City Hall to initiate a Change of Use within 45 days. Further requirements may apply as a result of this process. In addition, provide documentation of an approved permit for the office remodel and installation of a compressed gas assembly within the

same time frames. If significant progress has not been made within the allotted time frames, an administrative citation may be issued for \$800.

CODE: FMC - 2022

CFC Ch. 7 - Fire-Resistance-Rated Construction:

✘ Violation

ITEM: CFC 705.2 Fire and Smoke Protection Features - Opening Protectives

REMARK:

Fire rated doors were observed propped open with doorstops. Doorstops are an unapproved hold-open device. Fire rated doors shall be maintained in a closed position or may be held-open with an approved magnetic hold-open and release device that is connected to the fire alarm system. Discontinue the use of doorstops on fire rated doors.

CODE: CFC - 2022



CFC Ch. 9 - Fire Protection Systems:

✘ Violation

ITEM: CFC 906.2 Portable Fire Extinguishers - General Requirements - Servicing

REMARK:

1. The fire extinguisher in the back medical area by the surgery room is expired. Fire extinguishers shall be serviced annually by a licensed fire extinguisher contractor. Contact a licensed fire extinguisher contractor to service the extinguisher immediately.
2. Remove and properly dispose of the unmounted expired fire extinguisher in the hallway.

CODE: CFC - 2022



remove



expired

CFC Ch. 10 - Means of Egress:

✓ Reminder

ITEM: CFC 1008.3 Means of Egress Illumination - Emergency Power

REMARK:

Test all egress lighting to verify the battery backup systems are functioning properly. Repair or replace all non-functioning egress lighting. All emergency egress lighting shall be tested monthly for 30 seconds and annually for 90 minutes to ensure back up battery operation. Testing documentation shall be maintained on site and provided to the fire code official upon request.

CODE: CFC - 2022

✗ Violation

ITEM: CFC 1010.2.1 Doors, Gates and Turnstiles - Unlatching

REMARK:

The unlatching of any door or leaf for egress shall require not more than one motion in a single linear or rotational direction to release all latching and all locking devices. The door hardware in the front and back exit door requires more than one motion to unlatch. If you would like to secure these doors, you can install single-action hardware with an integrated locking mechanism.

CODE: CFC - 2022



back



front

✓ Notice

ITEM: CFC 1013.6.3 Exit signs - Power Source

REMARK:

The exit signs located failed the backup power test, but the violation was corrected on-site, and the batteries were replaced.

Test all illuminated exit signs to verify the battery backup systems are functioning properly on each sign. Repair or replace all non-functioning illuminated exit signs. All emergency exit signs shall be tested monthly for 30 seconds and annually for 90 minutes to ensure back up battery operation. Testing documentation shall be maintained on site and provided to the fire code official upon request.

CODE: CFC - 2022

CFC Ch. 50 - Hazardous Materials - General Provisions:

✘ Violation

ITEM: CFC 5001.5 Permits

REMARK:

A hazardous material permit shall be required for the compressed oxidizing gases onsite. A permit application was left with the responsible party and shall be completed and returned to Brittany.Deegan@fresno.gov.

This violation will not be cleared until the application is signed and returned.

CODE: CFC - 2022

CFC Ch. 53 - Compressed Gases:

✘ Violation

ITEM: CFC 5303.5.3 General Requirements - Securing Compressed Gas Containers, Cylinders and Tanks

REMARK:

Compressed gas cylinders shall be secured against falling or physical damage. Secure the compressed gas cylinder in storage room.

CODE: CFC - 2022



It should be noted that pursuant to Fresno City Council Resolution No. 420 (amended), an initial inspection fee is charged for each site inspection based on square footage and occupancy hazard type. The fire inspection and re-inspection fee schedule can be found on the City of Fresno web site; www.fresno.gov/finance/budget/#tab-2. Additionally, any person operating or maintaining an occupancy, premise or vehicle that allows a hazard to exist, or failure to comply with this notice, will result in referral to the City Attorney's office for legal action pursuant to Fresno Municipal Code 10-50109.3 Finance | City Budget. Failure to comply may result in further action by the City including, but not limited to, administrative citations for non-compliance and/or delinquent account sent to collections. If such action is required, you may be held responsible for any administrative costs or legal costs incurred by the City. Failure to pay fees may result in delinquent accounts being sent to collections.

If this Department may be of any assistance to you in this matter, please feel free to call the assigned inspector or the main office at (559) 621-4181.

Re-Inspection scheduled to be conducted on or after 09/11/2025 at 13:30

Inspection Signatures

Occupancy Contact Signature

Unable to sign:

N/A

FLOR DIAZ
818-731-0321
FLOR.DIAZ@NOVASURGICALINSTITUTE.COM

Inspector Signature

Deegan, Brittany
--
Fire Prevention Inspector I
559-593-0924
Brittany.Deegan@fresno.gov



Billy P. Alcorn
Fire Chief

Justin H. Beal, Acting Fire Marshal
Fire Prevention and Investigations Division
(559) 621-4181 - FAX (559) 498-4323
Fresno Fire Department - 911 H Street - Fresno, CA 93721-3082

NOVA SURGICAL
4928 E CLINTON WAY 101 FRESNO CA 93727

Fire Prevention Inspection Result

Inspection Status
Completed with distinct hazards

Inspected by
Deegan, Brittany

| Business Name | Business Address | Billing Address |
|---------------|--|--|
| NOVA SURGICAL | 4928 E CLINTON WAY #101 FRESNO, CA, 93727 | 4928 E CLINTON WAY 101 FRESNO CA 93727 #101 |

A fire survey was made at the above-listed premises on 10/30/2025 09:30:00. Your attention is directed to the following conditions that must be corrected in order to meet the minimum fire and life safety requirements:

CFC Ch. 1 - Scope and Administration:

! Distinct Hazard

ITEM: FMC 102.3 Change of use or occupancy

REMARK:

The use of the occupancy appears to have changed from the original design use of a B business office to a B business medical. Contact the Planning and Development Department at City Hall to initiate a Change of Use within the timeframe provided by administrative citation 7557-1. Further requirements may apply as a result of this process. In addition, provide documentation of an approved permit for the office remodel and installation of a compressed gas assembly within the same time frames.

A reinspection was conducted 10/30/25. Inspector Deegan went to the business and spoke with Flor Diaz on the phone. Flor stated they hired an attorney who filed an appeal for the administrative citation, and filed an exemption for the change of occupancy for which they have a meeting with the City Manager's office. Deegan requested an email summarizing the information she shared over the phone by the end of the day (10/30/25) and that email was never received. Please send the email of the summary with updates and documentation regarding the change of use to Brittany.Deegan@fresno.gov

CODE: FMC - 2022

CFC Ch. 7 - Fire-Resistance-Rated Construction:

✓ Notice

ITEM: CFC 705.2 Fire and Smoke Protection Features - Opening Protectives

REMARK:

Fire rated doors were observed propped open with doorstops. Doorstops are an unapproved hold-open device. Fire rated doors shall be maintained in a closed position or may be held-open with an approved magnetic hold-open and release device that is connected to the fire alarm system. Discontinue the use of doorstops on fire rated doors.

Fire doors were initially in the open position during the time of the reinspection but were closed at the end of the inspection. Ensure fire doors are maintained in the closed position.

CODE: CFC - 2022



CFC Ch. 9 - Fire Protection Systems:

✓ Resolved

ITEM: CFC 906.2 Portable Fire Extinguishers - General Requirements - Servicing

REMARK:

1. The fire extinguisher in the back medical area by the surgery room is expired. Fire extinguishers shall be serviced annually by a licensed fire extinguisher contractor. Contact a licensed fire extinguisher contractor to service the extinguisher immediately.
2. Remove and properly dispose of the unmounted expired fire extinguisher in the hallway.

This violation has been resolved as of 9/11/25.

CODE: CFC - 2022



remove



expired

CFC Ch. 10 - Means of Egress:

✓ **Reminder**

ITEM: CFC 1008.3 Means of Egress Illumination - Emergency Power

REMARK:

Test all egress lighting to verify the battery backup systems are functioning properly. Repair or replace all non-functioning egress lighting. All emergency egress lighting shall be tested monthly for 30 seconds and annually for 90 minutes to ensure back up battery operation. Testing documentation shall be maintained on site and provided to the fire code official upon request.

CODE: CFC - 2022

✓ **Resolved**

ITEM: CFC 1010.2.1 Doors, Gates and Turnstiles - Unlatching

REMARK:

The unlatching of any door or leaf for egress shall require not more than one motion in a single linear or rotational direction to release all latching and all locking devices. The door hardware in the front and back exit door requires more than one motion to unlatch. If you would like to secure these doors, you can install single-action hardware with an integrated locking mechanism.

This violation has been resolved as of 9/11/25.

CODE: CFC - 2022



Front exit with interlocking hardware



Rear exit with panic hardware



front



back

✓ Resolved

ITEM: CFC 1013.6.3 Exit signs - Power Source

REMARK:

The exit signs located failed the backup power test, but the violation was corrected on-site, and the batteries were replaced.

Test all illuminated exit signs to verify the battery backup systems are functioning properly on each sign. Repair or replace all non-functioning illuminated exit signs. All emergency exit signs shall be tested monthly for 30 seconds and annually for 90 minutes to ensure back up battery operation. Testing documentation shall be maintained on site and provided to the fire code official upon request.

CODE: CFC - 2022

CFC Ch. 50 - Hazardous Materials - General Provisions:

✓ Resolved

ITEM: CFC 5001.5 Permits

REMARK:

A hazardous material permit shall be required for the compressed oxidizing gases onsite. A permit application was left with the responsible party and shall be completed and returned to Brittany.Deegan@fresno.gov.

This violation will not be cleared until the application is signed and returned.

The hazardous materials permit application was received via email 7/28/25. This violation has been resolved.

CODE: CFC - 2022

CFC Ch. 53 - Compressed Gases:

✓ Resolved

ITEM: CFC 5303.5.3 General Requirements - Securing Compressed Gas Containers, Cylinders and Tanks

REMARK:

Compressed gas cylinders shall be secured against falling or physical damage. Secure the compressed gas cylinder in storage room.

This violation has been resolved as of 9/11/25.

CODE: CFC - 2022



9/11

It should be noted that pursuant to Fresno City Council Resolution No. 420 (amended), an initial inspection fee is charged for each site inspection based on square footage and occupancy hazard type. The fire inspection and re-inspection fee schedule can be found on the City of Fresno web site; www.fresno.gov/finance/budget/#tab-2. Additionally, any person operating or maintaining an occupancy, premise or vehicle that allows a hazard to exist, or failure to comply with this notice, will result in referral to the City Attorney's office for legal action pursuant to Fresno Municipal Code 10-50109.3 Finance | City Budget. Failure to comply may result in further action by the City including, but not limited to, administrative citations for non-compliance and/or delinquent account sent to collections. If such action is required, you may be held responsible for any administrative costs or legal costs incurred by the City. Failure to pay fees may result in delinquent accounts being sent to collections.

If this Department may be of any assistance to you in this matter, please feel free to call the assigned inspector or the main office at (559) 621-4181.

Re-Inspection scheduled to be conducted on or after Will Call

Inspection Signatures

Occupancy Contact Signature

Unable to sign:

N/A

FLOR DIAZ
818-731-0321
FLOR.DIAZ@NOVASURGICALINSTITUTE.COM

Inspector Signature



Deegan, Brittany
--
Fire Prevention Inspector I
559-593-0924
Brittany.Deegan@fresno.gov

Brittany Deegan

From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Sent: Monday, August 11, 2025 4:18 PM
To: Brittany Deegan
Cc: Angela Josan
Subject: RE: ZONE CLEARANCE

External Email: Use caution with links and attachments

Hello,
Dr. Singh is in Sacramento today and will reply to you tomorrow when he's back in the office.

Sincerely,
Flor Diaz
Assistant Manager

6640 Van Nuys Blvd, Suite 101
Van Nuys, CA 91405
Phone: 818-884-5480
Fax: 818-884-5490
www.calbps.com
www.novasurgicalinstitute.com

NEW LOCATION IN MANTECA & SACRAMENTO!

OUR LOCATIONS:

VAN NUYS

6640 Van Nuys Blvd. #101 Van Nuys, CA 91405

BAKERSFIELD

1919 Truxtun Ave, Bakersfield CA 93301

FRESNO

4928 E Clinton Way, Suite 101, Fresno, CA 93727

EL MONTE

10610 Lower Azusa Rd. El Monte, CA 91731

RIVERSIDE

7120 Indiana Ave, Suite H&I Riverside, CA 92504

SAN LEANDRO

13851 E 14th street, suite 102A , San Leandro, CA 94578

MANTECA

1191 E Yosemite Ave Suite C, Manteca, CA 95336

MODESTO

1701 Coffee Rd. Suite 1, Modesto, CA 95355

SACRAMENTO
5255 ELKHORN BLVD, SACRAMENTO, CA 95842

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From: Brittany Deegan <Brittany.Deegan@fresno.gov>
Sent: Monday, August 11, 2025 9:22 AM
To: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Cc: Angela Josan <Angela@CALBPS.COM>
Subject: RE: ZONE CLEARANCE

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Flor,

I am contacting you to follow-up on the requirement for documentation for the change or use or occupancy for Nova Surgical on Clinton Way. The deadline to provide documentation for a previously approved change of use is today, and we have been unable to locate any approvals in our records. As such, the following shall apply:

Per the previous inspection report, plans shall be submitted and permits pulled for a change of use with the City of Fresno Planning and Development Department within 45 days of receipt of the inspection report.

In addition, Nova Surgical shall provide an operational statement and an emergency plan complying with 2022 California Fire Code Chapter 4. The operational statement shall include the following: the amounts of types of surgeries being performed, the ratio of staffing relative to the number of patients, and the level or extent of anesthesia on patients' ability to provide self-care. The emergency plan shall meet all relevant requirements from the codes cited below and shall be submitted to the Fresno Fire Department (through myself) for approval.

The operational statement and the emergency plan shall be submitted to Fresno Fire within 14 days of this notice. If either are not submitted in a timely manner, further fines or fees may apply, and a fire watch complying with FFD Policy 402.012 may be required.

403.3.1 Ambulatory care facilities.

Ambulatory care facilities shall comply with the requirements of Sections 401, 403.3.1.1 through 403.3.1.2 and 404.

403.3.1.1 Fire safety and evacuation plan.

The fire safety and evacuation plan required by Section 404 shall include a description of special staff act procedures for stabilizing care recipients in a defend-in-place response, staged evacuation, or full evacuation in entire building if part of a multitenant facility.

403.3.1.1.1 Fire safety plan.

A copy of the fire safety plan shall be maintained at the facility at all times. The plan shall include addition to the requirements of Section 404:

1. Locations of care recipients who are rendered incapable of self-preservation.
2. Maximum number of care recipients rendered incapable of self-preservation.
3. Area and extent of each ambulatory care facility.



4. Location of any special locking arrangements.

403.3.1.2 Staff training.

Staff shall be periodically instructed and kept informed of their duties and responsibilities under the plan. Instruction shall be maintained. Such instruction shall be reviewed by the staff at intervals not exceeding three months. Instruction shall be provided promptly on entrance to duty.

Staff shall be instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment.

404.2.1 Fire evacuation plans.

Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete by select or with a defend-in-place response.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for the use of elevators to evacuate the building where occupant evacuation elevators 3008 of the *California Building Code* are provided.
4. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
5. Procedures for accounting for employees and occupants after evacuation has been completed.
6. Identification and assignment of personnel responsible for rescue or emergency medical aid.
7. The preferred and any alternative means of notifying occupants of a fire or emergency.
8. The preferred and any alternative means of reporting fires and other emergencies to the fire department emergency response organization.
9. Identification and assignment of personnel who can be contacted for further information or explanation.
10. A description of the emergency voice/alarm communication system alert tone and preprogrammed provided.

404.2.2 Fire safety plans.

Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy including the following:
 - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
 - 2.2. Procedures for occupants under a defend-in-place response.
 - 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.
3. Site plans indicating the following:
 - 3.1. The occupancy assembly point.
 - 3.2. The locations of fire hydrants.
 - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
 - 4.1. Exits.
 - 4.2. Primary evacuation routes.
 - 4.3. Secondary evacuation routes.
 - 4.4. Accessible egress routes.
 - 4.4.1. Areas of refuge.
 - 4.4.2. Exterior areas for assisted rescue.
 - 4.5. Refuge areas associated with smoke barriers and horizontal exits.
 - 4.6. Manual fire alarm boxes.
 - 4.7. Portable fire extinguishers.
 - 4.8. Occupant-use hose stations.
 - 4.9. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling

Thank you,

B. Deegan

Fire Prevention Inspector I

Fresno Fire Department

911 H Street, Fresno, CA 93721

Availability: Monday – Thursday 0700-1730

(559) 621-4129

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From: Brittany Deegan
Sent: Wednesday, August 6, 2025 4:17 PM
To: 'Flor Diaz' <Flor.Diaz@novasurgicalinstitute.com>
Cc: Angela Josan <Angela@CALBPS.COM>
Subject: RE: ZONE CLEARANCE

Hello Flor,

These are zoning and business documents that are required to conduct business in the City of Fresno. At the end of the Zone Clearance document it states: "Any physical modifications to the site, including interior or exterior changes to the building, may require additional permits or approvals." During the inspection, interior changes were noted, which would require a building permit application, in addition to a permit to change the use of the building.

The Zone Clearance is to verify that the proposed use meets the zoning for the City, but it doesn't verify if the building meets the requirements for your proposed use. Your current use will still require a plan submittal and permit application to change the occupancy of the building from a business to ambulatory care facility.

Please send documentation of beginning the plan submittal and permit process. Thank you.

Best,

B. Deegan

Fire Prevention Inspector I
Fresno Fire Department
911 H Street, Fresno, CA 93721
Availability: Monday – Thursday 0700-1730
(559) 621-4129

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From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Sent: Tuesday, August 5, 2025 5:28 PM

To: Brittany Deegan <Brittany.Deegan@fresno.gov>
Cc: Angela Josan <Angela@CALBPS.COM>
Subject: ZONE CLEARANCE

External Email: Use caution with links and attachments

Ms. Deegan,

This was a current standing medical office when we purchased the property. We did not install the compressed gas assembly as requested on the inspection paperwork. We obtained zone clearance from the city of Fresno that the property was classified as "Offices Medical and Dental" per the enclosed letter dated Nov 23,2021. We subsequently obtained the business tax certificate which is enclosed and current as New Age Pain Center DBA.

Sincerely,
Flor Diaz
Assistant Manager

6640 Van Nuys Blvd, Suite 101
Van Nuys, CA 91405
Phone: 818-884-5480
Fax: 818-884-5490
www.calbps.com
www.novasurgicalinstitute.com

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January 20, 2026

Christina Roberson, Esq.
Office of the City Attorney
Code Enforcement
2600 Fresno Street
Fresno, California 93721

Via U.S. Mail and E-mail:
Christina.Roberson@fresno.gov

Re: Nova Surgical
4928 E. Clinton Way #101
Fresno, California 93727

Citation Number: 7557-1

Dear Ms. Roberson:

This letter is in response to your email dated December 15, 2025, concerning the above referenced citation issued to Nova Surgical located at 4928 E. Clinton Way, Suite 101, Fresno, California 93727. Your letter dated December 15, 2025, requested a clear and updated operational statement and emergency plan.

In response to your letter please find attached the following documents:

1. Updated Operational Statement;
2. Evacuation Plan;
3. Fire Safety Plan;
4. Floor Plan; and
5. Exterior Site Plan.

The foregoing documents are submitted in response to your request for a clear and updated operational statement and emergency plan. If you believe you need additional information, please contact me and I will provide any other additional information that you believe the City of Fresno needs to make its determination for Nova Surgical's Request for Exemption for Change of Use Occupancy.

To better assist the City of Fresno in its determination, I am submitting additional information from the NFPA 101 Life Safety Code - Occupancy Classification of Medical Facilities.

Health Care Occupancy

NFPA 101 defines health care occupancies as those "used to provide medical or other treatment or care simultaneously to four (4) or more patients on an inpatient basis, where such patients are mostly incapable of self-preservation due to age, physical or mental disability, or because of security measures not under the occupants' control."

Health care occupancies are like ambulatory health care occupancies in that they contain four or more patients who are incapable of self-preservation; however, health care patients are inpatients, rather than outpatients, and are provided with housing and sleeping accommodations to facilitate extended care.

Because Nova Surgical does not have more than four (4) patients at any given time of being incapable of self preservation they are not properly classified as Health Care Occupancy.

