
ATTACHMENT

to

**Board Agenda Letter by Montecito Fire Protection District
for Agenda of January 10, 2017**

Name of Attachment:

**Correspondence Dated December 1, 2016, from Cameron Goodman, Esq.
of Price, Postel & Parma, LLP to the Board of Supervisors re:**

**Montecito Fire Protection District Proposed Ordinance No. 2016-01,
Adoption of Building Standards Pursuant to
*Health and Safety Code Section 13869.7***

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December 1, 2016

VIA HAND DELIVERY

Board of Supervisors
County of Santa Barbara
105 E. Anapamu St.
Santa Barbara, CA 93101

Attn: Michael Allen
Chief Deputy Clerk of the Board

Re: Montecito Fire Protection District Proposed Ordinance No. 2016-01 – Adoption of Building Standards pursuant to Health and Safety Code Section 13869.7

Dear Mr. Allen:

Enclosed herewith are 13 copies of Montecito Fire Protection District's Ordinance No. 2016-01 dated November 28, 2016 ("Ordinance"). The Ordinance is being sent to the Board of Supervisors pursuant to the provisions of Health and Safety Code section 13869.7, a copy of which is enclosed herewith for your information and convenience.

Section 13869.7 provides that the Fire 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 District has elected to adopt more stringent standards and the proposed standards are set forth in the Ordinance.

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Sections 13869.7 (a) and 17958.7 provide that before the District may adopt such an ordinance, the District “shall make an express finding that the Ordinance is reasonably necessary because of local climatic, geological or topographical conditions. The findings shall be available as a public record.” The District’s “express findings” are set forth in Section 12 of the Ordinance.

Section 13869.7 (b) also provides that the District “shall, not less than 30 days prior to noticing a proposed ordinance for public hearing, provide a copy of that ordinance, together with the adopted findings . . . to the . . . county where the ordinance will apply. The . . . county . . . may provide the district with written comments which shall become a part of the fire protection district’s public hearing record.” Copies of the Ordinance were previously provided to the County Building Official, the County Fire Marshall, and to First District Supervisor Salud Carbajal on or about October 6, 2016. The District received no written comments from the County regarding the content of the Ordinance.

Finally, Section 13869.7 (c) provides that the District “shall transmit the adopted ordinance to the . . . county where the ordinance will apply. The legislative body of the . . . county, may ratify, modify, or deny an adopted ordinance and transmit its determination to the district within 15 days of the determination.” Upon ratification by the County, the Ordinance will become effective as of the date of ratification.

The District and this office are both looking forward to working with the County on this matter in order that the building standards as set forth in the Ordinance shall become effective in the interest of public safety and health in the Montecito Fire Protection District area at the earliest possible date. Should you have any questions concerning any of the enclosures and the procedures to be followed, please feel free to contact the undersigned or Chief Chip Hickman at the District. Thank you.

Very truly yours,



Cameron Goodman
for PRICE, POSTEL & PARMA LLP

CG/lc
Enclosures

cc: Montecito Fire Protection District
Jerry Czlueger, Deputy County Counsel