



AGENCY:	City Council
MEETING DATE:	June 8, 2015
DEPARTMENT:	Community Dev.
PRESENTED BY:	M. Jones

AGENDA ITEM SUMMARY

TITLE:

RECEIVE REPORT AND PROVIDE DIRECTION TO STAFF REGARDING ORDINANCE AMENDING CHAPTERS 15.05 (INTERNATIONAL FIRE CODE AND CALIFORNIA FIRE CODE) AND 15.06 (AUTOMATIC FIRE SPRINKLER AND ALARM SYSTEMS) OF THE FORT BRAGG MUNICIPAL CODE

ISSUE:

City Council adopted a revised ordinance regulating the installation of automated fire sprinklers in commercial remodel projects in November and December of 2014. City Council engaged in extensive discussions and deliberations about proposed changes to the ordinance during City Council meetings in March, May, October and November of 2014. The final direction included:

- 1) Increase the remodel valuation amount that triggers implementation of the ordinance requirements from \$50,000 to \$75,000 within any three-year period;
 - 2) Include all repair, maintenance and remodel costs in the new \$75,000 valuation calculation;
 - 3) Remove the requirement that businesses within the City's core downtown block (bounded by Laurel-Redwood-Franklin-Main) must install fire sprinklers within four years of adoption of the ordinance;
 - 4) Modify the ordinance to clarify the basis of valuing the remodel, repair and/or maintenance work;
 - 5) Revise the approval process for the sprinkler valuation; and
 - 6) Define a clear appeal process.
- On October 14, 2014, the City introduced Ordinance 914 which established a new four-year window for the property owners on that block to install automatic fire sprinklers.
 - At the November 10, 2014 public hearing, the City Council discussed eliminating this four-year window. The Council then voted to adopt Ordinance 914 without the four-year window, in hopes that, at some point in the future, grant funds might become available to provide low-cost loans to property owners for installation of sprinklers.

Councilmember Hammerstrom alerted staff that the "new" version, as amended at the November 10, 2014 meeting, required an additional reading prior to adoption because changes were made to the ordinance at that meeting. Thus, the Council's action to adopt Ordinance 914 is invalid. In other words, since the version of Ordinance 914 that the Council adopted on November 10, 2014 was materially different than that introduced on October 14, 2014, the versions of Chapters 15.05 and 15.06 that were in place prior to the October 14, 2014 Council meeting remain in place, without amendment.

Staff is seeking direction regarding whether to re-process the ordinance as adopted on November 10, 2014 or whether to include a timeframe for installation of automatic fire sprinklers in existing buildings in the Main/Redwood/Franklin/Laurel block of downtown Fort Bragg.

RECOMMENDED ACTION:

Receive Report and Provide Direction to Staff Regarding Ordinance Amending Chapters 15.05 (International Fire Code and California Fire Code) and 15.06 (Automatic Fire Sprinkler and Alarm Systems) of the Fort Bragg Municipal Code. Specifically, staff seeks direction on whether or not to include a four-year timeframe for installation of fire sprinklers on properties in the Main/Redwood/Franklin/Laurel block of downtown.

ALTERNATIVE ACTION(S):

None.

ANALYSIS:

The City of Fort Bragg first adopted an ordinance regulating automatic fire sprinklers in 1985, and it was later amended in 1997, 1999, 2003, and 2007. The purpose of the ordinance is to ensure that new construction and significant remodels include installation of automatic fire sprinklers. Recent revisions to the ordinance included requiring installation of automatic fire suppression systems in all new commercial buildings and in projects that require a building permit and which include remodel, repair and/or maintenance activities with a value of more than \$50,000.

City Council met and deliberated on four occasions in 2014 to refine the ordinance. The table below compares the substantive differences between the “old” version of the Muni Code, the version the Council introduced on October 14, 2014, and the version the Council intended to adopt on November 10, 2014 (Attachment 1).