Ambulatory Health Care Occupancy

NFPA 101 provides the following definition for ambulatory health care occupancies:

An occupancy used to provide services or treatment simultaneously to four or more patients that provides, on an outpatient basis, one or more of the following:

1. Treatment for patients that renders the patients incapable of taking action for self-preservation under emergency conditions without the assistance of others;
2. Anesthesia that renders the patients incapable of taking action for self-preservation under emergency conditions without the assistance of others
3. Treatment for patients who, due to the nature of their injury or illness, are incapable of taking action for self-preservation under emergency conditions without the assistance of others.

The big difference between business occupancies and ambulatory health care occupancies is the presence of four (4) or more patients who are incapable of self-preservation because of a variety of reasons. The other key to this definition-and what differentiates it from health care-is the phrase "on an outpatient basis."

Consequently, because Nova Surgical Institute does not have more than four (4) or more patients who are incapable of self-preservation at any given time they should not be classified as an Ambulatory Health Care Occupancy. Give the totality of the circumstances, Nova Surgical submits that it should be properly classified as a Business Occupancy under the NFPA 101 Life Safety Code.

Business Occupancy

Lastly, NFPA 101 defines a business occupancy as “an occupancy used for the transaction of business other than mercantile.”

While this might not sound like medical facility, the definition does capture the correct classification for facilities such as doctors’ offices, dentists’ offices, and urgent care clinics, provided that no more than three (3) occupants are incapable of self-preservation at any time. Because Nova Surgical does not have more than three (3) occupants incapable of self-preservation at any given time during its business operation it is properly classified as a business occupancy.

In these types of medical facilities, patients are fully capable of evacuating under their own power in the event of an emergency. The occupant life safety risk is no different than that found in an office building.

Nova Surgical is properly classified as a business occupancy as a result of no more than three (3) occupants are incapable of self-preservation at any time while receiving medical treatment or undergoing medical procedures at its facility. As such, Nova Surgical respectfully requests the proper classification by the City of Fresno as a Business Occupancy.

Medical Facility Occupancy Classification

| Occupancy Classification | Patients Incapable of Self Preservation | |
|---------------------------------|--|------------------|
| | Outpatient | Inpatient |
| Health Care Occupancy | -- | 4 or more |
| Ambulatory | 4 or more | -- |
| Business | 3 or less | 3 or less |

Ambulatory health care occupancies per the Life Safety Code are those occupancies in which four (4) or more patients are being treated simultaneously and are incapable of self-preservation because of (1) the treatment; (2) anesthesia; or (3) the nature of the injury/illness.

Based upon all of the foregoing, Nova Surgical respectfully requests it be designated as Business Occupancy. Given the information provided in the Updated Operational Statement and Emergency Plan the City of Fresno should find that Nova Surgical is properly and truly classified as a Business Occupancy.

Christina Roberson, Esq.
Fresno City Attorney's Office
January 20, 2026
Page 4

Additionally, my client Nova Surgical further submits that there has been no change of use or occupancy at the aforementioned property and therefore that it is not reasonably necessary for Nova Surgical to initiate a change of use or occupancy pursuant to 2022 Fresno Municipal Code § 102.3 for the subject property as stated in Citation Number 7557-1.

Fresno Municipal Code § 102.3 provides:

“Change of use or occupancy. A change of use or occupancy shall not be made unless the use or occupancy is made to comply with the requirements of this code, the Fresno Fire Code, and the California Existing Building Code. Where approved by both fire and building code officials, a change of occupancy shall be permitted without complying with the requirements of this code and the California Existing Building Code, provided that the new or proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy.”

In the alternative, pursuant to F.M.C. 102.3, my client is requesting approval by both fire and building code officials, that Nova Surgical's alleged change of occupancy be permitted without complying with the requirements of this code and the California Existing Building Code, because the proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy.

Please contact me at: (559) 273-5847 or my paralegal Juan Falcon at: (559) 960-9392 to discuss setting up an in person meeting to discuss getting approval from the City of Fresno Building Department official an exemption for the claim change of use or occupancy asserted by the Fresno Fire Department.

Thank you in advance for your prompt attention to this matter.

Very truly yours,

Kojo Moore

KOJO H. MOORE

cc: Nova Surgical
Vikram Singh, M.D.

Operational Statement

Name of Facility: NOVA SURGICAL CENTER INC. dba NEW AGE PAIN CENTER

Location: 4928 E. CLINTON WAY, SUITE 101, FRESNO CA 93727

Phone: (818) 405-0064

1. Purpose and Mission

New Age Pain Center (ASC) is a state-licensed and AAAHC certified outpatient facility dedicated to providing high-quality, safe, and efficient care. Our mission is to improve the health and well-being of our community by delivering advanced procedures with compassion and excellence.

2. Scope of Services

New Age Pain Center offers the following services:

- Pain Management Procedures:
 - All procedures are performed on an outpatient basis with no overnight stays. Patients are discharged the same day after meeting recovery criteria.
 - Staff-to-patient ratio is in compliance with AAAHC certification guidelines as a 1:1 ratio of staff to patient during procedures and 1:2 ratio of staff to patient for post-anesthesia recovery
 - Number of procedures performed varies weekly and are performed on a single day per week when provided
- Levels of Anesthesia:
 - Minimal sedation – patients are unable to provide self-care during procedure and during recovery
 - Local anesthesia – patients are able to provide self-care during procedure and have no recovery time requirements
- Types of Medical Procedures:
 - Require minimal sedation (patient recovers in appx. 15 minutes):
 - Lumbar epidural steroid injections
 - Cervical epidural platelet-rich injections
 - Osteotomy and interphalangeal joint fusion
 - Cervical steroid injections
 - Lumbar spinal cord stimulator implant
 - Local anesthesia (patient leaves immediately following appointment):
 - Lumbar and Cervical steroid injections
 - Lumbar and Cervical platelet rich plasma injections
 - Injections may be epidural, facet joint, interlaminar, translaminar, and transforaminal

Medical Staffing During Medical Procedures:

No more than two (2) patients are receiving a medical procedure which requires minimal sedation at any given time. No more than two (2) patients are receiving local anesthesia at any given time. At all relevant times, during the aforementioned medical procedures at the facility, the following person are on staff at the facility: (1) Physician; (2) Registered Nurse (R.N.); (4) Surgical Technician; (5) Medical Assistant; (6) Radiological Technician; and (7) Receptionist.

3. Emergency Preparedness

- Written emergency preparedness plan
- Staff trained in Basic Life Support (BLS) and Advanced Cardiac Life Support (ACLS)
- Emergency backup systems in place
- Regular emergency evacuation training

4. Hours of Operation

- 7:30 am - 4:30 pm M-F, when procedures are to take place
- Closed weekends and major holidays

5. Facility Overview

- 1 procedure room
- 4 pre/post recovery bays
- 4 exam rooms

6. Compliance and Accreditation

- Accredited by the Accreditation Association for Ambulatory Health Care (AAAHC)
- HIPAA-compliant practices in place
- Emergency protocols in place

EVACUATION

POLICY

There will be an established procedure for emergency evacuation. All employees will be educated regarding their duties with an Inservice to be held, at least, quarterly and at time of hire. The education shall include the evacuation and include the emergency exterior assembly point. This policy is integrated into the Disaster Preparedness Plan adopted by the Center.

OBJECTIVE

To ensure safe evacuation of patients and staff in an emergency which requires evacuation from the suite and building.

PROCEDURE

1. If a fire is present, it is the responsibility of any individual who notices a fire to IMMEDIATELY activate the fire alarm system. Alarms and external bells will be heard. When the alarm system is activated, it automatically signals the alarm company who will notify the Fire Department. A fire truck will be sent to the building.
2. Any procedure currently in progress will be terminated as soon as safely possible.
3. The surgeons, scrub personnel, anesthesia provider and the Medical staff will concurrently assist evacuation of the patient(s) from the Operating room to the hallway and to the exterior. The Recovery Room staff is responsible for the evacuation of patients in the Recovery area. Front desk personnel is responsible for the evacuation of those persons in the waiting area and exam rooms. The Clinical Supervisor is responsible for performing a final check to ensure that all patients and staff have been evacuated from the suite.
4. All patients in the waiting room are to be notified of the need for evacuation and instructed to evacuate the area by the routes posted.
5. Non-ambulatory patients will be moved with life support equipment when possible. Oxygen shall not be used when going through a fire area. Patients can be moved by wheelchairs and stretchers or placed on a blanket and pulled to a place of safety. Also, various emergency carries can be utilized to move non-ambulatory patients.
6. The receptionist will notify other tenants in the building by phone, if possible to safely execute this task, before leaving the suite.
7. All personnel are to refer to the posted diagram specifying the routes to be used for emergency evacuation and will meet at a pre-arranged Evacuation Location away from the building.
8. Evacuation routes and lighted exit signs are posted strategically throughout to ensure clear exit pathways. There shall be periodic inspections to ensure compliance with all applicable fire and safety standards.
9. The Evacuation Location for all staff and patients to meet is across the parking lot at 4910 E Clinton Way.

EVACUATION ASSIGNMENTS BY STAFFING POSITION

1. **Clinical Supervisor** – ensures alarm has been pulled and emergency vehicles are coming. Oversee ensuring all staff and patients are evacuated and accounted for at assembly area. Coordinate with emergency personnel and give orders for all clear when verified by fire department. Reser alarm system.
2. **Receptionist** – ensure that patients in waiting room are evacuated as well as

support Medical Assistant in evacuating patients from exam rooms. Alert all employees of fire using intercom system.

3. **Registered Nurse (R.N.)** – ensures that patients in recovery area are evacuated and supported. For non-self-rescue patients utilize gurney or wheelchair.
4. **Physician** – ensures that procedure can come to a safe space for necessary evacuation of patients from procedure room. For non-self-rescue patients utilize gurney or wheelchair.
5. **Surgical Technician** – ensures all oxygen valves are shut off (if in the procedure room, check with surgeon before shutting off valves) physician in ensuring patient in procedure room is evacuated.
6. **Rad Technician** – support nearby staff in evacuating patients and staff that are along the way towards nearest exit. Ensures all corridors and exits are cleared of possible obstructions.
7. **Medical Assistant** – ensures patients from exam rooms are evacuated towards nearest exit.

FIRE SAFETY PLAN - FIRE DRILL PROCEDURES

POLICY:

A fire drill will be held quarterly and there shall be written documentation that the fire drill was held and who participated. The location of the simulated fire will be changed to practice procedures for all contingencies. All employees will be aware of their responsibilities during a fire emergency and will be aware of the locations of fire extinguishers and how the fire alarm system functions. Reactions to the simulated fire should replicate those actions that would occur in case of an actual fire emergency. The signal for the drill should reach the alarm company to ensure the system's functionality and this verified. All staff should evacuate the Center and meet at the arranged location.

PROCEDURE:

A. Initial actions in the Fire Area

In the event of a fire, the acronym **RACE** will be used to implement procedures.

1. **Rescue** or remove all patients in immediate danger.
2. **Activate** the fire alarm while directing someone to alert others by paging overhead, **Code RED and the location of the fire**. The receptionist will call the Fire Department (911) when the page is heard. The alarm signals the dispatching authority who will immediately notify the local fire station of the location of the fire (*an agreement with a 24 hr. dispatching organization must be in place*)
3. **Contain** the fire by closing all doors to isolate the fire area. Clear all corridors of carts and equipment. Roll carts to any nearby room so that evacuation, if necessary will not be impeded.
***Note** - Medical gas is to be turned off only upon approval of the anesthesiologist or upon request of the responding fire department.
4. **Extinguish** the fire by using fire extinguisher, *if the fire is small*.
Evacuate When you are given the order to evacuate and/or when there is visible danger from smoke and/or fire in your area.

B. Removing patients:

The fire department will give the orders for a total building evacuation should it become necessary. Staff in the various areas will make a systematic search of all rooms to ensure all are evacuated. The following steps are to be taken if total building evacuation is necessary:

1. Patient's nearest the fire area are to be evacuated first through the nearest exit.
2. Non-ambulatory patients will be moved with life support equipment when possible. Oxygen shall not be used when going through a fire area. Patients can be moved by wheelchairs and stretchers or placed on a blanket and pulled to a place of safety. Also, various emergency carries can be utilized to move non-ambulatory patients.
3. Patients will be evacuated outdoors via the nearest and safest escape route. Those patients who must be evacuated by wheelchair or stretcher will be evacuated through entrances with sidewalks to the parking area.
4. Ambulatory patients and visitors will be expected to remove themselves with directions from employees.

C Duties of the Non-medical personnel

1. The receptionist will call 911 for the fire department. A description of the “exact location” of the building and the location of the fire will be given to the dispatcher. Request ambulances should patient transfers be necessary.
2. Alert all employees again of the fire by using the intercom system. Give the location of the fire three times.
3. Ensure that all patients not in the clinical/surgical areas are given knowledge of the appropriate exits. Escort patients and their families/friends to the exits if possible.

D. Duties of the Medical personnel if fire is not in your area

1. REMAIN CALM AND HELP OTHERS.
2. In assigned area, close all doors and shut off all oxygen valves in the area. (If in the operating room, check with surgeon before shutting off gas valves)
3. Assure that all corridors and exits are cleared of possible obstructions.
4. Turn off electrical equipment that is not absolutely needed.

E. Clinical Supervisor responsibility

1. Assist in moving all patients from the area of danger and out of the suite if necessary.
2. Verify all patients, visitors and employees are accounted for.
3. Assist the Fire Department as necessary.
4. Give the order for all clear when verified by the Fire Department. Reset the fire alarm system.

F. Evacuation Assignments by Staffing Position

1. **Clinical Supervisor** – ensures alarm has been pulled and emergency vehicles are coming. Oversee ensuring all staff and patients are evacuated and accounted for at assembly area. Coordinate with emergency personnel and give orders for all clear when verified by fire department. Reset alarm system.
2. **Receptionist** – ensure that patients in waiting room are evacuated as well as support Medical Assistant in evacuating patients from exam rooms. Alert all employees of fire using intercom system.
3. **Registered Nurse (R.N.)** – ensures that patients in recovery area are evacuated and supported. For non-self-rescue patients utilize gurney or wheelchair.
4. **Physician** – ensures that procedure can come to a safe space for necessary evacuation of patients from procedure room. For non-self-rescue patients utilize gurney or wheelchair.
5. **Surgical Technician** – ensures all oxygen valves are shut off (if in the procedure room, check with surgeon before shutting off valves) physician in ensuring patient in procedure room is evacuated.
6. **Rad Technician** – support nearby staff in evacuating patients and staff that are along the way towards nearest exit. Ensures all corridors and exits are cleared of possible obstructions.
7. **Medical Assistant** – ensures patients from exam rooms are evacuated towards nearest exit.

FIRE DRILLS

- A. The fire plan will be tested quarterly. Drills are intended to put into practice the actions that one would take in an actual fire and refine and improved them. All staff will be asked to participate during fire drills.

1. Records of the drills and employee response will be maintained. Deficiencies discovered

during drills will be discussed at the next staff meeting. Results of the evaluation of the drill will be disseminated to all employees.

2. When possible, the audible alarm shall be sounded (after notifying the monitoring company of the test). Patients do not need to be involved in the evacuation procedures but staff must be aware physically and mentally of how to evacuate an anesthetized patient.

SPECIFIC FIRE INFORMATION

- A. Fire Types: How to distinguish one type of fire from another. The following are the three basic types of fires:

Class A: Fire that consists of *ordinary combustible materials* such as paper, wood, cloth, etc.

Class B: Fires that consist of *flammable liquids*, oil, grease, oil base paints and flammable gases. The flashpoint is the lowest temperature at which a liquid forms a vapor that can be ignited.

Class C: Fires that involve energized *electrical equipment*.

- B. Fire Extinguishers

1. Using the Appropriate Fire Extinguisher. There is one type of fire extinguisher, an ABC, or dry chemical extinguisher.
2. Operating an Extinguisher. Utilize the acronym **PASS** to operate a fire extinguisher.
 1. **P**ull pin
 2. **A**im at the base of the fire
 3. **S**queeze lever or handle
 4. **S**weep agent at the base of the flames
3. **Inspections** - Fire extinguisher shall be visually inspected every month. (e.g. full charge, ease of access, presence and correct type of extinguisher and for any broken parts). Fire extinguishers shall be recertified annually and/or after any usage. Clinical supervisor is responsible for ensuring inspections and maintenance take place as required.
4. **Training** – Staff shall be trained upon hiring and on an annual basis on how to operate a fire extinguisher.

- C. Fire Hazards

Fire hazards exist within the facility. The clinical supervisor oversees controlling fuel hazard sources. Major fire hazards associated with normal use and occupancy of the facility include:

1. **Potential Ignition Sources:**
 - a. Electrocautery pens can be an ignition source
2. **Potential Fuel Sources:**
 - a. Surgical drapes and linens.
 - b. Alcohol based skin preps can be highly flammable if not allowed to dry fully or pool under patients or drapes.
 - c. Patient factors such as hair, dry gauze, and sponges that may be used are potential fuel sources.
 - d. Cleaning products located in the janitorial supply closet.
3. **Potential Oxidizers:**
 1. Supplemental oxygen that is stored on site as well as used for procedures.

D. FIRE DETECTION AND NOTIFICATION DEVICES USED

1. Smoke Detectors:

Operation: When smoke enters the detector, an automatic circuit causes the fire alarm bells to ring or activate and a fire signal is sent through the notification network.

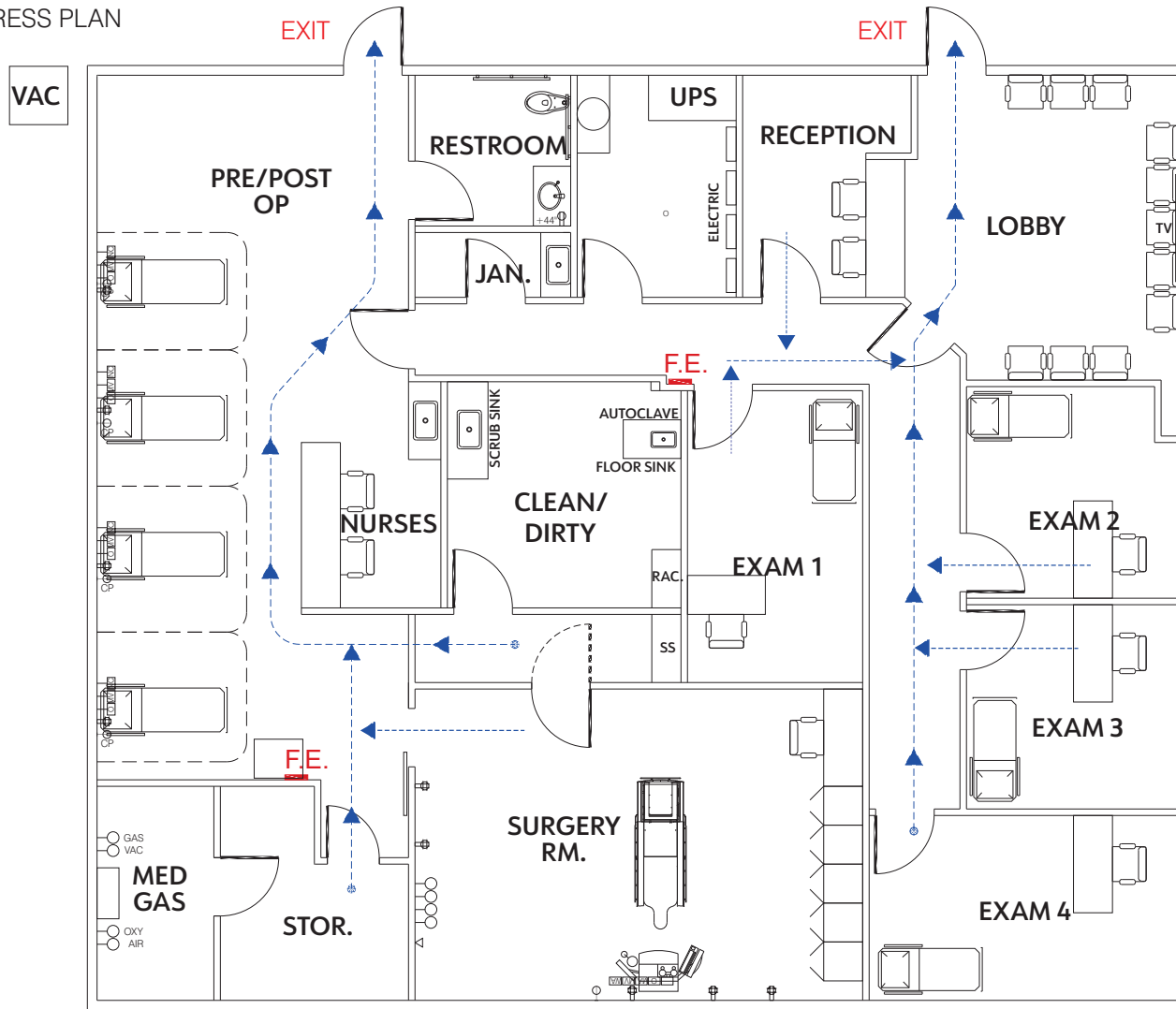
Locations: Throughout the building.

