

COUNTY OF PLACER
Community Development/Resource Agency

Michael Johnson, AICP
Agency Director

**BUILDING
SERVICES DIVISION**

Tim Wegner, Chief Building Official

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael Johnson, AICP
Agency Director

Tim Wegner, Chief Building Official
Building Services Division

DATE: February 4, 2014

**SUBJECT: RESOLUTION RATIFYING THE FIRE PREVENTION CODE OF THE PLACER HILLS
FIRE PROTECTION DISTRICT**

ACTION REQUESTED

Adopt a resolution ratifying Placer Hills Fire Protection District's Resolution No. 2014-01 (which adopts the 2013 California Fire Code and findings for local amendments) and direct staff to transmit your determination to the District. There is no net County cost associated with this action.

BACKGROUND

The California Fire Code establishes minimum standards for protection of life and property from fire, explosion and hazardous materials release. Fire districts are authorized by law to enact stricter standards than those in state or local codes. In order to enact stricter standards, the District's legislative body must adopt its own ordinance/resolution implementing the California Fire Code with amendments. The Fire District must also adopt findings of fact and need for changes or modifications due to local conditions. No such ordinance of a local fire district becomes effective unless or until it is ratified by the legislative body of the city or county in which the local district is located.

Health and Safety Code section 13869.7(c) outlines the procedure that the Fire District must follow to gain ratification. Specifically, section 13869.7 requires the Fire Protection District to transmit the adopted ordinance/resolution of findings to the county or city where the ordinance will apply. After transmittal, the legislative body of that county or city may ratify, modify, or deny an adopted ordinance and transmit its determination to the district within 15 days of the determination.

The Placer Hills Fire Protection District ("PHFPD") is located within the boundaries of Placer County. On January 8, 2014, the PHFPD's Board of Directors passed Resolution No. 2014-01 adopting the 2013 California Fire Code with amendments and setting forth its findings to support the amendments because of local conditions. The resolution and findings were transmitted to the County and have been reviewed by the Placer County Building Service Division. Copies are attached for your Board's consideration.

Based on the Building Service Division's review of PHFPD's Resolution No. 2014-01, staff recommends that your Board ratify the same by adopting the attached resolution. Staff also request that your Board direct staff to transmit a copy of the resolution to PHFPD.

FISCAL IMPACT

There is no fiscal impact to the County with this matter. The PHFPD Fire Prevention Code is enforced by the PHFPD, and any appeals will go to the District's Board for resolution and enforcement.

ATTACHMENTS

- Attachment 1: Resolution Ratifying the Placer Hills Fire Protection District's adoption of the 2013 California Fire Code
- Exhibit A: Placer Hills Fire Protection District Boundaries
- Exhibit B: Resolution 2014-01: A Resolution of Placer Hills Fire Protection District adopting the 2013 Fire Prevention Code

- cc: Ian Gow - Fire Chief, Placer Hills Fire Protection District
- Michael Johnson - CDRA Director
- Karin Schwab - County Counsel
- Rui Cunha - OES Assistant Director

**Before the Placer County
Board of Supervisors
County of Placer, State of California**

In the matter of:

Resol. No:.....

Ratification of the PLACER
HILLS FIRE PROTECTION
DISTRICT's Adoption of the
2013 California Fire Code.

The following Resolution was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chair, Board of Supervisors

WHEREAS, California Health and Safety Code section 13869.7 allows a fire protection district to adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code; and

WHEREAS, a fire protection district that proposes to adopt such an ordinance must also adopt findings of fact and need for changes or modifications because of local conditions in compliance with Health and Safety Code section 18941.5; and

WHEREAS, Health and Safety Code section 13869.7(c) requires the fire protection district to transmit the adopted ordinance and resolution of findings to the county or city where the ordinance will apply; and

WHEREAS, Health and Safety Code section 13869.7(c) authorizes the legislative body of that county or city to ratify, modify or deny an adopted ordinance and transmit its determination to the district within 15 days of the determination; and

WHEREAS, no ordinance adopted by a fire protection district under Health and Safety Code section 13869.7 shall be effective unless or until it is ratified by the legislative body of the city or county where the ordinance will apply; and

WHEREAS, the PLACER HILLS FIRE PROTECTION DISTRICT is located within the boundaries of Placer County as depicted in Exhibit "A"; and

WHEREAS, on January 8, 2014, the PLACER HILLS FIRE PROTECTION DISTRICT's Board of Directors passed Resolution No. 2014-01 adopting the 2013 California Fire Code with amendments and findings to support the amendments because of local conditions, attached hereto as Exhibit B; and

