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November 21, 2007

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OUR FILE NUMBER

12611-22

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. 2007-2
(Adoption of Building Standards pursuant to
Section 13869.7 of the Health and Safety Code)

Dear Mr. Allen:

Enclosed herewith are 13 copies of Montecito Fire Protection District's Ordinance No. 2007-2 dated November 19, 2007 ("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 Fire District has elected to adopt more stringent standards and the proposed standards are set forth in the Ordinance.

Sections 13869.7 (a) and 17958.7 provide that before the Fire District may adopt

such an ordinance, the Fire 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 Fire District's "express findings" are set forth in Section 11 of the Ordinance.

Section 13869.7 also provides that the Fire District "... shall, not less than 30 days prior to noticing a proposed Ordinance public hearing, provide a copy of that Ordinance, together with the adopted findings made pursuant to subdivision (a) 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 Salud Carbajal on October 15, 2007. The Fire District received no written comments from the County regarding the content of the Ordinance.

Finally, Section 13869.7 (c) provides that the Fire 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 Fire 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 Kevin Wallace at the Fire District. Thank you.

Very truly yours,



Mark S. Manion
for PRICE, POSTEL & PARMA

Enclosures

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