2. Maintenance of fire detection equipment is the responsibility of the clinical supervisor.

FIRE SAFETY TRAINING

Each employee is required to receive an initial orientation training to familiarize him or herself with the fire plan as well as a quarterly training. Management is required to provide specific training to employees upon assignment to their work area.

FRESNO EMERGENCY EGRESS PLAN



F.E. FIRE EXTINGUISHER

PLAN VIEW



In Facilities, Inc.
 3835 R.E. Thousand Oaks Blvd. # 358.
 Westlake Village, CA 91362
 (805) 857-3700, (805) 230-2189
 email: kendall@ifacilities.com





| | |
|----------|------|
| APPROVED | DATE |
| | |
| REVISED | DATE |
| | |

NOVA SURGICAL CENTER
 Ground Floor
 4928 E. Clinton Ave
 Fresno, CA 93727

| | |
|------------|--------------|
| DRAWN: | PROJECT: |
| SCALE: NTS | DRAWING NO.: |
| DATE: 2006 | |
| FILE: | |

Fire Safety Plan – Addendum A



-  Fire Hydrant
-  Normal routes for fire department access
-  Business Location
-  Assembly Point ⁰⁴⁴



OFFICE OF THE CITY ATTORNEY
CODE ENFORCEMENT

Andrew Janz
City Attorney

January 30, 2026

VIA FIRST-CLASS MAIL AND EMAIL

Moore & Moore
Attn: Kojo Moore
2014 Tulare Street, Suite 527
Fresno, CA 93721
kojomoorelaw@gmail.com

**RE: Nova Surgical
4928 E Clinton Way, #101
Citation Number 7557**

Mr. Moore,

The City is in receipt of your letter dated January 20, 2026, with documents related to your client's updated operational statement and emergency plan (January 20 Letter). Unfortunately, the documents provided are insufficient and the Fresno Fire Department's (FFD) conclusion remains that a change of occupancy is necessary for the continued operation of the business.

The January 20 Letter uses definitions in the NFPA 101 Life Safety Code, specifically Section 3.3.205.1 for Ambulatory Health Care Occupancy and Section 3.3.205.7 for Health Care Occupancy. Neither of these definitions are valid as the State of California adopts the International Fire Code (as amended and adopted as the California Fire Code), and the California Fire Code (CFC) does not adopt any of these sections. Instead, the CFC and California Building Code (CBC) provide their own definitions, as noted below.

Business Group B. Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Business occupancies shall include, but not be limited to, the following:

...Ambulatory care facilities...

(2025 CFC 203.3)

AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less-than-24-hour basis to persons who are rendered incapable of self-preservation by the services provided or staff, has accepted responsibility for care recipients already incapable.

(2025 CFC 202)

Your client's request is that Nova Surgical be considered a Business occupancy, rather than an Ambulatory Health Care Occupancy based upon the NFPA 101 definitions. Per 2025 CFC §203.3, Ambulatory Care Facilities are already considered Group B-Business occupancies, but have additional requirements due to the specialized use and increased risk based upon the condition of rendering patients incapable of self-preservation. As your letter points out, NFPA 101 stipulates that occupancies with less than four patients in this condition are not Ambulatory Health Care Facilities; however, the CFC definition above does not specify a minimum number of patients.

The operational statement provided in the January 20 Letter states that Nova Surgical provides sedation services wherein during and after the procedure the "patients are unable to provide self-care..." (Operational Statement, Scope of Services, pg. 1). This also states that in 2025, they sedated at least 20 individuals (Operational Statement, Table "Procedures from Jan-Dec 2025," pg. 2). In addition, the provided evacuation procedures portion of the Operational Statement includes the following: "Non-ambulatory patients will be moved with life support equipment when possible. Oxygen shall not be used when going through a fire area" (Operational Statement, Evacuation, Procedure #5, pg. 4).

Based upon the information provided, Nova Surgical has had patients whom they rendered incapable of self-preservation in the last year and has indicated their intent to continue operating in this fashion. Utilizing their own description of services, it is the determination of FFD that the services provided qualify them as a Group B-Ambulatory Care Facility, rather than the existing occupancy use of Group B-Business.

The January 20 Letter further requests that the Building Official and Fire Code Official waive the change of use requirements per Fresno Municipal Code §102.3, "provided that the new or proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy." It is clear, based upon the additional requirements for an automatic fire alarm system in Chapter 9 of the CFC (§907.2.2.1), that an Ambulatory Care Facility is not less hazardous than a Business use, nor is it an equivalent level of hazard or risk, which is not addressed in this municipal code section.

Because patients are rendered incapable of self-preservation, and because hazardous medical gases are stored on site that represent a deflagration hazard (see "Fresno Emergency Egress Plan" attached to the January 20 Letter, and witnessed during inspection), it is the determination of FFD that the proposed use is not less hazardous than the approved use, a change of use is required, and any current requirements for Ambulatory Care Facilities should be applied.

At this point, it may be best to set this matter for hearing, as it does not appear we can reach a resolution. Please respond by February 6, or we will move forward with a request to set the hearing.

Sincerely,



Christina Roberson
Assistant City Attorney



Billy P. Alcorn
Fire Chief

Theodore F. Semonious, Deputy Fire Chief
Fire Prevention and Investigations Division
(559) 621-4181 - FAX (559) 498-4323
Fresno Fire Department - 911 H Street - Fresno, CA 93721-3082

NOVA SURGICAL
4928 E CLINTON WAY 101 FRESNO CA 93727

Fire Prevention Inspection Result

| | | |
|---------------------------------|---------------------|---------------------|
| Inspection Status | Inspected by | Completed at |
| Completed with distinct hazards | Deegan, Brittany | 07/23/2025 09:30:00 |

| Business Name | Business Address | Billing Address |
|---------------|--|--|
| NOVA SURGICAL | 4928 E CLINTON WAY #101 FRESNO, CA, 93727 | 4928 E CLINTON WAY 101 FRESNO CA 93727 #101 |

A fire survey was made at the above-listed premises on 07/23/2025 09:30:00. Your attention is directed to the following conditions that must be corrected in order to meet the minimum fire and life safety requirements:

CFC Ch. 1 - Scope and Administration:

! Distinct Hazard

ITEM: FMC 102.3 Change of use or occupancy

REMARK:

The use of the occupancy appears to have changed from the original design use of a B business office to a B business medical. Provide documentation of an approved change of use within 15 days, or contact the Planning and Development Department at City Hall to initiate a Change of Use within 45 days. Further requirements may apply as a result of this process. In addition, provide documentation of an approved permit for the office remodel and installation of a compressed gas assembly within the

same time frames. If significant progress has not been made within the allotted time frames, an administrative citation may be issued for \$800.

CODE: FMC - 2022

CFC Ch. 7 - Fire-Resistance-Rated Construction:

✘ Violation

ITEM: CFC 705.2 Fire and Smoke Protection Features - Opening Protectives

REMARK:

Fire rated doors were observed propped open with doorstops. Doorstops are an unapproved hold-open device. Fire rated doors shall be maintained in a closed position or may be held-open with an approved magnetic hold-open and release device that is connected to the fire alarm system. Discontinue the use of doorstops on fire rated doors.

CODE: CFC - 2022



CFC Ch. 9 - Fire Protection Systems:

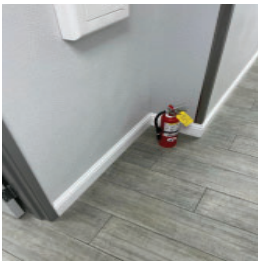
✘ Violation

ITEM: CFC 906.2 Portable Fire Extinguishers - General Requirements - Servicing

REMARK:

1. The fire extinguisher in the back medical area by the surgery room is expired. Fire extinguishers shall be serviced annually by a licensed fire extinguisher contractor. Contact a licensed fire extinguisher contractor to service the extinguisher immediately.
2. Remove and properly dispose of the unmounted expired fire extinguisher in the hallway.

CODE: CFC - 2022



remove



expired

CFC Ch. 10 - Means of Egress:

✓ Reminder

ITEM: CFC 1008.3 Means of Egress Illumination - Emergency Power

REMARK:

Test all egress lighting to verify the battery backup systems are functioning properly. Repair or replace all non-functioning egress lighting. All emergency egress lighting shall be tested monthly for 30 seconds and annually for 90 minutes to ensure back up battery operation. Testing documentation shall be maintained on site and provided to the fire code official upon request.

CODE: CFC - 2022

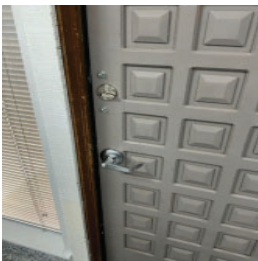
✗ Violation

ITEM: CFC 1010.2.1 Doors, Gates and Turnstiles - Unlatching

REMARK:

The unlatching of any door or leaf for egress shall require not more than one motion in a single linear or rotational direction to release all latching and all locking devices. The door hardware in the front and back exit door requires more than one motion to unlatch. If you would like to secure these doors, you can install single-action hardware with an integrated locking mechanism.

CODE: CFC - 2022



back



front

✓ Notice

ITEM: CFC 1013.6.3 Exit signs - Power Source

REMARK:

The exit signs located failed the backup power test, but the violation was corrected on-site, and the batteries were replaced.

Test all illuminated exit signs to verify the battery backup systems are functioning properly on each sign. Repair or replace all non-functioning illuminated exit signs. All emergency exit signs shall be tested monthly for 30 seconds and annually for 90 minutes to ensure back up battery operation. Testing documentation shall be maintained on site and provided to the fire code official upon request.

CODE: CFC - 2022

CFC Ch. 50 - Hazardous Materials - General Provisions:

✘ Violation

ITEM: CFC 5001.5 Permits

REMARK:

A hazardous material permit shall be required for the compressed oxidizing gases onsite. A permit application was left with the responsible party and shall be completed and returned to Brittany.Deegan@fresno.gov.

This violation will not be cleared until the application is signed and returned.

CODE: CFC - 2022

CFC Ch. 53 - Compressed Gases:

✘ Violation

ITEM: CFC 5303.5.3 General Requirements - Securing Compressed Gas Containers, Cylinders and Tanks

REMARK:

Compressed gas cylinders shall be secured against falling or physical damage. Secure the compressed gas cylinder in storage room.

CODE: CFC - 2022



It should be noted that pursuant to Fresno City Council Resolution No. 420 (amended), an initial inspection fee is charged for each site inspection based on square footage and occupancy hazard type. The fire inspection and re-inspection fee schedule can be found on the City of Fresno web site; www.fresno.gov/finance/budget/#tab-2. Additionally, any person operating or maintaining an occupancy, premise or vehicle that allows a hazard to exist, or failure to comply with this notice, will result in referral to the City Attorney's office for legal action pursuant to Fresno Municipal Code 10-50109.3 Finance | City Budget. Failure to comply may result in further action by the City including, but not limited to, administrative citations for non-compliance and/or delinquent account sent to collections. If such action is required, you may be held responsible for any administrative costs or legal costs incurred by the City. Failure to pay fees may result in delinquent accounts being sent to collections.

If this Department may be of any assistance to you in this matter, please feel free to call the assigned inspector or the main office at (559) 621-4181.

Re-Inspection scheduled to be conducted on or after 09/11/2025 at 13:30

Inspection Signatures

Occupancy Contact Signature

Unable to sign:

N/A

FLOR DIAZ

818-731-0321

FLOR.DIAZ@NOVASURGICALINSTITUTE.COM

Inspector Signature

Deegan, Brittany

--

Fire Prevention Inspector I

559-593-0924

Brittany.Deegan@fresno.gov



If you wish to talk to the inspector about this citation, it is important that you call to schedule an appointment. Inspectors are in the field each day and may not be available if you come in without an appointment.

FIRST ADMINISTRATIVE CITATION HEALTH AND SAFETY CODE CITATION

- 1. Inspection Date: 09/09/2025 Time: 11:15 Citation Number: 7557-1
- 2. Location of violation(s): Nova Surgical- 4928 E Clinton Way #101 APN: 49421003
- 3. The following violations were observed at the date and time noted above: During the fire inspection performed on July 23, 2025 a change of use was required, and 45 days was granted to initiate the permit and plans submittal process. As of September 9, 2025, the process has not been started nor has documentation of significant progress been provided.
- 4. The following action is necessary on your part to correct the violation(s): Contact the Planning and Development Department at City Hall to initiate a Change of Use within 45 days. 2022 FMC 102.3

5. A fine/penalty of \$800 per violation has been imposed. General code citations may be issued in the amounts of up to \$250 per violation for the first citation, up to \$500 per violation for the second citation, and up to \$1000 per violation for the third and subsequent citations. Health and Safety code citations may be issued in the amounts of up to \$800 per violation for the first citation, up to \$1,200 per violation for the second citation, and up to \$1,600 per violation for the third and subsequent citations. (Fresno Municipal Code section 1-302 and 1-308(g) & Master Fee Schedule) **Payment method should be by cash, money order, or check, payable to the "City of Fresno, Fire Department," 911 H Street, Fresno, CA 93721.** Please write the citation number on the check or money order.

Please pay this citation within 30 days. No invoice will be sent.

TOTAL AMOUNT DUE: \$800

PAYMENT DUE BY: October 9, 2025

- 6. FURTHER FAILURE TO COMPLY WITH THE ENCLOSED CORRECTIVE NOTICE MAY RESULT IN ADDITIONAL CITATIONS WITH INCREASED PENALTIES FOR THE SAME VIOLATION(S) ON A DAILY BASIS; AND/OR FURTHER LEGAL ACTION. (FMC § 1-304(d)) Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Code is committed, continued, or permitted by such person and shall be punished accordingly.
- 7. COLLECTIONS: PLEASE NOTE that should you fail to pay these charges in full within 30 days, the City may seek collection through any of the following means: (1) a collection agency; (2) a lien; (3) property assessment; and/or (4) legal action. (FMC 1-501 et seq.) Before a lien or special assessment would be placed on your property, an administrative hearing officer will confirm the costs by a public hearing. You will receive notice of the hearing at least fifteen days prior to the date of the hearing and will be allowed to file an objection. If you fail to pay these charges within 30 days, a late fee of 1.5% or a minimum of \$1.00 will be assessed to your outstanding balance.
- 8. APPEAL: You have the right to contest this citation by filing an appeal within fifteen (15) days from the date this citation was mailed (noted below). (FMC § 1-407(b)) You may file the appeal with the Hearing Officer at the Office of the City Manager, City of Fresno, 2600 Fresno Street, Room 2064, Fresno, CA 93721. There is an Administrative Hearing Fee of \$35 for residential up to two units, \$55 for three or more units and \$75 for commercial units. Please bring or send a check or money order with the request for appeal. If payment is not included with the request for appeal you will be billed.

Recipient

Nova Surgical

Recipient's Address

4928 E Clinton Way #101
Fresno, CA 93727

Fire Inspector

Brittany Deegan

Fire Inspector's Phone Number

559-621-4129

DELIVERED BY MAIL

Fire Inspector's Signature

I, the above-signed Inspector, certify under penalty of perjury that I caused this citation to be delivered by mail to the above named recipient at the recipient's address on: September 9, 2025.



Billy P. Alcorn
Fire Chief

Justin H. Beal, Acting Fire Marshal
Fire Prevention and Investigations Division
(559) 621-4181 - FAX (559) 498-4323
Fresno Fire Department - 911 H Street - Fresno, CA 93721-3082

NOVA SURGICAL
4928 E CLINTON WAY 101 FRESNO CA 93727

Fire Prevention Inspection Result

| | | |
|---------------------------------|---------------------|---------------------|
| Inspection Status | Inspected by | Completed at |
| Completed with distinct hazards | Deegan, Brittany | 09/11/2025 13:45:00 |

| Business Name | Business Address | Billing Address |
|---------------|--|--|
| NOVA SURGICAL | 4928 E CLINTON WAY #101 FRESNO, CA, 93727 | 4928 E CLINTON WAY 101 FRESNO CA 93727 #101 |

A fire survey was made at the above-listed premises on 09/11/2025 13:45:00. Your attention is directed to the following conditions that must be corrected in order to meet the minimum fire and life safety requirements:

CFC Ch. 1 - Scope and Administration:

! Distinct Hazard

ITEM: FMC 102.3 Change of use or occupancy

REMARK:

The use of the occupancy appears to have changed from the original design use of a B business office to a B business medical. Contact the Planning and Development Department at City Hall to initiate a Change of Use within the timeframe provided by administrative citation 7557-1. Further requirements may apply as a result of this process. In addition, provide documentation of an approved permit for the office remodel and installation of a compressed gas assembly within the same time frames. If significant

progress has not been made within the allotted time frames, an administrative citation may be issued for \$800.

CODE: FMC - 2022

CFC Ch. 7 - Fire-Resistance-Rated Construction:

✘ Violation

ITEM: CFC 705.2 Fire and Smoke Protection Features - Opening Protectives

REMARK:

Fire rated doors were observed propped open with doorstops. Doorstops are an unapproved hold-open device. Fire rated doors shall be maintained in a closed position or may be held-open with an approved magnetic hold-open and release device that is connected to the fire alarm system. Discontinue the use of doorstops on fire rated doors.

Fire doors were in the open position during the time of the reinspection. Ensure fire doors are maintained in the closed position.

CODE: CFC - 2022



CFC Ch. 9 - Fire Protection Systems:

✓ Resolved

ITEM: CFC 906.2 Portable Fire Extinguishers - General Requirements - Servicing

REMARK:

1. The fire extinguisher in the back medical area by the surgery room is expired. Fire extinguishers shall be serviced annually by a licensed fire extinguisher contractor. Contact a licensed fire extinguisher contractor to service the extinguisher immediately.
2. Remove and properly dispose of the unmounted expired fire extinguisher in the hallway.

This violation has been resolved as of 9/11/25.



remove



expired

CFC Ch. 10 - Means of Egress:

✓ Reminder

ITEM: CFC 1008.3 Means of Egress Illumination - Emergency Power

REMARK:

Test all egress lighting to verify the battery backup systems are functioning properly. Repair or replace all non-functioning egress lighting. All emergency egress lighting shall be tested monthly for 30 seconds and annually for 90 minutes to ensure back up battery operation. Testing documentation shall be maintained on site and provided to the fire code official upon request.

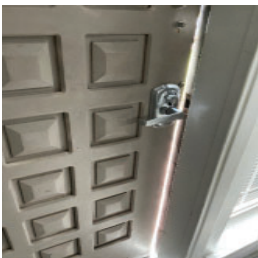
✓ Resolved

ITEM: CFC 1010.2.1 Doors, Gates and Turnstiles - Unlatching

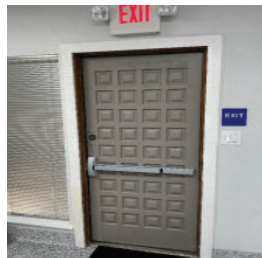
REMARK:

The unlatching of any door or leaf for egress shall require not more than one motion in a single linear or rotational direction to release all latching and all locking devices. The door hardware in the front and back exit door requires more than one motion to unlatch. If you would like to secure these doors, you can install single-action hardware with an integrated locking mechanism.

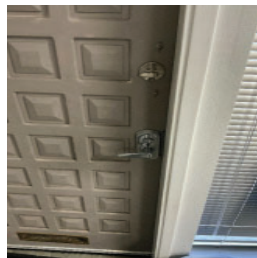
This violation has been resolved as of 9/11/25.



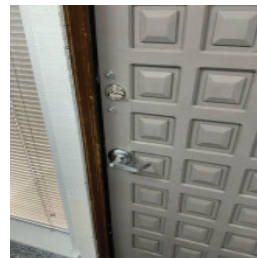
Front exit with interlocking hardware



Rear exit with panic hardware



front



back

✓ Resolved

ITEM: CFC 1013.6.3 Exit signs - Power Source

REMARK:

The exit signs located failed the backup power test, but the violation was corrected on-site, and the batteries were replaced.

Test all illuminated exit signs to verify the battery backup systems are functioning properly on each sign. Repair or replace all non-functioning illuminated exit signs. All emergency exit signs shall be tested monthly for 30 seconds and annually for 90 minutes to ensure back up battery operation. Testing documentation shall be maintained on site and provided to the fire code official upon request.

