



**Contra  
Costa  
County**

To: Contra Costa County Fire Protection District Board of Directors  
 From: Jeff Carman, Chief, Contra Costa County Fire Protection District  
 Date: July 10, 2018

Subject: Hearing on Fire Prevention Fee Schedule Revisions

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**RECOMMENDATION(S):**

1. OPEN the public hearing on Ordinance No. 2018-21 to revise and increase fees for fire safety inspections, permitting of specific operations, and plan review services within the Contra Costa County Fire Protection District, RECEIVE testimony, CONSIDER all objections and protests, and CLOSE the public hearing.
2. ADOPT Ordinance No. 2018-21 to revise and increase fees for fire safety inspections, permitting of specific operations, and plan review services within the Contra Costa County Fire Protection District.

**FISCAL IMPACT:**

Adoption of this Ordinance will increase the existing fire prevention fees so that they reflect the District's actual costs of providing the services for which they are charged. This will enable the District to continue to recover its actual costs of providing code enforcement, permitting, inspection, plan review services, and other services directly to the persons who pay the fees.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **07/10/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, Director  
 Candace Andersen, Director  
 Diane Burgis, Director  
 Karen Mitchoff, Director  
 Federal D. Glover, Director

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 10, 2018

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Robert Marshall,  
 925-260-6881

By: June McHuen, Deputy

cc:

## **BACKGROUND:**

The Contra Costa County Fire Protection District (District) conducts fire safety inspections and the permitting of specific operations and plan review services for the Contra Costa County Fire Protection District, in accordance with the California Fire Code (CFC). The Health and Safety Code authorizes fire departments/jurisdictions to charge reasonable fees in order to recover expenses for conducting fire and life safety operations. These operations include annual fire and life safety inspections of occupancies required by the Health and Safety Code and the California State Fire Marshal.

Additionally, these operations also include, but are not limited to, life safety inspections, plan review for construction projects, and issuing permits as identified in the CFC for various activities (e.g., operating places of public assembly, schools, adult and child care facilities, and the production and handling of hazardous materials).

In 1986 the Contra Costa County Fire Protection District Board of Directors adopted a Fire Prevention Fee Schedule for the Contra Costa County Fire Protection District. Since that time, the Board has approved five increases for the purpose of recovering the District's costs for providing these services. The last time that the Board authorized a Fire Prevention Fee Schedule increase was in 2013 (Ord. 2013-25). Previously, the Board directed staff to revise the fee schedule on a more frequent basis (every 2-3 years) to avoid significant changes in fees. Since 2013, costs of providing all Fire District services have risen, due primarily to increased labor costs associated with benefits and pensions obligations. The proposed ordinance would increase the fees to account for these cost increases, as explained below.

## **Calculation of the Fire Prevention Fees**

Each fee was calculated based on the actual costs of providing the service associated with the code enforcement, inspection, plan review, or other activity. Each individual fee was calculated using actual hourly costs for each staff position involved with providing the service associated with each fee or permit. The hourly personnel costs were calculated including all costs associated with the position such as salary and wages and benefit costs, including health care, pension, and other benefit costs. These hourly costs are referred to as "fully burdened" costs.

The costs associated with each service (permit, inspection, plan review, etc.) are based on an hourly rate or fractions thereof and are calculated using historical data regarding the amount of time required to perform each service. In addition, costs for fuel, vehicle, equipment, office space, information technology support and equipment was also included in the factor for full cost recovery of providing these services.

Revenue from the fees will be used to cover the District's actual costs of providing the services for which the fees are charged, or for administering and enforcing provisions of the California Fire Code and Building Codes. The fees will be paid by the persons or properties paying the fees or benefiting from the services for which the fees will be

charged. Services for which the fees are charged are not provided to persons or properties that do not pay the fees.

### **Calculation of the Nuisance Fire Alarm Response Fees**

The costs associated with responses and mitigation of nuisance fire alarms is authorized pursuant to the California Fire Code (Sec. 401.5.1) as adopted and amended by Ordinance 2016-23. These fees were calculated using actual personnel costs for staff associated with a typical response to a fire alarm incident as well as actual costs for fire prevention personnel assigned to respond to the occupancy and resolve the nuisance alarm. These costs were then applied to the average amount of time required for an emergency response to a fire alarm incident and one hour of personnel time for fire prevention personnel for follow-up and inspection at the premise.

Revenue from these fees will be used to cover the District's actual costs of responding to nuisance fire alarms. These fees cover the District's reasonable regulatory costs to enforce the provisions of the California Fire Code.

### **Comparison to Other Jurisdictions**

Other fire jurisdictions were polled with respect to their Fire Prevention Fee Schedules. A total of twelve (12) other fire agencies throughout the Bay Area and Sacramento were surveyed for their fire prevention fee structures for a rank order comparison. These agencies include the San Francisco Fire Department, Berkeley Fire Department, San Mateo Fire Department, Sacramento Metropolitan Fire District, Hayward Fire Department, Vallejo Fire Department, Santa Clara City Fire Department, San Jose Fire Department, Vacaville Fire Department, San Ramon Valley Fire Protection District, Richmond Fire Department, and Sacramento City Fire Department. In this latest survey, the District's fees ranked fifth in order of fees charged for the services provided.

With Board approval, the new fee schedule will have rates that are within the range of rates charged in other fire jurisdictions for services similar to those provided by the District.

For these reasons, District staff recommends that the Board adopt Ordinance No. 2018-21, to increase the District's current fire prevention fees. District staff caused a notice of intention to be published, and notice to be given, in the manner required by Health and Safety Code section 13916.

### **CONSEQUENCE OF NEGATIVE ACTION:**

If the Board does not adopt this Ordinance, the District's existing fire prevention fees would remain in effect and would not increase. Consequently, the District would not recover its actual costs of providing the services for which the fees are charged. District general fund revenues would need to be used to pay the difference between the amount of the current fee and the actual cost of providing the service for which the fee is charged.

This would result in a decrease in the amount of general fund revenues available for conducting emergency response activities, which would have negative public health and safety impacts.

#### ATTACHMENTS

Ordinance 2018-21

Exhibit A

Exhibit B

Attachment 1

Attachment 2

Attachment 3

Attachment 4

Attachment 5