

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 12/16/02
Department Name: Montecito Fire Protection Dist
Department No.:
Agenda Date: 1/21/03
Placement: Administrative
Estimate Time: 2 min.
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: County Counsel on behalf of the Montecito Fire Protection District

STAFF Fire Chief Ron McClain
CONTACT: 969-7762

Jerry F. Czuleger
Deputy County Counsel x2950

SUBJECT: Ratification by the Board of Supervisors of Montecito Fire Protection District's adoption of the 2001 California Fire Code

Recommendation(s):

That the Board of Supervisors:

- (a) Adopt resolution ratifying Montecito Fire Protection District's adoption by reference and amendment of the 2001 California Fire Code and Appendix Chapters and Appendix Standards prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion; providing for the issuance of permits for hazardous uses or operations; establishing a Bureau of Fire Prevention and providing officers therefor and defining their powers and duties within the Fire District; Amending Section 1503 of the 2001 California Building Code; and repealing Fire Protection District Ordinance nos. 1991-1, 1991-1 and 1991-2.
- (b) Upon ratification of the Fire Protection District's ordinance, instruct staff to forward a copy of the ordinance, including the findings of the Fire Protection District which are set forth in section 15 of the ordinance, expressly marked and identified to which each finding refers, to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 2. A Safe and Healthy Community in Which to Live, Work, and Visit.

Executive Summary and Discussion:

On November 18, 2002, the Montecito Fire Protection District adopted Fire District Ordinance No. 2002-1 which adopted by reference and amended the 2001 California Fire Code and Appendix Chapters and Appendix standards prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion. The Fire Protection District ordinance also provides for the issuance of permits for hazardous uses or operations and establishes a Bureau of Fire Prevention. Further, the Fire Protection District ordinance amends section 1503 of the 2001 California Building Code pertaining to roofing requirements.

Health and Safety Code Section 13869.7 provides that a fire protection district “may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code”. The Montecito Fire Protection District has elected to adopt more stringent standards and the proposed standards are set forth in Fire Protection Ordinance 2002-1. The related findings are contained in section 15 of the Ordinance.

Pursuant to Health and Safety Code Section 13869.7, the Fire Protection District has transmitted the adopted ordinance to the Board of Supervisors. (November 25, 2002 Letter and Ordinance 2002-1 are attached). The Board of Supervisors may ratify, modify or deny the adopted ordinance and transmit its determination to the Fire Protection District within 15 days of the determination. Any modification or denial of an adopted ordinance shall include a written statement describing the reasons for any modifications or denial. The Fire Protection District ordinance is not effective unless ratified by the Board of Supervisors.

Mandates and Service Levels:

Not Applicable

Fiscal and Facilities Impacts:

Not Applicable

Special Instructions:

- (a) Transmit a copy of the resolution to Montecito Fire Protection District within 15 days of its adoption.
- (b) Upon ratification of the Fire Protection District’s ordinance, instruct staff to forward a copy of the ratifying resolution and ordinance, including the findings of the Fire Protection District which are set forth in section 15 of the ordinance, expressly marked and identified to which each finding refers, to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7.

Concurrence:

County Fire
Planning and Development