



AGENCY:	City Council
MEETING DATE:	August 10, 2015
DEPARTMENT:	Community Dev.
PRESENTED BY:	M Jones

## AGENDA ITEM SUMMARY

### **TITLE:**

**RECEIVE REPORT AND CONSIDER ADOPTION, BY TITLE ONLY, AND WAIVE FURTHER READING OF ORDINANCE 914-2014 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:**

In March, May, October and November of 2014, the City Council engaged in extensive discussions regarding a potential ordinance regulating the installation of automated fire sprinklers in commercial remodel projects.

On October 14, 2014, the City Council introduced Ordinance 914, which included the following:

- Increase the remodel valuation amount that triggers implementation of the ordinance requirements from \$50,000 to \$75,000 within any three-year period;
- Include all repair, maintenance and remodel costs in the new \$75,000 valuation calculation;
- 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;
- Modify the ordinance to clarify the basis of valuing the remodel, repair and/or maintenance work;
- Revise the approval process for the sprinkler valuation; and
- Define a clear appeal process.

The ordinance also included a provision establishing a new four-year deadline for property owners on the core downtown block to install automatic fire sprinklers.

At 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 adoption was invalid. 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 (to not include the four-year deadline for installation of fire sprinklers on properties in the core block) provided at the November 10, 2014 City Council meeting. The City Council also reaffirmed its



intent to reinstate the mandatory downtown core fire sprinkler requirement once a funding source is identified to assist with this process.

**RECOMMENDED ACTION:**

Reject Ordinance 914-2014 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:**

Business owners in the downtown core vociferously and consistently objected to the provision in Ordinance 914 that required sprinkler-systems be installed by property owners in the downtown core by a set deadline with no triggering development or remodeling activity. The Fire Chief has indicated that he would prefer that sprinkler systems be installed in all downtown buildings, but that he understands the financial constraints that limit the ability of business/property owners to comply with a mandatory time-limited sprinkler requirement. This issue has been debated at multiple City Council meetings, and a majority of the City Council would prefer a fire sprinkler ordinance without the mandatory requirement to install sprinklers, in building in the core downtown, without a triggering remodel activity.

**FISCAL IMPACT:**

The actual fiscal impact of adopting either ordinance 914 or 916 is difficult to calculate, as the potential impact could vary depending on a number of factors. Nevertheless, the installation of automatic sprinkler systems per either ordinance would reduce risks to lives and property and lower fire-fighting costs associated with responding to calls for service by the Fire Department. If Ordinance 914-2015 were adopted it might reduce fire risk more than Ordinance 916-2015, due to the mandatory installation of sprinkler systems in the downtown core. However Ordinance 914 could also impact the financial stability of some business, possibly resulting in reduced retail sales and or shuttered of retail storefronts, which could have a negative impact on the retail health of the downtown and retail sales tax revenues for the City. Alternatively, in the unlikely event that a serious fire occurs in the downtown core, prior to the City Council requiring the downtown sprinkler installation once a funding source is identified, the economic and fiscal impact would be proportionally serious.

**CONSISTENCY:**

The proposed rejection of Municipal Code Fire Sprinkler Ordinance 914-2015 and the adoption of 916-2015 is 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:**

Not applicable.

**ATTACHMENTS:**

1. Fire Sprinkler Ordinance #914-2014

**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: \_\_\_\_\_