



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

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

Department Name: County Counsel
Department No.:
For Agenda Of: February 18, 2014
Placement: Administrative
Estimated Tme: 2 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: County Counsel on behalf of
the Carpinteria-Summerland
Fire Protection District
Contact Info:

Fire Chief Michael Mingee
684-4591

Jerry F. Czuleger, Senior Deputy County Counsel
x2950

SUBJECT: Ratification of Carpinteria-Summerland Fire Protection District's ("CSFPD")
adoption of Ordinance No. 2013-01 (adopting and amending 2013 California Fire
Code)

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Select_Other

As to form: Select_Concurrence

Recommended Actions: Adopt resolution ratifying CSFPD's Ordinance 2013-01 that 1. Adopts by reference and amends the 2013 California Fire Code and Appendix Chapters and Appendix Standards prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion; 2. Provides for the issuance of permits for hazardous uses or operations; 3. Establishes a bureau of fire prevention and provides officers therefore and defines their powers and duties within the District; 4. Amends section R313 of the California Residential Code; and 5. Repeals CSFPD's Ordinance No. 2010-01.

- (b) Upon ratification of the Ordinance, instruct staff to forward a copy of the Board's ratifying Resolution, and CSFPD's Ordinance (including CSFPD's findings), to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7.

- (c) Determine that the adoption of this resolution is categorically exempt from the California Environmental Quality Act in compliance with Section 15061 (b), (3), (No possibility of impact on the environment).

Summary Text:

CSFPD has adopted by ordinance, building standards relating to fire and panic safety that are more stringent than those adopted by the State Fire Marshal and contained in the California Fire Code and California Residential. No ordinance adopted by a fire protection district shall be effective unless ratified by the County where the ordinance will apply. The county may ratify, modify or deny any such ordinance.

Background:

On December 17, 2013, CSFPD adopted Ordinance No. 2013-01 which adopted by reference and amended the 2013 California Fire Code that prescribes regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion. The Ordinance also provides for the issuance of permits for hazardous uses or operations and establishes a Bureau of Fire Prevention. Further, the Ordinance amends section R313 of the California Residential Code pertaining to the installation of automatic fire sprinkler systems in existing townhouses and one and two family dwellings; these amendments are more restrictive than the requirements contained in the State Codes.

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. More stringent building standards are contained in CSFPD's Ordinance No. 2013-01. The related findings are in section 8 of the Ordinance.

Pursuant to Health and Safety Code Section 13869.7, CSFPD has forwarded Ordinance 2013-01 to the County and has requested ratification by the Board of Supervisors. (December 26, 2013 Letter and Ordinance 2013-01 are attached). The Board may ratify, modify or deny the adopted ordinance and transmit its determination to CSFPD within 15 days of its determination. Any modification or denial of an adopted ordinance shall include a written statement describing the reasons for any modifications or denial. CSFPD's Ordinance is not effective unless ratified by the Board of Supervisors.

Prior to the adoption of Ordinance, CSFPD provided a copy to the County Building Official and County Fire Marshal for review and comment. No written comments were returned to CSFPD.

Fiscal and Facilities Impacts:

Not applicable.

Staffing Impacts:

Not applicable.

Special Instructions:

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- (a) Transmit a copy of the resolution to Carpinteria-Summerland Fire Protection District within 15 days of its adoption.
- (b) Upon ratification of the Ordinance, instruct staff to forward a copy of the Board's ratifying Resolution and the District's Ordinance (which includes the findings set forth in section 8), to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7.

Attachments:

December 26, 2013 letter from CSFPD's Fire Marshal Ed Foster

CSFPD Ordinance 2013-01

Authored by:

Jerry F. Czuleger
Senior Deputy County Counsel

cc:

Michael Mingee, CSFPD Fire Chief

Mark S. Manion
Price Postel and Parma

Massoud Abolhoda
County Building Official

Eric Peterson
County Fire Marshal