CODE: CFC - 2022

CFC Ch. 50 - Hazardous Materials - General Provisions:

✓ Resolved

ITEM: CFC 5001.5 Permits

REMARK:

A hazardous material permit shall be required for the compressed oxidizing gases onsite. A permit application was left with the responsible party and shall be completed and returned to Brittany.Deegan@fresno.gov.

This violation will not be cleared until the application is signed and returned.

The hazardous materials permit application was received via email 7/28/25. This violation has been resolved.

CODE: CFC - 2022

CFC Ch. 53 - Compressed Gases:

✓ Resolved

ITEM: CFC 5303.5.3 General Requirements - Securing Compressed Gas Containers, Cylinders and Tanks

REMARK:

Compressed gas cylinders shall be secured against falling or physical damage. Secure the compressed gas cylinder in storage room.

This violation has been resolved as of 9/11/25.

CODE: CFC - 2022



9/11

It should be noted that pursuant to Fresno City Council Resolution No. 420 (amended), an initial inspection fee is charged for each site inspection based on square footage and occupancy hazard type. The fire inspection and re-inspection fee schedule can be found on the City of Fresno web site; www.fresno.gov/finance/budget/#tab-2. Additionally, any person operating or maintaining an occupancy, premise or vehicle that allows a hazard to exist, or failure to comply with this notice, will result in referral to the City Attorney's office for legal action pursuant to Fresno Municipal Code 10-50109.3 Finance | City Budget. Failure to comply may result in further action by the City including, but not limited to, administrative citations for non-compliance and/or delinquent account sent to collections. If such action is required, you may be held responsible for any administrative costs or legal costs incurred by the City. Failure to pay fees may result in delinquent accounts being sent to collections.

If this Department may be of any assistance to you in this matter, please feel free to call the assigned inspector or the main office at (559) 621-4181.

Re-Inspection scheduled to be conducted on or after 11/03/2025 at 09:00

Inspection Signatures

Occupancy Contact Signature

Unable to sign:

N/A

FLOR DIAZ

818-731-0321

FLOR.DIAZ@NOVASURGICALINSTITUTE.COM

Inspector Signature

Deegan, Brittany

--

Fire Prevention Inspector I

559-593-0924

Brittany.Deegan@fresno.gov



Billy P. Alcorn
Fire Chief

Justin H. Beal, Acting Fire Marshal
Fire Prevention and Investigations Division
(559) 621-4181 - FAX (559) 498-4323
Fresno Fire Department - 911 H Street - Fresno, CA 93721-3082

NOVA SURGICAL
4928 E CLINTON WAY 101 FRESNO CA 93727

Fire Prevention Inspection Result

Inspection Status
Completed with distinct hazards

Inspected by
Deegan, Brittany

| Business Name | Business Address | Billing Address |
|---------------|--|--|
| NOVA SURGICAL | 4928 E CLINTON WAY #101 FRESNO, CA, 93727 | 4928 E CLINTON WAY 101 FRESNO CA 93727 #101 |

A fire survey was made at the above-listed premises on 10/30/2025 09:30:00. Your attention is directed to the following conditions that must be corrected in order to meet the minimum fire and life safety requirements:

CFC Ch. 1 - Scope and Administration:

! Distinct Hazard

ITEM: FMC 102.3 Change of use or occupancy

REMARK:

The use of the occupancy appears to have changed from the original design use of a B business office to a B business medical. Contact the Planning and Development Department at City Hall to initiate a Change of Use within the timeframe provided by administrative citation 7557-1. Further requirements may apply as a result of this process. In addition, provide documentation of an approved permit for the office remodel and installation of a compressed gas assembly within the same time frames.

A reinspection was conducted 10/30/25. Inspector Deegan went to the business and spoke with Flor Diaz on the phone. Flor stated they hired an attorney who filed an appeal for the administrative citation, and filed an exemption for the change of occupancy for which they have a meeting with the City Manager's office. Deegan requested an email summarizing the information she shared over the phone by the end of the day (10/30/25) and that email was never received. Please send the email of the summary with updates and documentation regarding the change of use to Brittany.Deegan@fresno.gov

CODE: FMC - 2022

CFC Ch. 7 - Fire-Resistance-Rated Construction:

✓ Notice

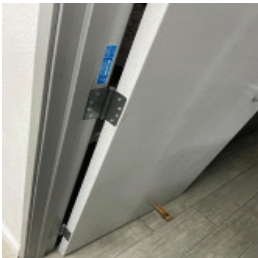
ITEM: CFC 705.2 Fire and Smoke Protection Features - Opening Protectives

REMARK:

Fire rated doors were observed propped open with doorstops. Doorstops are an unapproved hold-open device. Fire rated doors shall be maintained in a closed position or may be held-open with an approved magnetic hold-open and release device that is connected to the fire alarm system. Discontinue the use of doorstops on fire rated doors.

Fire doors were initially in the open position during the time of the reinspection but were closed at the end of the inspection. Ensure fire doors are maintained in the closed position.

CODE: CFC - 2022



CFC Ch. 9 - Fire Protection Systems:

✓ Resolved

ITEM: CFC 906.2 Portable Fire Extinguishers - General Requirements - Servicing

REMARK:

1. The fire extinguisher in the back medical area by the surgery room is expired. Fire extinguishers shall be serviced annually by a licensed fire extinguisher contractor. Contact a licensed fire extinguisher contractor to service the extinguisher immediately.
2. Remove and properly dispose of the unmounted expired fire extinguisher in the hallway.

This violation has been resolved as of 9/11/25.

CODE: CFC - 2022



remove



expired

CFC Ch. 10 - Means of Egress:

✓ **Reminder**

ITEM: CFC 1008.3 Means of Egress Illumination - Emergency Power

REMARK:

Test all egress lighting to verify the battery backup systems are functioning properly. Repair or replace all non-functioning egress lighting. All emergency egress lighting shall be tested monthly for 30 seconds and annually for 90 minutes to ensure back up battery operation. Testing documentation shall be maintained on site and provided to the fire code official upon request.

CODE: CFC - 2022

✓ **Resolved**

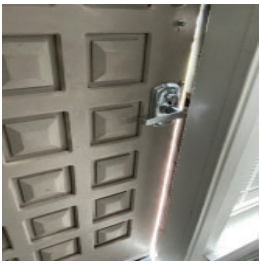
ITEM: CFC 1010.2.1 Doors, Gates and Turnstiles - Unlatching

REMARK:

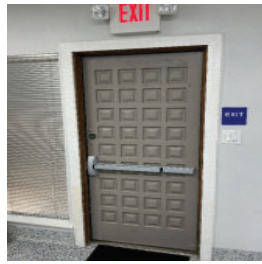
The unlatching of any door or leaf for egress shall require not more than one motion in a single linear or rotational direction to release all latching and all locking devices. The door hardware in the front and back exit door requires more than one motion to unlatch. If you would like to secure these doors, you can install single-action hardware with an integrated locking mechanism.

This violation has been resolved as of 9/11/25.

CODE: CFC - 2022



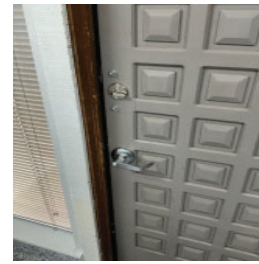
Front exit with interlocking hardware



Rear exit with panic hardware



front



back

✓ Resolved

ITEM: CFC 1013.6.3 Exit signs - Power Source

REMARK:

The exit signs located failed the backup power test, but the violation was corrected on-site, and the batteries were replaced.

Test all illuminated exit signs to verify the battery backup systems are functioning properly on each sign. Repair or replace all non-functioning illuminated exit signs. All emergency exit signs shall be tested monthly for 30 seconds and annually for 90 minutes to ensure back up battery operation. Testing documentation shall be maintained on site and provided to the fire code official upon request.

CODE: CFC - 2022

CFC Ch. 50 - Hazardous Materials - General Provisions:

✓ Resolved

ITEM: CFC 5001.5 Permits

REMARK:

A hazardous material permit shall be required for the compressed oxidizing gases onsite. A permit application was left with the responsible party and shall be completed and returned to Brittany.Deegan@fresno.gov.

This violation will not be cleared until the application is signed and returned.

The hazardous materials permit application was received via email 7/28/25. This violation has been resolved.

CODE: CFC - 2022

CFC Ch. 53 - Compressed Gases:

✓ Resolved

ITEM: CFC 5303.5.3 General Requirements - Securing Compressed Gas Containers, Cylinders and Tanks

REMARK:

Compressed gas cylinders shall be secured against falling or physical damage. Secure the compressed gas cylinder in storage room.

This violation has been resolved as of 9/11/25.

CODE: CFC - 2022



9/11



It should be noted that pursuant to Fresno City Council Resolution No. 420 (amended), an initial inspection fee is charged for each site inspection based on square footage and occupancy hazard type. The fire inspection and re-inspection fee schedule can be found on the City of Fresno web site; www.fresno.gov/finance/budget/#tab-2. Additionally, any person operating or maintaining an occupancy, premise or vehicle that allows a hazard to exist, or failure to comply with this notice, will result in referral to the City Attorney's office for legal action pursuant to Fresno Municipal Code 10-50109.3 Finance | City Budget. Failure to comply may result in further action by the City including, but not limited to, administrative citations for non-compliance and/or delinquent account sent to collections. If such action is required, you may be held responsible for any administrative costs or legal costs incurred by the City. Failure to pay fees may result in delinquent accounts being sent to collections.

If this Department may be of any assistance to you in this matter, please feel free to call the assigned inspector or the main office at (559) 621-4181.

Re-Inspection scheduled to be conducted on or after Will Call

Inspection Signatures

Occupancy Contact Signature

Unable to sign:

N/A

FLOR DIAZ
818-731-0321
FLOR.DIAZ@NOVASURGICALINSTITUTE.COM

Inspector Signature



Deegan, Brittany
--
Fire Prevention Inspector I
559-593-0924
Brittany.Deegan@fresno.gov

| | | | | |
|--|----------------------------------|---|-----------------|--------------------------------------|
| P21-05674 | STATUS | LOCATION | CONTACT | WORKFLOW |
| BUS-NOVA FRESNO ... WE ARE LOOKING T... | > Rejected 10/22/2021 by D... | > 4928 E CLINTON ... FRESNO, CA 937... | > OKSANA KOMOVA | > 40 total Task ● 1 completed ... |

P21-05674 - BUS-NOVA FRESNO INTENT

A notice was added to this record on 2021-10-20.
Condition: Severity: Notice
Total conditions: 1 (Notice: 1)

[View notice](#)

Cancel Help

| | | |
|---|---|---|
| Task Application | Due Date 11/10/2021 | Assigned Date 10/21/2021 |
| Assigned to Department Current Planning | Assigned to Drew Maurin | Status Rejected |
| Action by Department Current Planning | Action By Drew Maurin | Status Date 10/22/2021 |
| Start Time | End Time | Hours Spent 0.0 |
| Billable No | Overtime No | Comments The subject property, 4928 E Clinton Way Suite 109, is zoned IL (Light Industrial). The proposed use, "Outpatient ambulatory surgical center", is classified as Hospitals and Clinics, Clinic, in Sec. 15-6703 the Fresno Municipal Code (FMC). Per Table 15-1302 FMC, Clinics require a Conditional Use Permit in Light Industrial zoning districts. Per the available records, no previous entitlement was approved for the propose use at the subject address. |
| Based on the findings above, a Zone Clearance for the proposed use at the subject property cannot be approved; a Conditional Use Permit (CUP) is required. | | |
| For more information on CUP applications and fees, please use the link below to visit the City of Fresno's website. | | |
| https://www.fresno.gov/darm/planning-development/applications-forms-fees/#tab-07 | | |
| Time Tracking Start Date | Est. Completion Date | In Possession Time (hrs) |
| Display E-mail Address in ACA No | <input checked="" type="checkbox"/> Display Comment in ACA | Comment Display in ACA <input checked="" type="checkbox"/> All ACA Users <input checked="" type="checkbox"/> Record Creator <input checked="" type="checkbox"/> Licensed Professional <input checked="" type="checkbox"/> Contact <input checked="" type="checkbox"/> Owner |
| Estimated Hours 0.0 | Action Updated | Workflow Calendar Business Days |

Task Specific Information

Activity List
N/A

2600 Fresno Street, Room 3043
Fresno, California 93721-3604
(559) 621-8277
www.fresno.gov

Jennifer K. Clark, AICP, HDFP
Director

November 23, 2021

Please reply to:
Nicholas Caldera
559-621-8032

Flor Diaz

flor.diaz@novasurgicalinstitute.com

P21-05955
Fee: \$31.24

SUBJECT: ZONE CLEARANCE (Business) FOR PROPERTY LOCATED AT 4928 E CLINTON WAY 101 (ZONE: IL APNS: 494-210-03)

Dear Flor Diaz,

The Planning and Development Department on November 23, 2021, made the following determination for this Business zone clearance based on the following information:

Business Name: NEW AGE PAIN CENTER

Business Address: 4928 E CLINTON WAY 101

Applicant/Business Owner: Flor Diaz,

Business Phone Number: (818) 884-5480

Applicant/Business Owner Cell () -
Number:

Description of Business: Doctor's Office

Days and Hours of Operation: Monday through Friday 8am – 4pm

The Department has verified that this use, classified as Offices Medical and Dental, is allowed by right at this location.

Please Note: This zone clearance only verifies that the zoning of this property allows the business described above. Any physical modifications to the site, including interior or exterior changes to the building, may require additional permits or approvals. Health Department approvals may be required. Businesses must apply for a City tax certificate and pay taxes to legally operate in the City of Fresno.

Thank you,

Nicholas Caldera

Nicholas Caldera
Development Services

Brittany Deegan

From: Brittany Deegan
Sent: Monday, July 28, 2025 5:32 PM
To: Flor Diaz
Cc: Angela Josan
Subject: RE: FRESNO OFFICE - SPECIAL HAZARD PERMIT APPLICATION

I will resend it. This is the email address that I sent it to last week:

FLOR.DIAZ@NOVASURGICALINSTITUTE.COM x

Let me know if that worked or not.

Thank you,

B. Deegan

Fire Prevention Inspector I

Fresno Fire Department

911 H Street, Fresno, CA 93721

Availability: Monday – Thursday 0700-1730

(559) 621-4129

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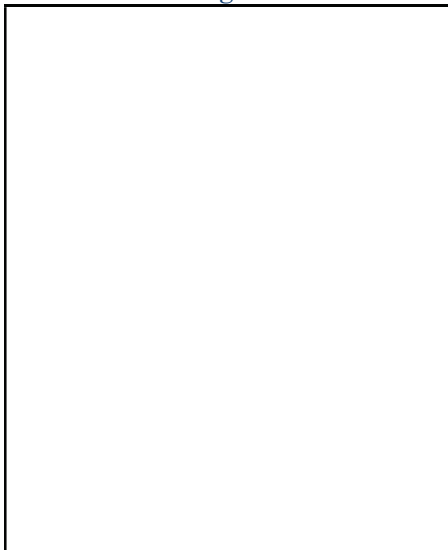
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From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Sent: Monday, July 28, 2025 5:27 PM
To: Brittany Deegan <Brittany.Deegan@fresno.gov>
Cc: Angela Josan <Angela@CALBPS.COM>
Subject: Re: FRESNO OFFICE - SPECIAL HAZARD PERMIT APPLICATION

External Email: Use caution with links and attachments

We have not received the report. Can you please share that document.

Sincerely,
Flor Diaz
Assistant Manager



6640 Van Nuys Blvd, Suite 101
Van Nuys, CA 91405
Phone: 818-884-5480
Fax: 818-884-5490
www.calbps.com
www.novasurgicalinstitute.com



VALENCIA

OUR LOCATIONS:

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6640 Van Nuys Blvd. #101 Van Nuys, CA 91405

BAKERSFIELD

1919 Truxtun Ave, Bakersfield CA 93301

FRESNO

4928 E Clinton Way, Suite 101, Fresno, CA 93727

EL MONTE

10610 Lower Azusa Rd. El Monte, CA 91731

RIVERSIDE

7120 Indiana Ave, Suite H&I Riverside, CA 92504

SAN LEANDRO

13851 E 14th street, suite 102A , San Leandro, CA 94578

MANTECA

1191 E Yosemite Ave Suite C, Manteca, CA 95336

SACRAMENTO

5255 ELKHORN BLVD, SACRAMENTO, CA 95842

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From: Brittany Deegan <Brittany.Deegan@fresno.gov>
Sent: Monday, July 28, 2025 3:35 PM
To: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Cc: Angela Josan <Angela@CALBPS.COM>
Subject: RE: FRESNO OFFICE - SPECIAL HAZARD PERMIT APPLICATION

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Continue to correct other violations listed on the report. In addition, the first violation on the report involves sending me the documentation for the Change of Use of the building within 15 days of the inspection (due 8/8/25). The details for that Distinct Hazard are on the first portion of the report.

B. Deegan

Fire Prevention Inspector I

Fresno Fire Department

911 H Street, Fresno, CA 93721

Availability: Monday – Thursday 0700-1730

(559) 621-4129

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From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Sent: Monday, July 28, 2025 3:18 PM
To: Brittany Deegan <Brittany.Deegan@fresno.gov>
Cc: Angela Josan <Angela@CALBPS.COM>
Subject: Re: FRESNO OFFICE - SPECIAL HAZARD PERMIT APPLICATION

External Email: Use caution with links and attachments

Thank you for the quick response. Is there anything else we need to do at the moment?

Sincerely,
Flor Diaz
Assistant Manager

6640 Van Nuys Blvd, Suite 101
Van Nuys, CA 91405
Phone: 818-884-5480
Fax: 818-884-5490
www.calbps.com
www.novasurgicalinstitute.com



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7120 Indiana Ave, Suite H&I Riverside, CA 92504

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13851 E 14th street, suite 102A , San Leandro, CA 94578

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From: Brittany Deegan <Brittany.Deegan@fresno.gov>

Sent: Monday, July 28, 2025 3:01 PM

To: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>

Cc: Angela Josan <Angela@CALBPS.COM>

Subject: RE: FRESNO OFFICE - SPECIAL HAZARD PERMIT APPLICATION

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Thank you for filling this out. I have selected Level 1 for Compressed Gases on the permit chart, based upon the number of cubic feet (cylinders) observed during the inspection. Feel free to contact me with any further questions.

B. Deegan

Fire Prevention Inspector I

Fresno Fire Department

911 H Street, Fresno, CA 93721

Availability: Monday – Thursday 0700-1730

(559) 621-4129

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From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>

Sent: Monday, July 28, 2025 10:03 AM

To: Brittany Deegan <Brittany.Deegan@fresno.gov>

Cc: Angela Josan <Angela@CALBPS.COM>

Subject: FRESNO OFFICE - SPECIAL HAZARD PERMIT APPLICATION

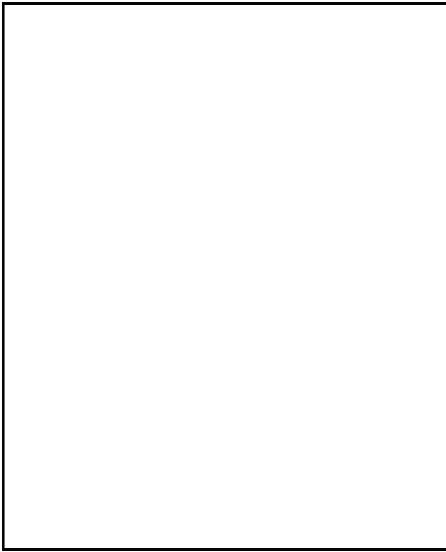
External Email: Use caution with links and attachments

hello,
Please see attached.

Sincerely,

Flor Diaz

Assistant Manager



6640 Van Nuys Blvd, Suite 101

Van Nuys, CA 91405

Phone: 818-884-5480

Fax: 818-884-5490

www.calbps.com

www.novasurgicalinstitute.com



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1191 E Yosemite Ave Suite C, Manteca, CA 95336

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Brittany Deegan

From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Sent: Monday, August 11, 2025 4:18 PM
To: Brittany Deegan
Cc: Angela Josan
Subject: RE: ZONE CLEARANCE

External Email: Use caution with links and attachments

Hello,
Dr. Singh is in Sacramento today and will reply to you tomorrow when he's back in the office.

Sincerely,
Flor Diaz
Assistant Manager

6640 Van Nuys Blvd, Suite 101
Van Nuys, CA 91405
Phone: 818-884-5480
Fax: 818-884-5490
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13851 E 14th street, suite 102A , San Leandro, CA 94578

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1191 E Yosemite Ave Suite C, Manteca, CA 95336

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From: Brittany Deegan <Brittany.Deegan@fresno.gov>

Sent: Monday, August 11, 2025 9:22 AM

To: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>

Cc: Angela Josan <Angela@CALBPS.COM>

Subject: RE: ZONE CLEARANCE

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Flor,

I am contacting you to follow-up on the requirement for documentation for the change or use or occupancy for Nova Surgical on Clinton Way. The deadline to provide documentation for a previously approved change of use is today, and we have been unable to locate any approvals in our records. As such, the following shall apply:

Per the previous inspection report, plans shall be submitted and permits pulled for a change of use with the City of Fresno Planning and Development Department within 45 days of receipt of the inspection report.

In addition, Nova Surgical shall provide an operational statement and an emergency plan complying with 2022 California Fire Code Chapter 4. The operational statement shall include the following: the amounts of types of surgeries being performed, the ratio of staffing relative to the number of patients, and the level or extent of anesthesia on patients' ability to provide self-care. The emergency plan shall meet all relevant requirements from the codes cited below and shall be submitted to the Fresno Fire Department (through myself) for approval.

The operational statement and the emergency plan shall be submitted to Fresno Fire within 14 days of this notice. If either are not submitted in a timely manner, further fines or fees may apply, and a fire watch complying with FFD Policy 402.012 may be required.

403.3.1 Ambulatory care facilities.

Ambulatory care facilities shall comply with the requirements of Sections 401, 403.3.1.1 through 403.3.1.2 and 404.

403.3.1.1 Fire safety and evacuation plan.

The fire safety and evacuation plan required by Section 404 shall include a description of special staff act procedures for stabilizing care recipients in a defend-in-place response, staged evacuation, or full evacuation in entire building if part of a multitenant facility.

403.3.1.1.1 Fire safety plan.

A copy of the fire safety plan shall be maintained at the facility at all times. The plan shall include addition to the requirements of Section 404:

1. Locations of care recipients who are rendered incapable of self-preservation.
2. Maximum number of care recipients rendered incapable of self-preservation.
3. Area and extent of each ambulatory care facility.



4. Location of any special locking arrangements.

403.3.1.2 Staff training.

Staff shall be periodically instructed and kept informed of their duties and responsibilities under the plan. Instruction shall be maintained. Such instruction shall be reviewed by the staff at intervals not exceeding three months shall be provided promptly on entrance to duty.

Staff shall be instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment.

404.2.1 Fire evacuation plans.

Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete by select or with a defend-in-place response.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for the use of elevators to evacuate the building where occupant evacuation elevators 3008 of the *California Building Code* are provided.
4. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
5. Procedures for accounting for employees and occupants after evacuation has been completed.
6. Identification and assignment of personnel responsible for rescue or emergency medical aid.
7. The preferred and any alternative means of notifying occupants of a fire or emergency.
8. The preferred and any alternative means of reporting fires and other emergencies to the fire department emergency response organization.
9. Identification and assignment of personnel who can be contacted for further information or explanation of the plan.
10. A description of the emergency voice/alarm communication system alert tone and preprogrammed provided.

404.2.2 Fire safety plans.

Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy including the following:
 - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
 - 2.2. Procedures for occupants under a defend-in-place response.
 - 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.
3. Site plans indicating the following:
 - 3.1. The occupancy assembly point.
 - 3.2. The locations of fire hydrants.
 - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
 - 4.1. Exits.
 - 4.2. Primary evacuation routes.
 - 4.3. Secondary evacuation routes.
 - 4.4. Accessible egress routes.
 - 4.4.1. Areas of refuge.
 - 4.4.2. Exterior areas for assisted rescue.
 - 4.5. Refuge areas associated with smoke barriers and horizontal exits.
 - 4.6. Manual fire alarm boxes.
 - 4.7. Portable fire extinguishers.
 - 4.8. Occupant-use hose stations.
 - 4.9. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling

Thank you,

B. Deegan

Fire Prevention Inspector I

Fresno Fire Department

911 H Street, Fresno, CA 93721

Availability: Monday – Thursday 0700-1730

(559) 621-4129

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From: Brittany Deegan
Sent: Wednesday, August 6, 2025 4:17 PM
To: 'Flor Diaz' <Flor.Diaz@novasurgicalinstitute.com>
Cc: Angela Josan <Angela@CALBPS.COM>
Subject: RE: ZONE CLEARANCE

Hello Flor,
These are zoning and business documents that are required to conduct business in the City of Fresno. At the end of the Zone Clearance document it states: "Any physical modifications to the site, including interior or exterior changes to the building, may require additional permits or approvals." During the inspection, interior changes were noted, which would require a building permit application, in addition to a permit to change the use of the building.

The Zone Clearance is to verify that the proposed use meets the zoning for the City, but it doesn't verify if the building meets the requirements for your proposed use. Your current use will still require a plan submittal and permit application to change the occupancy of the building from a business to ambulatory care facility.

Please send documentation of beginning the plan submittal and permit process. Thank you.

Best,

B. Deegan

Fire Prevention Inspector I
Fresno Fire Department
911 H Street, Fresno, CA 93721
Availability: Monday – Thursday 0700-1730
(559) 621-4129

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From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Sent: Tuesday, August 5, 2025 5:28 PM

To: Brittany Deegan <Brittany.Deegan@fresno.gov>

Cc: Angela Josan <Angela@CALBPS.COM>

Subject: ZONE CLEARANCE

External Email: Use caution with links and attachments

Ms. Deegan,

This was a current standing medical office when we purchased the property. We did not install the compressed gas assembly as requested on the inspection paperwork. We obtained zone clearance from the city of Fresno that the property was classified as "Offices Medical and Dental" per the enclosed letter dated Nov 23,2021. We subsequently obtained the business tax certificate which is enclosed and current as New Age Pain Center DBA.

Sincerely,

Flor Diaz

Assistant Manager

6640 Van Nuys Blvd, Suite 101

Van Nuys, CA 91405

Phone: 818-884-5480

Fax: 818-884-5490

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13851 E 14th street, suite 102A , San Leandro, CA 94578

MANTECA

1191 E Yosemite Ave Suite C, Manteca, CA 95336

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Brittany Deegan

From: Angela Josan <Angela@CALBPS.COM>
Sent: Tuesday, September 16, 2025 12:15 PM
To: Brittany Deegan; Flor Diaz; Vikram Singh, M.D.; JFALCONLAW@AOL.COM
Cc: Kendall Smith; kojomoorelaw@gmail.com
Subject: RE: thread #1

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Thank you Brittany

From: Brittany Deegan <Brittany.Deegan@fresno.gov>
Sent: Tuesday, September 16, 2025 12:13 PM
To: Angela Josan <Angela@CALBPS.COM>; Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>; JFALCONLAW@AOL.COM
Cc: Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com
Subject: RE: thread #1

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Yes, it is a requirement to pay the inspection fee. The word “resolved” means the violations that were noted on the initial inspection were corrected and no longer exist. The resolved violations were confirmed in-person last week when I conducted the reinspection. A reinspection report will be mailed to you, like the initial one.

B. Deegan

Fire Prevention Inspector I
Fresno Fire Department
911 H Street, Fresno, CA 93721
Availability: Monday – Thursday 0700-1730
(559) 621-4129

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From: Angela Josan <Angela@CALBPS.COM>
Sent: Tuesday, September 16, 2025 11:58 AM
To: Brittany Deegan <Brittany.Deegan@fresno.gov>; Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>; JFALCONLAW@AOL.COM
Cc: Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com
Subject: RE: thread #1

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Hello Brittany,
One more question—do you think we still need to pay the attached invoice, given that, per your message below, many of those violations have already been resolved?
Please advise.

Sincerely,



*Angela Josan
Business Manager
Accounting & Billing Department*



California
Back and Pain
Specialists

Phone: 818-884-5480
Fax: 818-884-5490

Vikram Singh, M.D.
Raymundo Salcedo, M.D.
David Gostine, M.D.
Jonathan Frank, M.D. Orthopedic Surgeon
Basem Attum, M.D. Orthopedic Surgeon
Michael Trindade, M.D. Orthopedic Surgeon

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|---|---|--|---|--|

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From: Angela Josan
Sent: Monday, September 15, 2025 11:53 AM
To: 'Brittany Deegan' <Brittany.Deegan@fresno.gov>; Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>; JFALCONLAW@AOL.COM
Cc: Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com
Subject: RE: thread #1

Good morning Brittany,
Thank you for the update.

Sincerely,



*Angela Josan
Business Manager
Accounting & Billing Department*



California
Back and Pain
Specialists

Phone: 818-884-5480
Fax: 818-884-5490

Vikram Singh, M.D.
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|---|---|--|---|--|

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From: Brittany Deegan <Brittany.Deegan@fresno.gov>
Sent: Monday, September 15, 2025 7:10 AM
To: Angela Josan <Angela@CALBPS.COM>; Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>; JFALCONLAW@AOL.COM
Cc: Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com
Subject: RE: thread #1

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Good morning,
The attached report you sent is a copy of the initial inspection and its service invoice. A re-inspection was conducted last week and many of those violations have been resolved.
Provide documentation regarding the progress on the change of occupancy.

B. Deegan
Fire Prevention Inspector I
Fresno Fire Department
911 H Street, Fresno, CA 93721
Availability: Monday – Thursday 0700-1730
(559) 621-4129

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From: Angela Josan <Angela@CALBPS.COM>

Sent: Friday, September 12, 2025 11:21 AM

To: Brittany Deegan <Brittany.Deegan@fresno.gov>; Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>; JFALCONLAW@AOL.COM

Cc: Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com

Subject: RE: thread #1

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Hello Brittany,

I hope you are doing well. Please find attached the report and invoice we received by mail. The report mentions several violations; however, all of them have been addressed. The change of use and occupancy is still in progress.

Could you please review the actual report?

Thank you,

Sincerely,



*Angela Josan
Business Manager
Accounting & Billing Department*



California
Back and Pain
Specialists

Phone: 818-884-5480

Fax: 818-884-5490

Vikram Singh, M.D.

Raymundo Salcedo, M.D.

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|---|---|--|---|--|

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From: Brittany Deegan <Brittany.Deegan@fresno.gov>

Sent: Wednesday, August 27, 2025 5:09 PM

To: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; Angela Josan <Angela@CALBPS.COM>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>

Cc: Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com

Subject: RE: thread #1

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Thank you for resending those documents. I have attached pictures of the highlighted items that I could not locate in the provided documents. Please address the highlighted bullet points and include them. In addition, the evacuation documents said training is held annually and fire drill documentation reads quarterly. Requirements state "...intervals not exceeding three months." Ensure staff training is held quarterly and is always available to staff.

For the operational statement, include the maximum number of patients in the surgical area at one time and the condition in they are in.

Screenshots of the digital CFC can be found here: [Chapter 4 Emergency Planning And Preparedness - California Fire Code, Title 24, Part 9 with July 2024 Supplement](#)

Thank you,

B. Deegan

Fire Prevention Inspector I

Fresno Fire Department

911 H Street, Fresno, CA 93721

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From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>

Sent: Wednesday, August 27, 2025 12:13 PM

To: Brittany Deegan <Brittany.Deegan@fresno.gov>; Angela Josan <Angela@CALBPS.COM>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>

Cc: Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com

Subject: RE: thread #1

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Hello,

Can you please elaborate on what is missing from the operational statement. Additionally I have attached the other files pertaining to emergency plans, previously shared. In regards to the permit, Dr. Singh will be addressing that as soon as he returns from his leave.

Sincerely,

Flor Diaz

Management

6640 Van Nuys Blvd, Suite 101

Van Nuys, CA 91405

Phone: 818-884-5480

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From: Brittany Deegan <Brittany.Deegan@fresno.gov>
Sent: Wednesday, August 27, 2025 8:29 AM
To: Angela Josan <Angela@CALBPS.COM>; Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>
Cc: Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com
Subject: RE: thread #1

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Good morning,

The operational statement provided does not address what was requested and the emergency plan was not included. As of today, our records indicate that you have not submitted for a permit for the change of use for the occupancy (B business office to B business medical). If all of these documents (corrected operational statement, emergency plans, and documentation of beginning the permit process) are not received by 9/8/2025, an administrative citation shall be issued starting at \$800.

B. Deegan

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911 H Street, Fresno, CA 93721
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From: Angela Josan <Angela@CALBPS.COM>
Sent: Monday, August 25, 2025 3:14 PM
To: Brittany Deegan <Brittany.Deegan@fresno.gov>; Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>
Cc: Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com
Subject: RE: thread #1

External Email: Use caution with links and attachments

Hello Brittany,
I hope you're doing well. Please find attached the requested statement. Let me know if you need anything further.

Sincerely,



*Angela Josan
Business Manager
Accounting & Billing Department*



California
Back and Pain
Specialists

Phone: 818-884-5480

Fax: 818-884-5490

Vikram Singh, M.D.

Raymundo Salcedo, M.D.

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10610 Lower Azusa Rd. El
Monte, CA 91731

7120 Indiana Ave Suite H,
Riverside, CA 92504

13851 E 14th Street Su
102A , San Leandro CA 9

From: Brittany Deegan <Brittany.Deegan@fresno.gov>

Sent: Monday, August 25, 2025 1:51 PM

To: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>

Cc: Angela Josan <Angela@CALBPS.COM>; Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com

Subject: RE: thread #1

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Hello,

I am following up on the operational statement, which was requested on August 11th and is due today, and to see where you are at with the change of use/occupancy documentation.

Thank you,

B. Deegan

Fire Prevention Inspector I

Fresno Fire Department

911 H Street, Fresno, CA 93721

Availability: Monday – Thursday 0700-1730

(559) 621-4129

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From: Brittany Deegan

Sent: Thursday, August 14, 2025 4:49 PM

To: 'Flor Diaz' <Flor.Diaz@novasurgicalinstitute.com>; Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>

Cc: Angela Josan <Angela@CALBPS.COM>; Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com

Subject: RE: thread #1

Thank you for these updates. All the violations have been cleared, excluding the Distinct Hazard for the Change of Use/Occupancy. As I understand, you are still in the process of obtaining the documents or shall begin the process of obtaining the permit for the change, as stated in the initial report and in this email thread. In addition to the operational statement, which will be due 8/25/25.

Thank you,

B. Deegan

Fire Prevention Inspector I

Fresno Fire Department

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From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>

Sent: Thursday, August 14, 2025 2:34 PM

To: Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>; Brittany Deegan <Brittany.Deegan@fresno.gov>

Cc: Angela Josan <Angela@CALBPS.COM>; Kendall Smith <kendall@infacilities.com>; kojomoorelaw@gmail.com

Subject: RE: thread #1

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Hello

Please see polies and procedures in place in regards to fire.

Additionally we have addressed other issues:

- OPENING PROTECTIVES – doors are maintined closed and we have removed door stopper
- FIRE PROTECTION SYSTEM – we removed the expired extinguisher and have replaced it with a new one. (photo attached)
- MEANS OF EGRESS ILLUMINATION – EMERGENCY POWER - see image attached
- DOORS, GATES AND TUSNSILES – UNLATCHING – we have changed the door handles so that they open with just one motion (see photos attached)
- GENERAL REQUIREMENTS – SECURING COMPRESSED GAS CONTAINERS, CYLINDERS AND TANKS – all tanks are secured with chains (see photo attached)

Sincerely,
Flor Diaz
Management

6640 Van Nuys Blvd, Suite 101
Van Nuys, CA 91405
Phone: 818-884-5480

Fax: 818-884-5490

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From: Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>
Sent: Wednesday, August 13, 2025 2:56 PM
To: Brittany Deegan <Brittany.Deegan@fresno.gov>
Cc: Angela Josan <Angela@CALBPS.COM>; Kendall Smith <kendall@infacilities.com>; Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; kojomoorelaw@gmail.com
Subject: Re: thread #1

Thank You.
Will be ready with some of the items for Thursday.



From: Brittany Deegan <Brittany.Deegan@fresno.gov>
Sent: Wednesday, August 13, 2025 12:21 PM
To: Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>
Cc: Angela Josan <Angela@CALBPS.COM>; Kendall Smith <kendall@infacilities.com>; Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; kojomoorelaw@gmail.com <kojomoorelaw@gmail.com>
Subject: RE: thread #1

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Thank you for the response. Please continue to work on the violations and send me any updates, including the items I mentioned on Monday, August 11.

B. Deegan

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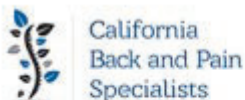
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From: Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>
Sent: Tuesday, August 12, 2025 4:35 PM
To: Brittany Deegan <Brittany.Deegan@fresno.gov>
Cc: Angela Josan <Angela@CALBPS.COM>; Kendall Smith <kendall@infacilities.com>; Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>; kojomoorelaw@gmail.com
Subject: Re: thread #1

External Email: Use caution with links and attachments

Ms. Deegan:

I have sent my assistant, Kendall Smith, to correct the deficiencies you noted before Thursday. As this came as a surprise to us we are investigating all necessary actions we need to take to be in compliance. I live in Southern California and are doing our best to follow the requests you have sent to us. Thank You for your understanding.



Vikram Singh, M.D.

Board Certified Pain Management

Board Certified Anesthesiologist



From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Sent: Tuesday, August 12, 2025 3:57 PM
To: kojomoorelaw@gmail.com <kojomoorelaw@gmail.com>
Cc: Vikram Singh, M.D. <Dr.Singh@CALBPS.COM>; Angela Josan <Angela@CALBPS.COM>
Subject: thread #1

Hello,

Dr. Singh is in Sacramento today and will reply to you tomorrow when he's back in the office.

Sincerely,
Flor Diaz
Assistant Manager

6640 Van Nuys Blvd, Suite 101
Van Nuys, CA 91405
Phone: 818-884-5480
Fax: 818-884-5490
www.calbps.com
www.novasurgicalinstitute.com

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From: Brittany Deegan <Brittany.Deegan@fresno.gov>

Sent: Monday, August 11, 2025 9:22 AM

To: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>

Cc: Angela Josan <Angela@CALBPS.COM>

Subject: RE: ZONE CLEARANCE

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Flor,

I am contacting you to follow-up on the requirement for documentation for the change or use or occupancy for Nova Surgical on Clinton Way. The deadline to provide documentation for a previously approved change of use is today, and we have been unable to locate any approvals in our records. As such, the following shall apply:

Per the previous inspection report, plans shall be submitted and permits pulled for a change of use with the City of Fresno Planning and Development Department within 45 days of receipt of the inspection report.

In addition, Nova Surgical shall provide an operational statement and an emergency plan complying with 2022 California Fire Code Chapter 4. The operational statement shall include the following: the amounts of types of surgeries being performed, the ratio of staffing relative to the number of patients, and the level or extent of anesthesia on patients' ability to provide self-care. The emergency plan shall meet all relevant requirements from the codes cited below and shall be submitted to the Fresno Fire Department (through myself) for approval.

The operational statement and the emergency plan shall be submitted to Fresno Fire within 14 days of this notice. If either are not submitted in a timely manner, further fines or fees may apply, and a fire watch complying with FFD Policy 402.012 may be required.

403.3.1 Ambulatory care facilities.

Ambulatory care facilities shall comply with the requirements of Sections 401, 403.3.1.1 through 403.3.1.2 and 404.

403.3.1.1 Fire safety and evacuation plan.

The fire safety and evacuation plan required by Section 404 shall include a description of special staff act procedures for stabilizing care recipients in a defend-in-place response, staged evacuation, or full evacuation in entire building if part of a multitenant facility.

403.3.1.1.1 Fire safety plan.

A copy of the fire safety plan shall be maintained at the facility at all times. The plan shall include addition to the requirements of Section 404:

1. Locations of care recipients who are rendered incapable of self-preservation.
2. Maximum number of care recipients rendered incapable of self-preservation.
3. Area and extent of each ambulatory care facility.



4. Location of any special locking arrangements.

403.3.1.2 Staff training.

Staff shall be periodically instructed and kept informed of their duties and responsibilities under the plan. Instruction shall be maintained. Such instruction shall be reviewed by the staff at intervals not exceeding three months. Instruction shall be provided promptly on entrance to duty.

Staff shall be instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment.

404.2.1 Fire evacuation plans.

Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete by select or with a defend-in-place response.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for the use of elevators to evacuate the building where occupant evacuation elevators 3008 of the *California Building Code* are provided.
4. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
5. Procedures for accounting for employees and occupants after evacuation has been completed.
6. Identification and assignment of personnel responsible for rescue or emergency medical aid.
7. The preferred and any alternative means of notifying occupants of a fire or emergency.
8. The preferred and any alternative means of reporting fires and other emergencies to the fire department emergency response organization.
9. Identification and assignment of personnel who can be contacted for further information or explanation of the plan.
10. A description of the emergency voice/alarm communication system alert tone and preprogrammed provided.

