



Legislation Details (With Text)

File #: 20-0100 **Name:** Ratify North Central Fire Protection District Ordinance

In control: Administrative Office

On agenda: 2/25/2020 **Final action:** 2/25/2020

Enactment date: **Enactment #:**

Title: Ratify the North Central Fire Protection District Ordinance No. 2019-01, which modifies or changes the 2019 California Fire Code based on local climatic, geological and topographical conditions; and, delegate authority for the enforcement of Ordinance No. 2019-01 to the chief of the North Central Fire Protection District, or his/her authorized representative

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. District Notice of Adoption, 3. Ordinance No. 2019-01, 4. Resolution No. 19-13, 5. District Notice for 30-day review

Date	Ver.	Action By	Action	Result
2/25/2020	1	Board of Supervisors	Approved as Recommended	Pass

DATE: February 25, 2020

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer

SUBJECT: Ratify North Central Fire Protection District Ordinance

RECOMMENDED ACTION(S):

- Ratify the North Central Fire Protection District Ordinance No. 2019-01, which modifies or changes the 2019 California Fire Code based on local climatic, geological and topographical conditions.**
- Delegate authority for the enforcement of Ordinance No. 2019-01 to the chief of the North Central Fire Protection District, or his/her authorized representative.**

ALTERNATIVE ACTION(S):

California Health and Safety Code Section 13869.7 states that the legislative body of the County may ratify, modify, or deny an adopted ordinance, and transmit its determination to the district within 15 days of the determination. Any modification or denial of an adopted ordinance shall include a written statement describing the reasons for any modifications or denial. No ordinance adopted by the district shall be effective until ratification by the city, county, or city and county where the ordinance will apply. Health and Safety Code § 13869.7(h)(1) requires your Board to delegate enforcement authority either to the chief of the District, or to the County building official. Section 101.1.3 of District Ordinance 2019-01 appears to vest the enforcement authority of the ordinance in the District.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action.

DISCUSSION:

The State of California adopted the 2018 edition of the International Fire Code, with amendments, which was entitled the 2019 California Fire Code. The 2019 California Fire Code took effect January 1, 2020. California Health & Safety Code Section 13869.7(a) authorizes the District, by ordinance, to make changes or modifications to the requirements contained in the provisions of the California Fire Code. The District is modifying the Code based on local climatic, geological or topographical conditions.

Health and Safety Code 13869.7 requires the District to provide a copy of the proposed ordinance to the County of Fresno for a 30-day review and comment period. The District provided this information to the County on December 20, 2019. The department of Public Works & Planning reviewed the information, and did not have any comments.

At a regular board meeting held on January 23, 2020, the District, via resolution No. 19-13, made and adopted express findings that modifications or changes to the California Fire Code are reasonably necessary because of local climatic, geological, and topographical conditions.

On January 24, 2020, the District delivered the adopted ordinance to the County to ratify, modify, or deny the adopted ordinance. Once a determination has been made, the County must transmit it to the District within 15 days.

Health and Safety Code 13869.7, subdivision (h)(1) requires your Board to delegate enforcement authority either to the chief of the District, or to the County building official. Section 101.1.3 of District Ordinance 2019-01 appears to vest the enforcement authority of the ordinance in the District.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - District Notice of Adoption
On file with Clerk - Ordinance No. 2019-01
On file with Clerk - Resolution No. 19-13
On file with Clerk - District Notice for 30-day review

CAO ANALYST:

Ronald Alexander