

Article 5: Fire Department

Division 2: Fire Marshal

§25.0201 Office of Fire Marshal Created

There is hereby created the office of Fire Marshal of the City of San Diego, which office shall be held, and the duties of which shall be performed by the Chief of the Fire Department of the City of San Diego, who shall be ex-officio Fire Marshal, but who shall receive no compensation therefor other than his salary as said Chief of the Fire Department.

(Incorp. 1-22-1952 by O-5046 N.S.)

§25.0202 Authorizes Deputy Fire Marshal

The Chief of the Fire Department may appoint a Deputy, and he may act in the place and stead of the Fire Marshal.

(Incorp. 1-22-1952 by O-5046 N.S.)

§25.0203 Duties of Fire Marshal

It shall be the duty of the Fire Marshal:

- (a) To enforce all laws of the State of California and all provisions of this Code pertaining to:
 - (1) The prevention of fires and the elimination of the causes thereof.
 - (2) The storage and use of explosives and inflammables.
 - (3) The installation and maintenance of automatic and other fire alarm systems and all fire extinguishing equipment.
 - (4) The maintenance and regulation of fire escapes; proper designation of such in all buildings provided with such means of escape; access and obstructions thereto.
- (b) To investigate the cause, origin and circumstances of fires.
- (c) To inspect as often as may be necessary all factories, schools, hotels, lodging, houses, asylums, hospitals, rest-homes, convalescent homes, nurseries, churches, halls, theatres, amphitheatres, stadia, and all other places in which numbers of persons work, live or congregate from time to time for any purpose, for the purpose of ascertaining the adequacy of exit in case of fire.

- (d) To inspect as often as may be necessary all buildings and premises susceptible to fire and to cause to be corrected all conditions pertaining to the maintenance and use of said buildings and premises necessary for the safety of life and property from fire.
 - (e) To inspect as often as may be necessary all buildings, premises and public thoroughfares for the purpose of ascertaining and cause to be corrected any condition liable to hinder or hamper the workings of the Fire Department in the case of fire.
 - (f) To perform such duties as may be set forth in other sections of the Code and as may be conferred and imposed from time to time by executive order of the City Manager or by ordinance or resolution of the City Council of the City of San Diego.
 - (g) To do whatever he may deem necessary for the safety and protection of persons and property from fire hazards.
- (Amended 11-6-1952 by O-5376 N.S.)*

§25.0204 Inspection of Premises

The Fire Marshal and his deputies shall have the right to enter upon any premises at all reasonable hours for the purpose of inspecting the same and enforcing the provisions of this and other ordinances pertaining to the protection of the city from fire.

(Incorp. 1-22-1952 by O-5046 N.S.)

§25.0205 Fire-Rescue Department Fees

The Chief of the Fire-Rescue Department, including in his or her capacity as Fire Marshal, and after consultation with and approval of the City Manager, shall have the authority to establish fees for the use of Fire-Rescue Department facilities, equipment, and services. Fees shall be established in accordance with City Council Policy and Administrative Regulations governing such fees. The services and fees shall be posted in the City Clerk's Composite Ratebook. No fee shall be established in contravention of any applicable statute or regulation, or case law.

("Fire-Rescue Department Fees" added 5-28-2009 by O-19862 N.S; effective 6-27-2009.)