404.2.2 Fire safety plans.

Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy including the following:
 - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
 - 2.2. Procedures for occupants under a defend-in-place response.
 - 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.
3. Site plans indicating the following:
 - 3.1. The occupancy assembly point.
 - 3.2. The locations of fire hydrants.
 - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
 - 4.1. Exits.
 - 4.2. Primary evacuation routes.
 - 4.3. Secondary evacuation routes.
 - 4.4. Accessible egress routes.
 - 4.4.1. Areas of refuge.
 - 4.4.2. Exterior areas for assisted rescue.
 - 4.5. Refuge areas associated with smoke barriers and horizontal exits.
 - 4.6. Manual fire alarm boxes.
 - 4.7. Portable fire extinguishers.
 - 4.8. Occupant-use hose stations.
 - 4.9. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling

Thank you,

B. Deegan

Fire Prevention Inspector I

Fresno Fire Department

911 H Street, Fresno, CA 93721

Availability: Monday – Thursday 0700-1730

(559) 621-4129

Proudly Serving



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From: Brittany Deegan
Sent: Wednesday, August 6, 2025 4:17 PM
To: 'Flor Diaz' <Flor.Diaz@novasurgicalinstitute.com>
Cc: Angela Josan <Angela@CALBPS.COM>
Subject: RE: ZONE CLEARANCE

Hello Flor,

These are zoning and business documents that are required to conduct business in the City of Fresno. At the end of the Zone Clearance document it states: “Any physical modifications to the site, including interior or exterior changes to the building, may require additional permits or approvals.” During the inspection, interior changes were noted, which would require a building permit application, in addition to a permit to change the use of the building.

The Zone Clearance is to verify that the proposed use meets the zoning for the City, but it doesn’t verify if the building meets the requirements for your proposed use. Your current use will still require a plan submittal and permit application to change the occupancy of the building from a business to ambulatory care facility.

Please send documentation of beginning the plan submittal and permit process. Thank you.

Best,

B. Deegan

Fire Prevention Inspector I
Fresno Fire Department
911 H Street, Fresno, CA 93721
Availability: Monday – Thursday 0700-1730
(559) 621-4129

Proudly Serving



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From: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Sent: Tuesday, August 5, 2025 5:28 PM
To: Brittany Deegan <Brittany.Deegan@fresno.gov>

Cc: Angela Josan <Angela@CALBPS.COM>

Subject: ZONE CLEARANCE

External Email: Use caution with links and attachments

Ms. Deegan,

This was a current standing medical office when we purchased the property. We did not install the compressed gas assembly as requested on the inspection paperwork. We obtained zone clearance from the city of Fresno that the property was classified as "Offices Medical and Dental" per the enclosed letter dated Nov 23,2021. We subsequently obtained the business tax certificate which is enclosed and current as New Age Pain Center DBA.

Sincerely,
Flor Diaz
Assistant Manager

6640 Van Nuys Blvd, Suite 101
Van Nuys, CA 91405
Phone: 818-884-5480
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Thank you for the quick response. Is there anything else we need to do at the moment?

Sincerely,
Flor Diaz
Assistant Manager

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Van Nuys, CA 91405
Phone: 818-884-5480
Fax: 818-884-5490
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VALENCIA

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From: Brittany Deegan <Brittany.Deegan@fresno.gov>
Sent: Monday, July 28, 2025 3:01 PM
To: Flor Diaz <Flor.Diaz@novasurgicalinstitute.com>
Cc: Angela Josan <Angela@CALBPS.COM>
Subject: RE: FRESNO OFFICE - SPECIAL HAZARD PERMIT APPLICATION

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Thank you for filling this out. I have selected Level 1 for Compressed Gases on the permit chart, based upon the number of cubic feet (cylinders) observed during the inspection. Feel free to contact me with any further questions.

B. Deegan
Fire Prevention Inspector I
Fresno Fire Department
911 H Street, Fresno, CA 93721
Availability: Monday – Thursday 0700-1730
(559) 621-4129

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hello,
Please see attached.

(ATTACHED IS DOCUMENT: 20250725155203)

Sincerely,

Flor Diaz

Assistant Manager

6640 Van Nuys Blvd, Suite 101

Van Nuys, CA 91405

Phone: 818-884-5480

Fax: 818-884-5490

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LEGAL AUTHORITIES

Fresno Municipal Code

SEC. 1-302. - GENERAL ENFORCEMENT AUTHORITY; ENFORCEMENT OFFICERS.

- (a) The City Manager or any of his or her designated enforcing officers as set forth in this Code have the authority and powers necessary to gain compliance with the provisions of the Code and applicable laws. The term "enforcement officers" includes any city employee vested with authority to enforce the Code, which also includes any employee or person under contract with the City Attorney appointed to investigate and/or prosecute violations of this Code. These powers include the power to inspect public and private property and use whatever judicial and administrative remedies are available under the Code or applicable laws.
- (b) Notwithstanding any Code provision otherwise, and in addition to any authority granted the Director or others, but excluding any authority granted solely to the Police Chief or Police Department, the City Attorney, pursuant to Charter section 803(b), shall have the authority and discretion to investigate and prosecute any violations of this Code by administrative citation, civil action, and/or criminal prosecution.
- (c) Where the Director or City Manager has authority to enforce the code or approve regulations to implement or interpret the code, such authority shall also be granted to the City Attorney.

SEC. 1-303. - AUTHORITY TO INSPECT.

Any enforcement officer shall also have authority to enter upon any property or premises to ascertain whether provisions of the Fresno Municipal Code or applicable state codes, regulations, or ordinances are being obeyed, and to make examinations and surveys as may be necessary in the performance of their duties. These may include taking photographs, video, samples, or other physical evidence. All inspections, entries, examinations, and surveys shall be done in a reasonable manner and where entry onto the premises is necessary with the consent of the owner, agent, or occupant. If an owner, occupant, or agent refuses permission to enter or inspect, the enforcement officer may seek an inspection warrant pursuant to the procedures provided for in Code of Civil Procedure Sections 1822.50 through 1822.59 or their successors to perform duties imposed upon said person.

SEC. 1-308. - ADMINISTRATIVE CITATIONS AND PENALTIES.

The Council finds that there is a need for an alternative method of enforcement of violations of the Municipal Code. The Council further finds and declares that an appropriate method for enforcement for violations of the Code is the following administrative citation and civil penalty program.

- (a) **Administrative Citation.** Any person violating any provision of the Code may be issued an administrative citation by an enforcement officer as provided in this article. A separate civil penalty for each violation of the Code may be assessed by means of one administrative citation. Violations deemed a threat to health and safety as defined

in this Code or pursuant to Health and Safety Code Section 17920.3 shall be penalized as set forth in the Master Fee Schedule.

- (b) **Contents.** Upon discovering or observing any violation of the Municipal Code, an enforcement officer may issue an administrative citation, in a form approved by the City Attorney, to a violator or property owner, with the following contents:
- (1) Date and location of the violation(s), including the street address, if any, and the approximate time the violation(s) were observed;
 - (2) Section(s) of the Code violated and brief description of how the section(s) are violated; if the citation is for a violation of the Management of Real Property Ordinance set forth in Chapter 10, Article 7, the citation shall include a statement specifying the behaviors which constitute the nuisance.
 - (3) Description of the action required to correct the violation(s), if applicable; and if applicable, the date by which the violation must be corrected.
 - (4) Statement explaining the consequences of failure to correct the violation(s);
 - (5) Amount of penalty imposed for the violation(s);
 - (6) Explanation of how the penalty shall be paid and the time period by which it shall be paid, and the consequences of failure to pay the penalty;
 - (7) Right to contest the contents of the administrative citation and right of appeal, including the name and address of the City Manager for purposes of filing any notice of appeal; and
 - (8) Signature of the enforcement officer.
- (c) **Issuance.** The enforcement officer shall attempt to issue the citation to the responsible party for any violation of this Code. For purposes of issuance of a citation to a business, the citation may be issued to the person in immediate control of the business on site at the time of the issuance of the administrative citation and penalty. The citation officer may, but is not required, to obtain the signature of the person upon whom the citation was issued. The lack of signature shall in no way affect the validity of the citation and subsequent proceedings.
- (d) **Issuance When Unable to Locate Violator.** If the enforcement officer is unable to locate the violator(s) then the administrative citation shall be mailed to the responsible party and property owner, if different than the violator. Administrative citations issued for violations of the provisions in Chapter 10, Article 3 of the Municipal Code (Animal Shelter) shall be mailed to the violator(s) or property owners(s) by first class mail with proof of service. Proof of service shall be documented at the time of service by a declaration under penalty of perjury executed by the person effecting service, declaring the time and manner in which the service was made. All other administrative citations shall be mailed to the violator(s) or property owners(s) by certified and first class mail. The failure of any person with an interest in the property to receive such notice shall not affect the validity of any proceedings taken under this chapter. Notice by the methods described above shall become effective on the date of mailing.

- (e) **Imposition of Penalty.** An administrative citation issued for a violation of a building, plumbing, electrical, or other structural or zoning regulation, that does not create an immediate danger to public health or safety, may be issued to the responsible party, and the citation shall state the date by which the violation must be corrected, which shall be a reasonable period of time, given the circumstances; 18 calendar days shall be a default time to correct, unless the circumstances indicate a shorter or greater time is appropriate. It shall be the responsibility of the person receiving the citation to correct the violation and provide proof to the city that it has been corrected, as set forth in the citation, or call for an inspection, as set forth in the citation, to verify the correction was made on or before the date specified on the citation. If the correction was fully and timely made, then the citation, or that part of the citation, shall be dismissed. If the correction was not fully and timely made, then the citation shall continue and penalties shall be deemed final, and failure to correct shall be deemed a continuing violation until the specified violations are verified as corrected by the city, with further penalties incurred as set forth in this Code. An administrative citation issued for a violation of a state law or this code that is a nuisance, for example, parking a vehicle on an unimproved surface, not otherwise a violation of a building, plumbing, electrical, or other structural or zoning regulation, may be issued to the responsible party immediately, and each successive day the violation continues shall constitute a separate violation with further penalties incurred as set forth in this Code.
- (f) **Appeal.** Any person issued an administrative citation may contest the contents of the administrative citation by filing an appeal under the City's Administrative Ordinance set forth in Article 4. If no appeal is filed within the time prescribed, the penalty shall be final and immediately payable.
- (g) **Penalty.** Except as otherwise set forth in this Code, the Master Fee Schedule shall establish the base schedule for the amount of the civil penalty assessed for code violations, which may vary by types and numbers of violations.
- (h) **Failure to Correct.** If the violator or property owner fails to correct the violation, subsequent administrative citations and penalties may be issued for the same violation(s) or the city may institute any other applicable action permissible under this Code to gain compliance. The amount of the penalty for each subsequent violation of the same Code provision shall increase at a rate specified in this Code.
- (i) **Payment of Fine Without Correction of Violation.** Payment of any penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action by the city. The failure of any person to pay any penalty assessed by administrative citation within the time specified on the administrative citation shall result in the assessment of an additional late fee to be charged. The amount of the late fee shall be ten percent of the total amount of the civil penalty due and owing.
- (j) **Collection of Penalty.** The city shall collect delinquent and late fees under the provisions of the Cost and Penalty Recovery Ordinance in Chapter 1, Article 5 of the Code.
- (k) **Authority to Issue Administrative Citation.** The following officers and employees have the authority to issue administrative citations and civil penalties: City Manager, City Attorney, Planning and Development Director, Director of Public Utilities, Public

Works Director, Police Chief and Fire Chief, and Director of Parks and Recreation and any other person delegated such authority by any of the above.

- (l) **Payment of Penalty and Use of Proceeds.** Except as otherwise provided, all civil penalties assessed shall be payable to the city.

SEC. 1-403. APPLICABILITY.

Except where specifically provided otherwise in this Code, this article shall provide the procedures, rules and standards for all administrative hearings provided under this Code or administrative hearings provided under rules or regulations promulgated pursuant to this Code.

SEC. 1-408. CONDUCT OF HEARING.

- (a) **Continuance.** Upon good cause shown, the hearing officer may continue the hearing by written notice before the scheduled hearing or orally at or during the hearing. Failure of the parties to exchange documents in advance of the hearing does not constitute good cause, and is not a basis for a continuance.
- (b) **Hearing.** At the hearing, the officer or employee who issued the order, citation, decision, or determination or his or her designee shall present evidence in support of the findings or reasons upon which the order, citation, decision, or determination, was based. The appellant, or any individual authorized in writing to represent the appellant, may then present evidence in support of the contentions made in the notice of appeal. The hearing shall be informally conducted. The hearing officer shall call each hearing and conduct the hearing in an orderly manner. The hearing officer shall maintain control over the order of evidence and order of witnesses called. The hearing officer shall maintain processes and procedures to facilitate an efficient and effective handling of multiple hearings.
- (c) **Rights of Parties.** The parties and anyone who participates in a hearing may be represented by an attorney or other person of the parties' choice. The parties have a right to appear, testify, present evidence, examine and cross-examine witnesses, and present written or oral arguments. Additionally, the parties may request and the hearing officer may allow the parties to submit written briefs, either before, during or after the hearing.
- (d) **Evidence.** All administrative hearings shall be governed by the following rules of evidence:
 - (1) Oral evidence shall be taken only on oath or affirmation which shall be administered by the hearing officer. Only credible testimony shall be considered by the hearing officer.
 - (2) Each party may call and examine witnesses, introduce exhibits, and cross-examine and impeach any witness on any matter relevant to the issues. If the appellant does not testify in his/her own behalf, the appellant may be called and examined as if under cross-examination.
 - (3) Such hearing need not be conducted according to the technical rules of law relating to evidence and witnesses. Any relevant evidence may be admitted if it is the type of evidence on which responsible persons are accustomed to rely on in the conduct

of serious affairs, regardless of the existence of any common law rule or statute which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions.

- (4) Copies of the reports and records of any governmental agency, division, or bureau will be accepted as evidence in lieu of the original thereof.
- (e) **Scope.** The scope of the hearing shall be limited to the order, citation, decision, or determination being appealed, the grounds for relief raised in the notice of appeal and any specific requirements of this Code. The hearing officer may expand the scope of the hearing on a finding that it is necessary to ensure a fair process.
- (f) **Burden of Proof; Burden of Evidence.** Except where otherwise provided in this Code, the burden of proof and production of evidence shall be with the city. Except where otherwise provided in the Code, the burden of proof shall be preponderance of the evidence.
- (g) **Open to the Public.** All hearings shall be open to the public. Any interested person shall have the right to speak at the hearing subject to the hearing officer's right to exclude irrelevant and unduly repetitious evidence. Notwithstanding the above, the parties have the right to petition the hearing officer and the hearing officer may in his or her discretion accept submission of evidence outside the presence of the public, if such evidence would not be disclosable under the Public Records Act, California Gov't Code §§ 6250, et seq.
- (h) **Waiver of Rights.** The failure of the appellant or any interested party to raise an objection to the hearing officer either before or during the hearing of any defect in notice or procedure provided under the Code or at law or in equity shall be deemed a waiver of the defect. For purposes of a waiver of objection in this subsection, defect in procedure shall include a claim that the hearing officer is biased when facts regarding the claimed bias are known or readily discoverable by the appellant or interested party or have been published to the appellant or interested party by the city. An objection of bias of the hearing officer shall be raised to the City Manager.
- (i) **Failure of Appellant to Appear.** Unless otherwise provided in the Code, if the appellant fails to appear for the hearing at the time and place noticed, the hearing officer in his or her discretion may conduct the hearing to a conclusion or may dismiss the appeal. If the appeal is dismissed, the order, citation, decision, determination appealed from shall become final and effective on the date of the hearing. Upon a showing of good cause, the hearing officer may set aside his or her decision or dismissal upon the appellant's failure to appear and may reschedule the appeal for hearing.
- (j) **Recording.** Code Enforcement appeal hearings shall be digitally sound recorded and made available for inspection and copying in the City Clerk's Office or on the City Clerk's website. Additionally, the proceedings may also be recorded by a certified shorthand reporter. If an appellant requests a certified shorthand reporter the costs of the reporter shall be borne by the appellant.

- (k) **Ex parte communication.** Other than at the hearing, there shall be no direct oral communication between the parties and the hearing officer on any matter related to the hearing without both parties being present. Any written communication to the hearing officer by a party shall be copied and served to the other party.

SEC. 1-409. HEARING OFFICER AUTHORITY.

- (a) **Order of Attendance or Production.** At the request of either the city or the appellant, the hearing officer or the City Clerk shall, on behalf of the city, issue orders for attendance of witnesses at the hearing, or production of documents on a date certain. In no event shall the date for the production of documents be less than ten days after the date the order was issued. Failure by a party to comply with an order of attendance or production may be considered a violation of this Code and, at the petition of a party, the hearing officer may impose a civil fine of up to one hundred dollars (\$100) at the time of the hearing and may take such failure into consideration in making his or her determination of the hearing.
- (b) **Subpoenas.** At the request of either the city or the appellant, the hearing officer or the City Clerk shall, on behalf of the city, issue subpoenas for attendance of witnesses at the hearing or production of documents on a date certain. In no event shall the date for production of documents be less than ten days from the date the subpoena was issued. Disobedience of such subpoena or the refusal to testify, upon other than constitutional grounds, shall constitute a misdemeanor.
- (c) **Inspection of Premises.** The hearing officer may inspect the premises involved in the hearing at any time prior to a decision, to investigate or confirm the existence of the violation(s) or conditions which are on appeal, provided that:
- (1) Consent is granted by a person with the lawful right to grant consent or an inspection warrant is obtained;
 - (2) Reasonable notice of such inspection is given to the owner before the inspection is made;
 - (3) The parties are given an opportunity to be present during the inspection;
 - (4) The hearing officer shall place in the record the material facts and the conclusions drawn from the inspection either orally at the time of the hearing or in writing after the hearing; and
 - (5) Each party then shall have a right to rebut or explain the matters so stated by the hearing officer for the record either at the hearing or by filing a written statement within ten calendar days after the hearing.
- (d) **Oaths.** The hearing officer shall have the power to administer oaths and affirmations.
- (e) **Procedures.** The hearing officer shall have the authority to establish procedures before or during a hearing consistent with this article and the Code for purposes of efficiency and order.
- (f) **Review Authority.** The hearing officer shall sit as the trier of fact and shall rule on questions of law and admissibility of evidence. The hearing officer may affirm, reverse,

modify, or set aside the order, citation, decision, or determination appealed from or may delete or impose conditions as the facts and law warrant. The hearing officer may not increase a penalty or impose a harsher remedy beyond the penalty or remedy imposed under the order, citation, decision, or determination being appealed.

If the hearing officer finds any nuisance or legal violation set forth in the citation or notice and order is continuing and remains as of the time of the hearing, the hearing officer shall order the record owner and or occupants to repair or otherwise remedy the illegal condition within thirty days from the date of the order. The hearing officer shall set a hearing to occur between thirty and sixty days after the date of the order to confirm whether the record owner and or occupants have made all repairs or remedied all illegal conditions as ordered. If the owner and or occupants show at the subsequent hearing they have made substantial progress, but have not been able to complete repairs or remedy all illegal conditions for reasons beyond their control, the hearing shall be continued to a later date to allow sufficient time to complete repairs or remedy all illegal conditions as ordered. If it is shown at a subsequent hearing the record owner and or occupants have failed to fully repair or otherwise remedy the illegal conditions, the hearing officer shall order payment of double the maximum fines permitted in this code, as well as all allowable costs and fees. Additionally, the willful failure of the owner and or occupants to timely comply with the hearing officer's order shall be deemed a criminal violation and may be prosecuted as a misdemeanor in superior court, subject to fines and or imprisonment as set forth in Section 1502 of the Charter.

- (g) **Limitations.** The hearing officer shall not have authority to waive any requirements of the Code or law. The hearing officer is required to adhere to any citation amount set in the Code or Master Fee Schedule and may not increase or decrease the amount imposed on the parties, except in cases where the citation amount is more than \$100,000. In those cases alone, the Hearing Officer shall have authority to reduce the citation amount to a reasonable amount not below \$100,000 if, after a thorough legal analysis, the Hearing Officer finds the original citation amount is constitutionally excessive. The parties themselves maintain the discretion to reduce citation amounts in order to independently settle the dispute.
- (h) **Record keeper.** The city shall maintain the administrative record of the hearing and make it available upon request by either party. The record shall be maintained for two years from the date the case is closed and no further appeals are available under the Code or at law.

SEC. 1-601. - ENFORCEMENT OF LOCAL LAWS.

- (a) In investigating any matter where the City Charter, this Code or any other ordinance of the City grants or affords to the City Attorney the duty or power to investigate, enforce, or prosecute a matter, the City Attorney shall have the power to inspect, upon reasonable notice, all papers, books accounts, records, documents and other items that may be relevant to the City Attorney's investigation, enforcement action or prosecution.
- (b) The City Attorney shall also have the power to issue subpoenas for the attendance of witnesses, to compel their attendance and testimony, to administer oaths and affirmations, to take evidence, and to issue subpoenas for the production of any

papers, books, accounts, records, documents or other items that may be relevant to the City Attorney's investigation, enforcement action or prosecution.

