

RESOLUTION NUMBER R- 306899

# 333  
6/28/11

DATE OF FINAL PASSAGE JUN 30 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE REVISED FIRE-RESCUE  
DEPARTMENT FEE SCHEDULE FOR FISCAL YEAR 2012  
FOR THE HIGH-RISE INSPECTION FEES, AND AMENDING  
THE CITY OF SAN DIEGO RATEBOOK

WHEREAS, the San Diego Fire-Rescue Department (SDFD) charges high-rise hotel and office buildings for annual inspections and has been doing so since 1989; and

WHEREAS, during the Fiscal Year 2010 Budget, the San Diego City Council directed the SDFD to begin charging residential high-rises for their annual fire inspection; and

WHEREAS, shortly thereafter, the high-rise communities raised concerns over the methodology of basing the charge on the total square feet of a building's footprint; and

WHEREAS, based on this concern, the SDFD suspended billing for annual high-rise inspections until additional analysis could be done; and

WHEREAS, the SDFD contacted stakeholders about the new proposal and addressed their concerns by creating a new methodology for annual high-rise inspection billing; and

WHEREAS, under the new methodology, a commercial high-rise will pay total square footage, a hotel will pay for common areas plus twenty-five percent of guest room space, and a residential high-rise will pay only for common areas, including mechanical and storage space; and

WHEREAS, the cost per year for the SDFD to administer the annual high-rise inspection fee program is \$386,490; and

WHEREAS, in order to recover the total cost of the annual high-rise inspection program, the old annual high-rise inspection fee will need to be changed to \$10.96 per 1,000 square feet; and

WHEREAS, basic services included in the annual high-rise inspection fee will consist of the following: annual inspections and the first re-inspection, paperwork submissions to the Office of the State Fire Marshal, education on fire and life safety codes, random audits of inspection quality, and evacuation plan reviews; and

WHEREAS, the SDFD will also provide optional services for high-rise buildings; and

WHEREAS, the charge for these optional services shall be \$138 per hour, an amount derived from the annual costs of providing these optional services; and

WHEREAS, optional services will consist of the following: fire safety classes, fire warden meetings, fire drill assistance, emergency procedure book updates, special requests and research, and Knox Box services; and

WHEREAS, it is the policy of the City of San Diego (City) to establish fees to recover the costs of providing services in accordance with the San Diego Administrative Regulation 95.25; and

WHEREAS, San Diego Administrative Regulation 95.25 encourages transferring specific fee schedules listed in the San Diego Municipal Code (SDMC) and San Diego Resolutions to the standardized Ratebook maintained by the City Clerk; and

WHEREAS, the City has adopted a User Fee Policy dated March 20, 2009; and

WHEREAS, the California Fire Code provides the authority for the SDFD to inspect all buildings and premises under the City's Fire Company Inspection Program (FCIP); and

WHEREAS, the California Fire Code authorizes the City to charge and collect a fee not to exceed the estimated reasonable cost of providing the service for which the fee is charged, for the enforcement of building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the California Building Standards Code and other regulation adopted by the State Fire Marshal for the prevention of fire or for the protection of life and property against fire and panic; and

WHEREAS, the California Fire Code provides the authority for the City to collect a fee for the costs of high-rise inspections; and

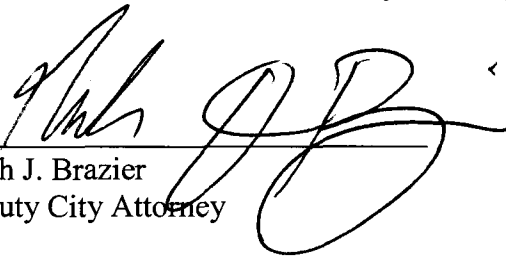
WHEREAS, this fee is exempted from the restrictions placed on new and existing fees by the California Constitution article XIII A; NOW, THEREFORE,

BE IT RESOLVED, that the City Council of the City of San Diego authorizes the Mayor or his designee to amend the fee for high-rise inspections, and establish a fee for high-rise inspection optional services as reflected in the Report to Council, filed with the City Clerk as Document No. RR-306899, and in Attachments A and B of that report.

BE IT FURTHER RESOLVED, that the City Council of the City of San Diego authorizes the City Clerk to amend the City Ratebook to reflect the new fees and rates as stated in the Report to Council, filed with the City Clerk as Document No. RR-306899, and in Attachments A and B of that report.

BE IT FURTHER RESOLVED, that the new and increased fees as set forth in the Report to Council, filed with the City Clerk as Document No. RR-306899, and in Attachments A and B of that report, are to be effective beginning July 1, 2011.

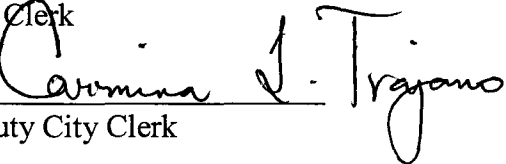
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Noah J. Brazier  
Deputy City Attorney

NJB:jdf  
6/15/2011  
Or.Dept:Fire  
Doc. No.: 200667

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 28 2011

ELIZABETH S. MALAND  
City Clerk

By   
Carmina J. Trujano  
Deputy City Clerk

Approved: 6-30-11  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor