



AGENCY:	City Council
MEETING DATE:	July 27, 2015
DEPARTMENT:	Community Dev.
PRESENTED BY:	M Jones

## AGENDA ITEM SUMMARY

### **TITLE:**

**RECEIVE REPORT AND CONSIDER INTRODUCING, BY TITLE ONLY, AND WAIVE FURTHER READING OF ORDINANCE 916-2015 REPEALING AND REPLACING 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 action 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 Council introduced Ordinance 914 which included a provision establishing a new four-year deadline for property owners on the core downtown block to install automatic fire sprinklers. After the November 10, 2014 public hearing, the City Council voted to adopt Ordinance 914 without the four-year deadline, in hopes that, at some point in the future, grant funds might become available to provide low-cost loans and/or grants to property owners for installation of sprinklers. Because the version of Ordinance 914 that the Council adopted on November 10, 2014 was materially different than that introduced on October 14, 2014, the procedure used to adopt it was incorrect. Thus, 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.

On June 8, 2015, the City Council discussed the need to re-adopt the modified ordinance and debated once again whether or not to include the four-year deadline for installation of fire sprinklers on properties in the core block. On a 4-1 vote, the Council reaffirmed the final direction provided at the November 10, 2014 City Council meeting.

Additionally, the Council directed staff to bring the attached ordinance back for further discussions and possible amendment to require properties on the core block to install fire sprinklers, once CDBG makes funds available through the Commercial Rehabilitation Loan Program. The Commercial Rehabilitation Loan Program could be used to provide forgivable, deferred interest, and/or low interest loans to install sprinkler systems.

**RECOMMENDED ACTION:**

Introduce, by Title Only, and Waive Further Reading of Ordinance 916-2015 Repealing and Replacing 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.

**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. The table below summarizes the differences between the “old” version of the Muni Code and the attached ordinance.

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).	No requirement that businesses within the Central Business District connect to the City installed fire sprinkler main.
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.

Chapter 15.05 (International Fire Code and California Fire Code) needs to be updated to reference the current 2013 version of the California Fire Code. Every three years, the California Building Standards Commission, along with other state agencies, reviews the California “Building” Codes and adopts and amends Title 24 of the California Code of Regulations (“California Building Standards Code” or the “CBSC”). The CBSC contains several titles, including the California Fire Code, that are applicable and enforceable at the local level. Once adopted by the state, local jurisdictions may then adopt additional amendments, as necessary, to the California Fire Codes to account for local climatic, geographical or topographical conditions. The City’s proposed amendments will make modifications to the CBSC in order to add additional structural safeguards and procedures unique to Fort Bragg. The purpose of City Council’s action is to introduce the ordinance that will repeal the City’s previous Fire Code, and adopt and amend the 2013 edition of the California Fire Code, in order to reflect the City’s current needs.

**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 second reading and adoption in August.

**ATTACHMENTS:**

1. 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: \_\_\_\_\_