- (c) The City Attorney may exercise these powers prior to or following the filing of any civil, criminal, or administrative action to the fullest extent permitted by law.

SEC. 1-602. - ENFORCEMENT OF FEDERAL OR STATE LAW.

- (a) Unless otherwise prohibited by federal or state law, in investigating, enforcing or prosecuting any matter where federal or state law grants or affords to the City Attorney, the duty or power to investigate, enforce, or prosecute any matter under federal or state law, the City Attorney shall have the power to inspect, upon reasonable notice, all papers, books, accounts, records, documents or other items that may be relevant to the City Attorney's investigation, enforcement action or prosecution.
- (b) The City Attorney shall also have the power to issue subpoenas for the attendance of witnesses, to compel their attendance and testimony, to administer oaths and affirmations, to take evidence, and to issue subpoenas for the production of any papers, books, accounts, records, documents or other items that may be relevant to the City Attorney's investigation, enforcement action or prosecution.
- (c) The City Attorney may exercise these powers prior to or following the filing of any civil, criminal, or administrative action to the fullest extent permitted by law. The City Attorney shall notify Council of all subpoenas issued.

SEC. 1-603. - ENFORCEMENT.

If any person refuses or fails to comply with a subpoena of the City Attorney issued pursuant to this Article, the City Attorney may petition any court of competent jurisdiction for an order compelling the person to attend and testify or produce the books, papers, records, accounts, documents, or other items required by the subpoena before the officer named in the subpoena.

SEC. 11-501. - SHORT TITLE.

This article shall be known and cited as the "Appeals Code." When used in this article "this article" means the Appeals Code.

SEC. 11-502. - PURPOSE.

The purpose of this article is to establish a uniform and consistent procedure for appeals from Notice and Orders served for violations of the Fresno Housing Regulations and the Dangerous Building Ordinance.

SEC. 11-503. - SCOPE.

The provisions of this code shall apply to appeals from Notice and Orders served pursuant to Chapter 11, Article 3 and Chapter 11, Article 4 of the Fresno Municipal Code.

SEC. 11-504. - BUILDING STANDARDS APPEALS BOARD.

- (a) **General.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official and/or Code Enforcement relative to the application and interpretations of the Housing Regulations (Chapter 11, Article 3) or the Dangerous Building Ordinance (Chapter 11, Article 4), there shall be and is hereby

created a Building Standards Appeals Board consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. The Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Building Standards Appeals Board shall be appointed by the Mayor and ratified by the governing body and shall hold office in four-year terms. Appeals to the Board shall be processed in accordance with Chapter 1, Article 4 of this Code and any Bylaws adopted by the Building Standards Appeals Board. If appointments to the Building Standards Appeals Board have not been made or the Building Standards Appeals Board is deemed to be inactive, all appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretations of the Housing Regulations (Chapter 11, Article 3) or the Dangerous Building Ordinance (Chapter 11, Article 4) shall be heard by the Hearing Officer pursuant to Chapter 1, Article 4.

- (b) **Limitations of Authority.** The Building Standards Appeals Board shall have no authority relative to interpretations of the administrative provisions of this article nor shall the Building Standards Appeals Board be empowered to waive requirements of any provisions of the Fresno Municipal Code.

SEC. 11-505. - EFFECT OF FAILURE TO APPEAL.

Failure of any person to file an appeal in accordance with the provisions of this article shall constitute a waiver of the right to an administrative hearing and adjudication of the Notice and Order or portion thereof. The provisions of this notice and order will become final.

SEC. 10-50100. - ADOPTION OF THE CALIFORNIA FIRE CODE.

100. *Adoption of the California Fire Code.* The 2025 California Fire Code, as promulgated by the California Building Standards Commission, which incorporates the adoption of the 2024 edition of the International Fire Code as amended with necessary California amendments, and the 2024 International Fire Code, including Appendix Chapters E and F, are hereby adopted and amended by the City of Fresno for the purpose of prescribing regulations governing conditions hazardous to life and property, protection from fire, hazardous materials, or explosions, except such portions as fully as if set out at length herein. The Council does hereby find it is reasonably necessary to make certain changes and modifications to the requirements contained in the rules and regulations adopted pursuant to Sections 17922 et seq., and 18935 et seq., of the California Health and Safety Code; such change or modifications are herein more particularly set forth.

SEC. 10-50101.1. - TITLE.

101.1. *Title.* This code shall be known as the Fresno Fire Code, may be cited as such, and shall be referred to herein as "this Code." When used here, "CFC" means the 2025 California Fire Code, with such amendments as adopted by the State of California and the 2024 International Fire Code, including appendix Chapters E and F, as adopted and amended in this article.

SEC. 10-50102.3. - CHANGE OF OCCUPANCY.

102.3. *Change of use or occupancy.* A change of use or occupancy shall not be made unless the use or occupancy is made to comply with the requirements of this code, the Fresno Fire Code, and the California Existing Building Code as applicable. Where approved by both the fire code official and the building code official, a change of occupancy shall be permitted without complying with the requirements of this code and the California Existing Building Code, provided that the new or proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy.

SEC. 10-50103.1. - CREATION OF AGENCY.

103.1. *Creation of agency.* The City of Fresno Fire Department - Fire Prevention Division is hereby created and the sworn official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Whenever the terms "department of fire prevention," "fire prevention bureau," "fire prevention division," "community risk reduction unit," or "prevention, support, and technical services division," are used in this Code or the Fresno Municipal Code, the terms shall mean those sworn personnel assigned to, and engaged in, the prevention or investigation of fire on behalf of the City of Fresno Fire Department.

SEC. 10-50103.4. - RESPONSIBILITY FOR ENFORCEMENT.

103.4. *Responsibility for enforcement.* Enforcement of building standards and other fire protection and life safety requirements adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire, life, and panic safety, and other regulations of the State Fire Marshal, shall be the responsibility of the fire code official. This responsibility includes all new and existing buildings, and R-3 occupancies, including one- and two-family dwellings.

SEC. 10-50109.1.1. - INSPECTION FREQUENCY.

109.1.1. *Inspection Frequency.* The fire code official is authorized to establish a minimum inspection frequency for all occupancy groups where not already determined by the State of California Health and Safety Code.

SEC. 10-50112. - MEANS OF APPEALS.

112.1. *Board of appeals established.* In order to hear and decide appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of the Fresno Fire Code, there shall be and is hereby created a board of appeals (hereafter referred to as the "Building Standards Appeals Board") consisting of members who are qualified by experience and training to pass on matters pertaining to building construction and hazards of fire, explosions, hazardous conditions, or fire protection systems, who are not employees of the City of Fresno.

The Building Standards Appeals Board shall perform the following appeal duties:

- a) Determine the suitability of alternate materials, engineering designs, methods of construction, and equipment.
- b) Provide reasonable interpretations of the provisions of the Fresno Fire Code and other relevant codes.

Exception: Appeals of administrative citations, fees, penalties, or charges that may be levied by the fire department such as emergency response, fire suppression costs, mitigation costs, clean-up costs, inspection or re-inspection charges, false alarm charges, or failure to comply with written citations or notices, shall comply with Fresno Municipal Code, [Chapter 1](#), Article 4.

The building official shall serve as an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The Building Standards Appeals Board shall be appointed by the Mayor and shall hold office at the pleasure of the Mayor.

The Building Standards Appeals Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

112.2. *Limitations on authority.* The Building Standards Appeals Board shall have no authority to interpret the administrative provisions of this code. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. An economic condition shall not be considered as a valid basis for an appeal of the provisions of this Code. The board shall not have authority to waive requirements of this code.

COMMERCIAL USE CLASSIFICATIONS

SEC. 15-6703 – PUBLIC AND SEMI-PUBLIC CLASSIFICATIONS

Hospitals and Clinics. State-licensed facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons. This classification includes facilities for inpatient or outpatient treatment, including substance-abuse programs as well as training, research, and administrative services for patients and employees. This classification excludes veterinaries and animal hospitals (see Animal Care, Sales, and Services).

Hospital. A facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, sub-acute care facilities, diagnostic services, training, research, administration, and services to patients, employees, or visitors.

Clinic. A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis including emergency treatment, diagnostic services, administration, and related services to patients who are not

lodged overnight. Services may be available without a prior appointment. This classification includes licensed facilities such as blood banks and plasma centers, and emergency medical services offered exclusively on an out-patient basis. *This classification does not include private medical and dental offices that typically require appointments and are usually smaller scale.* This classification includes substance abuse treatment and recovery programs which are not residential in nature and which exclusively administer counseling services.

Offices. Offices of firms or organizations providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, insurance, and legal offices, excluding banks and savings and loan associations (see Banks and Financial Institutions). This classification also includes offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, including medical/dental laboratories within medical office buildings but excluding clinics or independent research laboratory facilities and hospitals (see Hospitals and Clinics).

Business and Professional. Offices of firms or organizations providing professional, executive, management, or administrative services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, legal offices, and tax preparation offices.

Medical and Dental. Office use providing consultation, diagnosis, therapeutic, preventive, or corrective personal treatment services by doctors, dentists, medical and dental laboratories, and similar practitioners of medical and healing arts for humans licensed for such practice by the State of California. Incidental medical and/or dental research within the office is considered part of the office use, where it supports the on-site patient services.

2022 California Fire Code, Title 24, Part 9

SECTION 202 GENERAL DEFINITIONS

[BG] GROUP B, BUSINESS. Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Business occupancies shall include, but not be limited to, the following:

...

Ambulatory care facilities

...

Clinic-outpatient

...

[BG] AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less-than-24-hour basis to persons who are rendered incapable of self-preservation by the services provided or staff has accepted responsibility for care recipients already incapable.

[BG] CLINIC, OUTPATIENT. Buildings or portions thereof used to provide medical care on a less-than-24-hour basis to persons who are not classified as non-ambulatory or bedridden or rendered incapable of self-preservation by the services provided.

[BG] INCAPABLE OF SELF-PRESERVATION. Persons who, because of age, physical limitations, medical limitations, chemical dependency or medical treatment, cannot respond as an individual to an emergency situation.

CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS

SECTION 401.2 APPROVAL. Where required by this code, fire safety plans, emergency procedures and employee training programs shall be approved by the fire code official.

403.3.1 Ambulatory care facilities.

Ambulatory care facilities shall comply with the requirements of Sections 401, 403.3.1.1 through 403.3.1.2 and 404.

403.3.1.1 Fire safety and evacuation plan.

The fire safety and evacuation plan required by Section 404 shall include a description of special staff action procedures for stabilizing care recipients in a defend-in-place response, staged evacuation, or full evacuation in the entire building if part of a multi-tenant facility.

403.3.1.1.1 Fire safety plan.

A copy of the fire safety plan shall be maintained at the facility at all times. The plan shall include, in addition to the requirements of Section 404:

1. Locations of care recipients who are rendered incapable of self-preservation.
2. Maximum number of care recipients rendered incapable of self-preservation.
3. Area and extent of each ambulatory care facility.



4. Location of any special locking arrangements.

403.3.1.2 Staff training.

Staff shall be periodically instructed and kept informed of their duties and responsibilities under the plan. Instruction shall be maintained. Such instruction shall be reviewed by the staff at intervals not exceeding three months. Instruction shall be provided promptly on entrance to duty.

Staff shall be instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment.

SECTION 404 FIRE SAFETY, EVACUATION AND LOCKDOWN PLANS

404.1 GENERAL. Where required by Section 403, fire safety, evacuation and lockdown plans shall comply with Sections 404.2 through 404.4.1.

404.2.1 Fire evacuation plans.

Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete by select or with a defend-in-place response.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for the use of elevators to evacuate the building where occupant evacuation elevators 3008 of the *California Building Code* are provided.
4. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
5. Procedures for accounting for employees and occupants after evacuation has been completed.
6. Identification and assignment of personnel responsible for rescue or emergency medical aid.
7. The preferred and any alternative means of notifying occupants of a fire or emergency.
8. The preferred and any alternative means of reporting fires and other emergencies to the fire department emergency response organization.
9. Identification and assignment of personnel who can be contacted for further information or explanation.
10. A description of the emergency voice/alarm communication system alert tone and preprogrammed provided.

404.2.2 Fire safety plans.

Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy including the following:
 - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
 - 2.2. Procedures for occupants under a defend-in-place response.
 - 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.
3. Site plans indicating the following:
 - 3.1. The occupancy assembly point.
 - 3.2. The locations of fire hydrants.
 - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
 - 4.1. Exits.
 - 4.2. Primary evacuation routes.
 - 4.3. Secondary evacuation routes.
 - 4.4. Accessible egress routes.
 - 4.4.1. Areas of refuge.
 - 4.4.2. Exterior areas for assisted rescue.
 - 4.5. Refuge areas associated with smoke barriers and horizontal exits.
 - 4.6. Manual fire alarm boxes.
 - 4.7. Portable fire extinguishers.
 - 4.8. Occupant-use hose stations.
 - 4.9. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling

907.2.2.1 Ambulatory care facilities.



Fire areas containing ambulatory care facilities shall be provided with an electronically supervised automatic smoke detection system installed within the ambulatory care facility and in public use areas outside of tenant spaces, including public corridors and elevator lobbies.

Exception: Buildings equipped throughout with an automatic sprinkler system in accordance with [Section 903.3.1.1](#) provided that the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

[2025 California Fire Code, Title 24, Part 9 / CHAPTER 9 / 907.2.2 / 907.2.2.1](#)

2025 California Building Code

SECTION 422 – AMBULATORY CARE FACILITIES

SECTION 422 AMBULATORY CARE FACILITIES

422.1 General.

Occupancies classified as ambulatory care facilities shall comply with the provisions of Sections 422.1 through 422.7 and other applicable provisions of this code. *[For OSHPD 3] For clinics licensed by California Department of Public Health also refer to Section 1226.2.*

422.2 Separation.

Ambulatory care facilities where the potential for four or more care recipients are to be incapable of self-preservation at any time shall be separated from adjacent **spaces or tenants with a 1-hour fire barrier installed in accordance with Section 707.**

422.3 Smoke compartments.

Where the aggregate area of one or more ambulatory care facilities is greater than 10,000 square feet (929 m²) on one story, the story shall be provided with a smoke barrier to subdivide the story into not fewer than two smoke compartments. The area of any one such smoke compartment shall be not greater than 22,500 square feet (2092 m²). The distance of travel from any point in a smoke compartment to a smoke barrier door shall be not greater than 200 feet (60 960 mm). The smoke barrier shall be installed in accordance with Section 709 with the exception that smoke barriers shall be continuous from outside wall to an outside wall, a floor to a floor, or from a smoke barrier to a smoke barrier or a combination thereof.

422.3.1 Means of egress.

Where ambulatory care facilities require smoke compartmentation in accordance with Section 422.3, the fire safety evacuation plans provided in accordance with Section 1002.2 shall identify the building components necessary to support a defend-in-place emergency response in accordance with Sections 403 and 404 of the *California Fire Code*.

422.3.2 Refuge area.

Not less than 30 net square feet (2.8 m²) **for each nonambulatory care recipient and not less than 15 net square feet (1.4 m²) per ambulatory occupant** shall be provided within the aggregate area of corridors, care recipient rooms, treatment rooms, lounge or dining areas and other low-hazard areas within each smoke compartment. Each occupant of an ambulatory care facility shall be provided with access to a refuge area without passing through or utilizing adjacent tenant spaces.

422.3.3 Independent egress.

A means of egress shall be provided from each smoke compartment created by smoke barriers without having to return through the smoke compartment from which means of egress originated.

422.3.4 Distance of travel.

The distance of travel between any point in an ambulatory care facility and an exit shall be not greater than 200 feet (60 960 mm).

[F] 422.4 Automatic sprinkler systems.

Automatic sprinkler systems shall be provided for ambulatory care facilities in accordance with Section 903.2.2.

[F] 422.5 Fire alarm systems.

A fire alarm system shall be provided for ambulatory care facilities in accordance with Section 907.2.2.

[F] 422.6 Electrical systems.

In ambulatory care facilities, the essential electrical system for electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of Chapter 27 and *California Electrical Code* Article 517.

SECTION 1226 [OSHPD 3]-CLINICS

1226.1 Scope. *The provisions of this section shall apply to primary care clinics, specialty clinics and psychology clinics, licensed by the California Department of Public Health. Primary care clinics include free clinics, community clinics, employee clinics and optometric clinics. Specialty clinics include surgical clinics, chronic dialysis clinics, rehabilitation clinics and alternative birth centers (ABC). This section shall also apply to outpatient clinical services of a hospital when provided in a freestanding building.*

1226.2 Application. *All new buildings and additions, alterations or repairs to existing buildings and conversion of space to a clinic use within existing buildings, subject to licensure by Licensing and Certification, California Department of Public Health, shall comply with applicable provisions of the California Electrical Code, California Mechanical Code, California Plumbing Code, California Fire Code, (Parts 3, 4, 5 and 9 of Title 24) and this section. OSHPD requirements apply to all facilities described above and are not dependent upon Occupancy Group designations.*

Exception: See Section 1224.2.

California Health and Safety Code

DIVISION 12. FIRES AND FIRE PROTECTION

PART 2. FIRE PROTECTION

13195. The State Fire Marshal shall adopt and administer the regulations and building standards he or she deems necessary in order to (1) establish and control a program for servicing, testing, and maintaining all automatic fire extinguishing systems, including but not limited to, fire sprinkler systems, engineered and preengineered fixed extinguishing systems, standpipe systems, and water flow alarm devices and (2) establish minimum frequencies of service, inspection, and testing for the various types of automatic fire extinguishing systems. All tests of automatic sprinkler systems shall include a test of all supervisory signaling equipment that is provided to determine whether a condition exists that will impair the satisfactory operation of the system.

The regulations and building standards established by the State Fire Marshal for servicing, testing, and maintaining automatic fire extinguishing systems shall consider the requirements of the applicable standards of the National Fire Protection Association and the voluntary standards published by the State Fire Marshal entitled the "California Voluntary Standards for Residential Sprinkler Systems," dated January 1982.

13195.5. Every automatic fire extinguishing system, including, but not limited to, fire sprinkler systems, engineered and preengineered fixed extinguishing systems, standpipe systems, and alarm and supervisory equipment attached to those systems shall be serviced, tested, and maintained in accordance with the regulations and building standards adopted by the State Fire Marshal pursuant to Section 13195.

13196. The regulations and building standards adopted pursuant to Section 13195 shall be enforced pursuant to Sections 13145 and 13146.

13196.5. (a) Except as provided in subdivisions (b), (c), and (d), no person shall engage in the business of servicing or testing automatic fire extinguishing systems without a license issued by the State Fire Marshal pursuant to this chapter.

(b) Persons who engage in the business of servicing or testing fire alarm devices, water flow alarm devices, or the supervisory signaling components of automatic fire extinguishing systems shall not be subject to the licensing requirements contained in this chapter.

(c) Industrial systems may be serviced or tested by, or under the supervision of, an engineer employed by a private entity who shall not be subject to the licensing requirements contained in this chapter unless he or she performs the service or testing for a fee outside of the employment relationship.

(d) Any specialty contractor, as defined in subdivision (b) of Section 7058 of the Business and Professions Code, shall not be subject to the licensing requirements contained in this chapter.

13145. The State Fire Marshal, the chief of any city, county, or city and county fire department or district providing fire protection services, or a Designated Campus Fire Marshal, and their authorized representatives, shall enforce in their respective areas building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the California Building Standards Code and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or for the protection of life and property against fire or panic.

13146. (a) The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal shall be as follows:

(1) The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to R-3 dwellings, as described in Section 310.5 of Part 2 of the California Building Standards Code, to either of the following:

(A) The chief of the fire authority of the city, county, or city and county, or the chief's authorized representative.

(B) The chief building official of the city, county, or city and county, or the official's authorized representative.

(2) The chief of any city, county, or city and county fire department or of any fire protection district, and their authorized representatives, shall enforce within its jurisdiction the building standards and other regulations of the State Fire Marshal, except those described in paragraph (1) or (4).

(3) The State Fire Marshal shall have authority to enforce the building standards and other regulations of the State Fire Marshal in areas outside of corporate cities and districts providing fire protection services.

(4) The State Fire Marshal shall have authority to enforce the building standards and other regulations of the State Fire Marshal in corporate cities and districts providing fire protection services upon request of the chief fire official or the governing body.