Existing FBMC Fire Sprinkler Requirements	Proposed Fire Sprinkler Requirements
The remodel valuation amount that triggers implementation of the ordinance requirements is \$50,000 within any three-year period.	Remodel valuation amount is increased to \$75,000.
The \$50,000 valuation calculation does not include all repair, maintenance and remodel costs.	All repair, maintenance and remodel costs are included in the \$75,000 valuation.
Requires that businesses within the City’s central business district install fire sprinklers within 5 years of installation of an automatic fire sprinkler main. (Note: the City has not enforced this requirement in the one block where a main has been installed).	Requires businesses within the City’s core downtown block (where a main has been installed) to install fire sprinklers within four years of adoption of the ordinance. NOTE: This requirement was removed from the November 10, 2014 version of the Ordinance.
The basis for valuing the remodel, repair and/or maintenance work is not clearly stated, making it difficult to enforce.	Modifications clarify and standardize the valuation process.
Approval process for remodel valuation, and appeal process was difficult to interpret and use.	Approval and appeal processes are clarified.

The Finance and Administration Committee discussed the Fire Sprinkler Ordinance at its May 6, 2015 meeting. The Committee recommended that City Council approve all of the previously agreed

to changes to the sprinkler ordinance, save one. The Committee was unable to reach a consensus recommendation regarding whether businesses within the City's core downtown block (bounded by Laurel-Redwood-Franklin-Main) should be required to install fire sprinklers within four years of adoption of the ordinance.

For review, the old/current ordinance required installation of sprinklers within five years of the installation of "automatic fire sprinkler mains... in targeted blocks within the downtown area of Fort Bragg." The City completed installation of an automatic fire sprinkler main in the alley of the block bounded by Main, Laurel, Franklin and Redwood in 2008, and the five-year deadline passed without enforcement due to Council concerns about imposing the requirement on businesses in the midst of the economic recession.

Since the Council's discussions last fall, staff contacted CDBG and determined that grant funding may become available in the 2017 to 2018 timeframe through a Commercial Rehabilitation Loan Program. These funds could provide a combination of forgivable, deferred interest, and low interest loans for installation of automatic fire sprinkler systems. Fort Bragg would only be for this funding if the City has an ordinance requiring installation of the sprinklers, as CDBG funds are only available to assist businesses and property owners in addressing code violations.

Absent a City requirement to install sprinklers, the City would not be able to secure CDBG funding to assist businesses with the installation of sprinklers. However, the requirement to install sprinklers could be added to the ordinance at any time in the future as directed by City Council.

FISCAL IMPACT:

The installation of automatic sprinkler systems will reduce risks to lives and property and will lower fire-fighting costs associated with responding to calls for service by the Fire Department. Thus the project will have a net positive fiscal impact by reducing the cost of fire services.

CONSISTENCY:

The proposed changes to the Municipal Code Fire Sprinkler Ordinance are consistent with the following goals and policies of Fort Bragg's General Plan (*italics added for emphasis*):

Goal SF-4 Reduce fire hazards.

Policy SF-4.1 Minimize Fire Risk in New Development: Review all development proposals for fire risk and *require mitigation measures to reduce the probability of fire.*

Policy SF-4.2 Maintain a High Level of Fire Protection: Work with the Fire Protection Authority to ensure a continued high level of fire protection.

Program SF-4.2.2: *Develop a plan to provide sprinklers for commercial structures in the Central Business District. The plan shall include consideration of City funding to construct risers for this area.*

Staff found no conflicts between the proposed changes to the Fire Sprinkler Ordinance and the General Plan.

IMPLEMENTATION/TIMEFRAMES:

The revised ordinance will be brought back for a first and second reading in June and July and would be adopted in July or August.

ATTACHMENTS:

1. Draft Fire Sprinkler Ordinance

NOTIFICATION:

1. Steve Orsi, Fire Chief
2. Steve Wells, Fire Marshal

City Clerk's Office Use Only

Agency Action ☐ Approved ☐ Denied ☐ Approved as Amended

Resolution No.: _____ Ordinance No.: _____

Moved by: _____ Seconded by: _____

Vote: _____

☐ Deferred/Continued to meeting of: _____

☐ Referred to: _____

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