(5) The State Fire Marshal shall enforce the building standards and other regulations of the State Fire Marshal on all University of California campuses and properties administered or occupied by the University of California and on all California State University campuses and properties administered or occupied by the California State University. For each university campus or property the State Fire Marshal may delegate that responsibility to the person of the State Fire Marshal's choice who shall be known as the Designated Campus Fire Marshal.

(b) A fee may be charged pursuant to the enforcement authority of this section but shall not exceed the estimated reasonable cost of providing the service for which the fee is charged, pursuant to Section 66014 of the Government Code.

**CITY OF FRESNO
MASTER FEE SCHEDULE**

FIRE DEPARTMENT

| Amend # | Fee Description & Unit/Time | Current |
|----------------|---|----------------|
| | Building Permit Surcharge Fire Prevention Fee | |
| | Triplex / per permit | 16% |
| | Apartment / per permit | 16% |
| | Hotels/motels / per permit | 26% |
| | Commercial / per permit | 26% |
| | Industrial / per permit | 26% |
| | Commercial/industrial alt / per permit | 26% |
| | Unusual building type (storage/limited mini-storage)/per phase | 70.00 |
| | Single-family / per permit | 20.00 |
| 555 | Consultation | |
| | Per Hour | 162.00 |
| 489 | Dance Permit Application Inspection | 89.00 |
| | Development/Public Works | |
| | Entitlement Fees | 247.00 |
| 555 | Licensed Care Facility | |
| | Fire Clearance Pre-Inspection | 242.00 |
| | Fire Clearance Final Inspection | 242.00 |
| 555 | Fire Alarm System | |
| | New or Retrofitted Systems (includes strobes, horns, panels, pull stations, detectors) | |
| | 1 - 2,000 sq. ft. | 641.00 |
| | 2,001 - 5,500 sq. ft. | 1,040.00 |
| | 5,501 - 10,000 sq. ft. | 1,847.00 |
| | 10,001 - 50,000 sq. ft. | 2,612.00 |
| | Each additional 10,000 sq. ft. | 404.00 |
| | All Special Fire Suppression Systems | 888.00 |
| | Each Additional Activation Zone After First Zone | 323.00 |
| 555 | Fire Hydrants / Per each: | |
| | Maintenance | 98.00 |
| | Private Hydrant Maintenance | 98.00 |
| 401 | Fire Incident Report (includes original, supplements, exposures, spill/leak reports, and hard copy narratives) | 0.30 |
| | Hard copy narrative (when purchased separately) | 2.00 |
| | Response to inquiries requiring computer data base extraction (computer printout) - per page | 3.00 |

**CITY OF FRESNO
MASTER FEE SCHEDULE**

FIRE DEPARTMENT

| Amend # | Fee Description & Unit/Time | Current |
|----------------|--|----------------|
| 555 | Fire Inspections | |
| | Initial Inspection - (Occupancy type: B, F, M) Business, Factory, Mercantile: | |
| | 1 - 2,000 sq. ft. | 144.00 |
| | 2,001 - 5,000 sq. ft. | 176.00 |
| | 5,001 - 10,000 sq. ft. | 204.00 |
| | 10,001 - 20,000 sq. ft. | 252.00 |
| | 20,001 - 40,000 sq. ft. | 295.00 |
| | 40,001 - 80,000 sq. ft. | 348.00 |
| | 80,001 - 120,000 sq. ft. | 395.00 |
| | 120,001 - 150,000 sq. ft. | 434.00 |
| | 150,001 - 200,000 sq. ft. | 505.00 |
| | Initial Inspection - (Occupancy type: M, B) Covered Malls | |
| | 1 - 2,000 sq. ft. | 153.00 |
| | 2,001 - 5,000 sq. ft. | 227.00 |
| | 5,001 - 10,000 sq. ft. | 283.00 |
| | 10,001+ sq. ft. | 373.00 |
| | Initial Inspection - (Occupancy type: A, E, H, S) Assembly, Education, Hazardous Storage: | |
| | 1 - 2,000 sq. ft. (S only) | 158.00 |
| | 1 - 5,000 sq. ft. | 198.00 |
| | 5,001 - 10,000 sq. ft. | 223.00 |
| | 10,001 - 20,000 sq. ft. | 271.00 |
| | 20,001 - 40,000 sq. ft. | 326.00 |
| | 40,001 - 80,000 sq. ft. | 384.00 |
| | 80,001 - 120,000 sq. ft. | 449.00 |
| | 120,001 - 150,000 sq. ft. | 465.00 |
| | 150,001 - 200,000 sq. ft. | 625.00 |
| | Initial Inspection - (Occupancy type: I)* Institutions | |
| | 1 - 10,000 sq. ft. | 133.00 |
| | 10,001 - 25,000 sq. ft. | 188.00 |
| | 25,001 - 40,000 sq. ft. | 206.00 |
| | 40,001 - 75,000 sq. ft. | 249.00 |
| | 75,001 + sq. ft. | 381.00 |

**CITY OF FRESNO
MASTER FEE SCHEDULE**

FIRE DEPARTMENT

| <u>Amend #</u> | <u>Fee Description & Unit/Time</u> | <u>Current</u> |
|----------------|--|----------------|
| | Fire Inspections (continued) | |
| 555 | 1st reinspection - (Occupancy type: B, F, M) Business, Factory, Mercantile: | |
| | Reinspection violations all corrected: | 172.00 |
| | Reinspection violations not corrected: | |
| | 1 - 2,000 sq. ft. | 149.00 |
| | 2,001 - 5,000 sq. ft. | 165.00 |
| | 5,001 - 10,000 sq. ft. | 165.00 |
| | 10,001 - 20,000 sq. ft. | 201.00 |
| | 20,001 - 40,000 sq. ft. | 217.00 |
| | 40,001 - 80,000 sq. ft. | 241.00 |
| | 80,001 - 120,000 sq. ft. | 318.00 |
| | 120,001 - 150,000 sq. ft. | 511.00 |
| | 150,001 - 200,000 sq. ft. | 511.00 |
| | 1st reinspection - (Occupancy type: A, E, H, S) Assembly, Education, Hazardous Storage: | |
| | Reinspection violations all corrected: | |
| | Reinspection violations not corrected: | |
| | 1 - 2,000 sq. ft. (S only) | 145.00 |
| | 1 - 5,000 sq. ft. | 161.00 |
| | 5,001 - 10,000 sq. ft. | 186.00 |
| | 10,001 - 20,000 sq. ft. | 215.00 |
| | 20,001 - 40,000 sq. ft. | 241.00 |
| | 40,001 - 80,000 sq. ft. | 263.00 |
| | 80,001 - 120,000 sq. ft. | 308.00 |
| | 120,001 - 150,000 sq. ft. | 427.00 |
| | 150,001 - 200,000 sq. ft. | 406.00 |
| | 1st reinspection/ ea. per year: - (Occupancy type: I)* Institutions | |
| | Reinspection violations all corrected: | |
| | Reinspection violations not corrected: | |
| | 1 - 10,000 sq. ft. | 132.00 |
| | 10,001 - 25,000 sq. ft. | 189.00 |
| | 25,001 - 40,000 sq. ft. | 205.00 |
| | 40,001 - 75,000 sq. ft. | 249.00 |
| | 75,001 + sq. ft. | 527.00 |

**CITY OF FRESNO
MASTER FEE SCHEDULE**

FIRE DEPARTMENT

| Amend # | Fee Description & Unit/Time | Current |
|----------------|---|----------------|
| 555 | Fire Inspections (continued) | |
| | 2nd and subsequent reinspection/each per year - (Occupancy type: B, F, M) Business, Factory, Mercantile: | |
| | Reinspection violations all corrected: | |
| | Reinspection violations not corrected: | |
| | 1 - 2,000 sq. ft. | 137.00 |
| | 2,001 - 5,000 sq. ft. | 145.00 |
| | 5,001 - 10,000 sq. ft. | 194.00 |
| | 10,001 - 20,000 sq. ft. | 209.00 |
| | 20,001 - 40,000 sq. ft. | 225.00 |
| | 40,001 - 80,000 sq. ft. | 241.00 |
| | 80,001 - 120,000 sq. ft. | 257.00 |
| | 120,001 - 150,000 sq. ft. | 273.00 |
| | 150,001 - 200,000 sq. ft. | 273.00 |
| | 2nd and subsequent reinspection/each per year - (Occupancy type: A, E, H, S) Assembly, Education, Hazardous, Storage: | |
| | Reinspection violations all corrected: | |
| | Reinspection violations not corrected: | |
| | 1 - 2,000 (S only) | 137.00 |
| | 1 - 5,000 sq. ft. | 186.00 |
| | 5,001 - 10,000 sq. ft. | 202.00 |
| | 10,001 - 20,000 sq. ft. | 218.00 |
| | 20,001 - 40,000 sq. ft. | 251.00 |
| | 40,001 - 80,000 sq. ft. | 283.00 |
| | 80,001 - 120,000 sq. ft. | 332.00 |
| | 120,001 - 150,000 sq. ft. | 348.00 |
| | 150,001 - 200,000 sq. ft. | 413.00 |
| 528 | 2nd and subsequent reinspection/each per year - (Occupancy type: I)* Institutions: | |
| | Reinspection violations all corrected: | |
| | Reinspection violations not corrected: | |
| | 1 - 10,000 sq. ft. | 270.00 |
| | 10,001 - 25,000 sq. ft. | 475.00 |
| | 25,001 - 40,000 sq. ft. | 682.00 |
| | 40,001 - 75,000 sq. ft. | 890.00 |
| | 75,001 + sq. ft | 1,097.00 |

**CITY OF FRESNO
MASTER FEE SCHEDULE**

FIRE DEPARTMENT

| Amend # | Fee Description & Unit/Time | Current |
|----------------|--|----------------|
| 555 | Fire Inspections (continued) | |
| | Initial inspection /each per year - Occupancy type R-1, R-2 (Apartments, hotels/motels) | |
| | 3 - 19 units | 161.00 |
| | 20-49 units | 210.00 |
| | 50+ units | 291.00 |
| | 1st Re- inspection /each per year - Occupancy type R-1, R-2 (Apartments, hotels/motels) | |
| | Reinspection violations all corrected: | |
| | Reinspection violations not corrected: | |
| | 3 - 19 units | 161.00 |
| | 20-49 units | 210.00 |
| | 50+ units | 323.00 |
| | 2nd and Subsequent inspections /each per year - Occupancy type R-1, R-2 (Apartments, hotels/motels) | |
| | Reinspection violations all corrected: | |
| | Reinspection violations not corrected: | |
| | 3 - 19 units | 161.00 |
| | 20-49 units | 210.00 |
| | 50+ units | 323.00 |
| 555 | General Administrative Citations | |
| | 30 Days | 250.00 |
| | 60 Days | 500.00 |
| | 90 Days | 1,000.00 |
| 555 | High-rise /per structure | 2,988.00 |
| 555 | Fines and Penalties | |
| | Additional Citation Fees, if non-compliance | |
| | 30 Days | 800.00 |
| | 60 Days | 1,200.00 |
| | 90 Days | 1,600.00 |
| 555 | Abatement by litigation/per occurrence (to recover litigation costs for abatement actions resulting from a failure to comply with fire inspection notices) | 2,164.00 |

**CITY OF FRESNO
MASTER FEE SCHEDULE**

FIRE DEPARTMENT

| Amend # | Fee Description & Unit/Time | Current |
|----------------|--|---------------------|
| 555 | Penalty | |
| | Incorrect address/location given by applicant, failure of responsible party to appear at prescheduled appointment per trip. | 242.00 |
| | Premature inspection call (work not ready) / per trip. | 162.00 |
| | Reinspection other than entitled calls / per trip. | 162.00 |
| | Unpermitted Change of Occupancy / Illegal Construction - Per Application | 1,695.00 |
| | Working without required permit | 4 x standard permit |
| 489 | Fire Investigation Report | 312.00 |
| 528 | Fire Pumps | |
| | All New, Retrofitted, or Improved Pumps: | |
| | Fire Pump acceptance test/ per each pump (all types) | 243.00 |
| | Electrical inspectors fee/each | 89.00 |
| 555 | Fire Sprinkler Systems | |
| | All New, Retrofitted, or Improved Sprinkler Systems | |
| | Commercial and Custom Residential | |
| | 1 - 2,000 sq. ft. (Incl. 20 or fewer head installations for paint booths, additions, alterations requiring new supply lines, etc.) | 722.00 |
| | 2,001 - 8,000 sq. ft. | 959.00 |
| | 8,001 - 20,000 sq. ft. | 1,078.00 |
| | 20,001 - 40,000 sq. ft. | 1,438.00 |
| | 40,001 - 100,000 sq. ft. | 1,837.00 |
| | 100,001+ sq. ft. | 2,236.00 |
| | Single Commercial or Multifamily Project - Repeat Building | |
| | Plan Review (per building) | 727.00 |
| | 20 heads or less tenant improvement | 404.00 |
| | Special Water Based Fire Suppression Systems (i.e. Pre-Action, Dry, Deluge, or Foam Systems) | 161.00 |
| | Special Conditions: Each Occupied Floor above 30 ft., High Piled Storage, Every 20,000 sq. ft. over 200,000 sq. ft., etc. | 412.00 |
| | Simple Fire Sprinkler Monitoring System (Monitoring Panel within a single building without floor control valves with up to one each: Manual Pull Box, Smoke Detector and / or indicating device) | 242.00 |
| | Standard Residential Plans | |
| | Single Family Home - Standard Plan Review | 242.00 |
| | Single Family Home - Field Inspection (per card) | 565.00 |

**CITY OF FRESNO
MASTER FEE SCHEDULE**

FIRE DEPARTMENT

| Amend # | Fee Description & Unit/Time | Current |
|----------------|--|----------------|
| 555 | Fire Sprinkler System -- 5-Year Test | |
| | Fire pump test / each | 258.00 |
| | Standpipe / each | 259.00 |
| | Dry pipe valve trip test / each | 185.00 |
| | Fire Department connection flush w/ first riser | 258.00 |
| | Additional Riser / each | 142.00 |
| 555 | Fireworks: | |
| | Public Display (per each event) | 565.00 |
| | Sale of Safe and Sane Fireworks (from 06/28 to 07/06 of the year the permit is issued) / per firework stand | 626.00 |
| | Incorrect address/location given by applicant, failure of responsible party to appear at pre-scheduled appt/per trip | 81.00 |
| | Administrative Fines in violation of FMC 10-56602 (Effective May 19, 2022) | |
| 578 | First Offence + \$250.00 State Marshall Disposal Fee (TOTAL citation Fee will be \$2,250.00) | 2,000.00 |
| 578 | Second Offence within a rolling 12-month period + \$250.00 State Marshall Disposal Fee (TOTAL citation Fee will be \$3,250.00) | 3,000.00 |
| 578 | Third Offence or subsequent violations within a rolling 12-month period + \$250.00 State Marshall Disposal Fee (TOTAL citation Fee will be \$5,250.00) | 5,000.00 |
| 555 | Overtime Fire Inspection / per hour (min. one hour) | 186.00 |
| | Plan Check | |
| | (Sprinkler Systems, Fire Alarms, Underground piping, Extinguishing Systems) / per hour (one hour min.) | 134.00 |
| 489 | Posting Placarding On Dangerous Buildings | 138.00 |
| 489 | Public Safety Alarms -- Response to False Alarm | |
| | One response each fiscal year | -0- |
| 528 | Second and each subsequent response per fiscal year / per each | 165.00 |

**CITY OF FRESNO
MASTER FEE SCHEDULE**

FIRE DEPARTMENT

| Amend # | Fee Description & Unit/Time | Current |
|----------------|--|----------------|
| | Special Hazard User Permit Fees | |
| 555 | Level 1 | 129.00 |
| | Storage of 10 - 100 gallons of flammable / combustible liquid | |
| | Storage of 20 - 100 lbs of flammable solid | |
| | Storage of 201 - 3,000 cubic feet of any compressed gas (Excluding CO2 or LPG) | |
| | Storage of Aerosols (Level 2 or 3) 50 - 999 lbs | |
| | High Piled Storage (501 - 2,500 sq. ft.) any commodity class | |
| | Any Hazardous Materials not otherwise specified, per Appendix, Chapter 1, Table 105.6.20 of the California Fire Code (CFC) | |
| | Storage of 6,000 - 12,000 cubic feet of carbon dioxide gas | |
| | Storage of 250 - 1,149 gallons (aggregate container water capacity) of LPG | |
| | Storage of tires indoors - any amount | |
| | Storage of any scrap tires or tire byproducts in excess of 2,500 cubic feet (regardless of location) | |
| | Operation of any combustible dust-producing equipment | |
| | Operation of any repair garage | |
| 555 | Level 2 | 145.00 |
| | Storage of 101 - 1,000 gallons of flammable / combustible liquid | |
| | Storage of 101 - 1,000 lbs of flammable solid | |
| | Storage of 3,000 - 6,000 cubic feet of any compressed gas (Excluding CO2 or LPG) | |
| | Storage of Aerosols (Level 2 or 3) 1,000 - 2,400 lbs | |
| | High Piled Storage (2,501 - 12,000 sq. ft.) any commodity class | |
| | Any Hazardous Materials not otherwise specified, per Appendix, Chapter 1, Table 105.6.20 of the California Fire Code (CFC) | |
| | Storage of 12,000 - 18,000 cubic feet of carbon dioxide gas | |
| | Storage of 1,150 - 2,299 gallons (aggregate container water capacity) of LPG | |
| 555 | Level 3 | 202.00 |
| | Storage of 1,001 or more gallons of flammable / combustible liquid | |
| | Storage of 1,001 lbs of flammable solid | |
| | Storage of 6,001 or more cubic feet of any compressed gas (Excluding CO2 or LPG) | |
| | Storage of Aerosols (Level 2 or 3) 2,500 or more lbs | |
| | High Piled Storage (12,001 or more sq. ft.) any commodity class | |
| | Any Hazardous Materials not otherwise specified, per Appendix, Chapter 1, Table 105.6.20 of the California Fire Code (CFC) | |
| | Storage of 18,000 cubic feet or greater of carbon dioxide gas | |
| | Storage of 2,299 gallons (aggregate container water capacity) or greater of LP | |
| 555 | Above Ground Tank Installation Permit | 242.00 |
| 555 | Photo Luminescent Pathway Marking | 242.00 |
| 555 | Attractive Nuisance Prevention Inspections (A.N.P.I.) (i.e. Vacant Buildings) | 116.00 |

**CITY OF FRESNO
MASTER FEE SCHEDULE**

FIRE DEPARTMENT

| Amend # | Fee Description & Unit/Time | Current |
|----------------|--|--|
| 489 | Hazardous Material Incident: Per Apparatus/Per Hour Plus other costs of supplies, materials, contract labor, etc. | 238.00 |
| 528 | Emergency Response Business Plan - Fire Department Review / per each: (Per Building Written Documents) | 180.00 |
| 528 | Open Burning / per each event | 238.00 |
| 489 | Suppression Standby | 238.00 |
| 555 | Underground Fire Service - Fire Dept. Review /per each 1ft. - 100ft. 101ft. + | 361.00 361.00 plus \$0.80 each add'l ft. |
| | Urban Growth Management (UGM) Fire Station Capital Fees | See Development Department-UGM Fee: |

PROOF OF SERVICE

CCP §§ 1011, 1013, 1013a, 1013b, 2015.5 / FRCP 5(b)

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; my business address is 2600 Fresno Street, Fresno, CA 93721-3602. My electronic address is toni.hunter@fresno.gov.

On **June 23, 2026**, I served the document described as **City of Fresno’s Appeal Packet** on the interested parties listed by causing delivery to be made in the mode of service indicated below:

Kojo Moore
Moore & Moore
2014 Tulare Street, Suite 527
Fresno, CA 93721

(BY MAIL) I enclosed the document(s) listed above in a sealed envelope, addressed to the listed addressee(s), and deposited such envelope in the mail at Fresno, California. The envelope was mailed with postage thereon fully prepaid.

First-Class Mail Certified Mail; Return Receipt Requested

I am “readily familiar” with the City of Fresno’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Fresno, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(BY ELECTRONIC SERVICE) I electronically transmitted the document(s) listed above to the listed addressee(s). See Rules of Court, Rule 2.251 and CCP section 1010.6.

(BY OVERNIGHT COURIER) I enclosed the document(s) listed above in a sealed envelope, addressed to the listed addressee(s), and caused such envelope to be delivered to an overnight courier service for delivery to the listed addressee(s).

(BY POSTING) I caused to be posted a true copy of the document(s) listed above at the listed location(s).

(BY PERSONAL SERVICE) I enclosed the document(s) listed above in a sealed envelope, addressed to the listed addressee(s), and caused such envelope to be delivered by hand to the listed addressee(s).

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **June 23, 2026**, at Fresno, California.

Toni Hunter

Toni Hunter