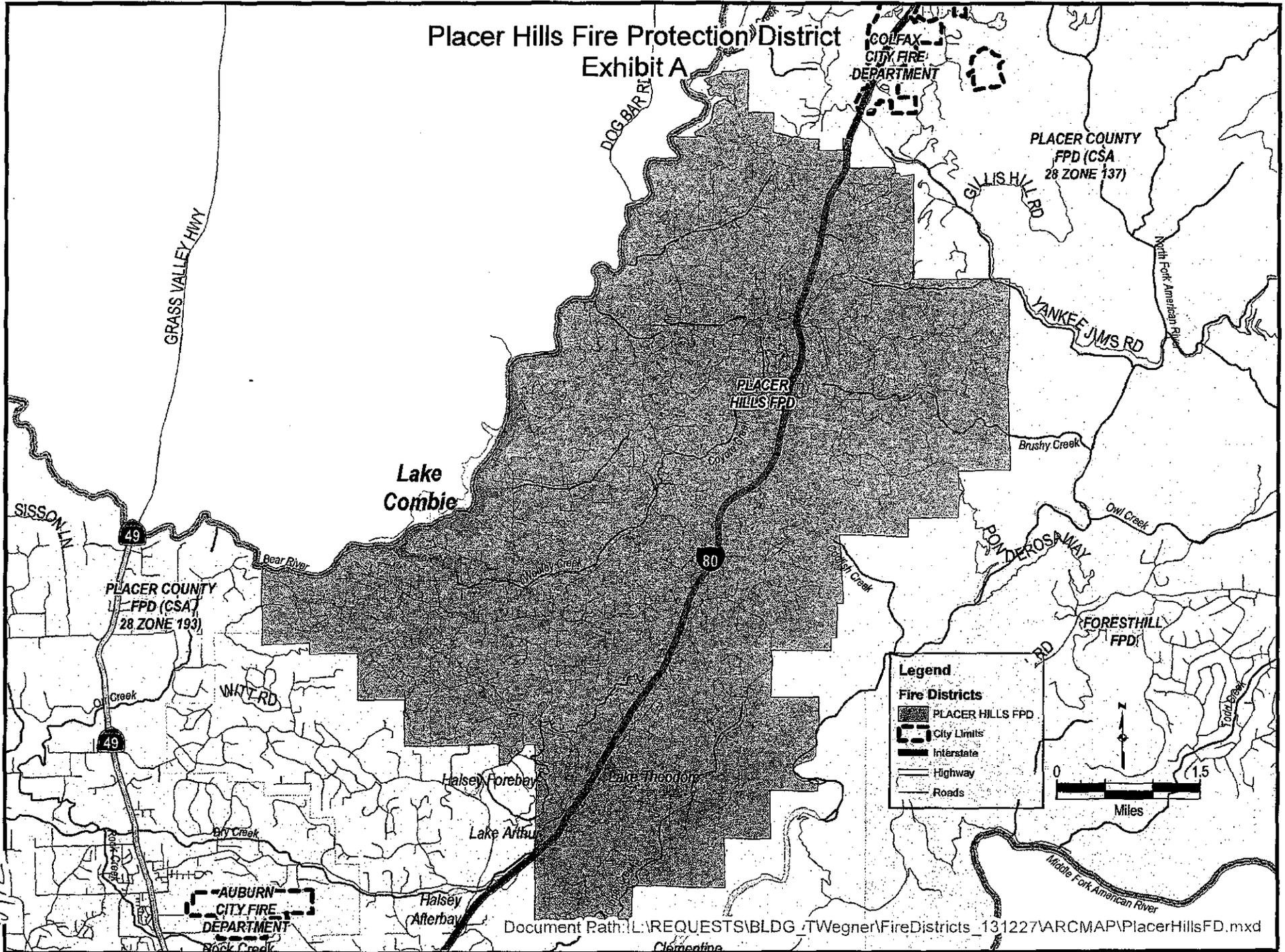
WHEREAS, the PLACER HILLS FIRE PROTECTION DISTRICT has transmitted a copy of Resolution No. 2014-01 to the County; and

WHEREAS, this Board has considered Resolution No. 2014-01 as attached hereto and wishes to ratify the same.

NOW, THEREFORE, BE IT RESOLVED by the Placer County Board of Supervisors to ratify the PLACER HILLS FIRE PROTECTION DISTRICT's Resolution No. 2014-01 adopting the 2013 California Fire Code with amendments as set forth in Exhibit "B".

BE IF FURTHER RESOLVED, that this resolution shall be effective immediately.

Placer Hills Fire Protection District Exhibit A



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EXHIBIT B



Established 1949

BOARD OF DIRECTORS PLACER HILLS FIRE PROTECTION DISTRICT

Alex Harvey Peter Hills Stephanie Stuart Bret Tresidder Mark Wright

RESOLUTION NO. 2014-01

RESOLUTION OF THE BOARD OF DIRECTORS OF THE PLACER HILLS FIRE PROTECTION DISTRICT ADOPTING THE 2013 CALIFORNIA BUILDING AND FIRE CODE WITH THE PLACER COUNTY AMENDMENTS

WHEREAS, the California Building and Fire Code is amended and published every three years based on the International Fire Code of the International Code Council; and

WHEREAS, Placer County has established amendments necessary because of local climatic, geological or topographical conditions;

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Placer Hills Fire Protection District does hereby adopt the 2013 California Building and Fire Code with the Placer County Amendments;

APPROVED, PASSED AND ADOPTED at a regular meeting of the Placer Hills Fire Protection District at Meadow Vista, California this 8th day of January 2014.

AYES: HARVEY, HILLS, STUART, TRESIDDER, WRIGHT

NOES: ∅ ABSENT: ∅

Signed: *Peter Hills*
President

Attest: *Mark Wright*
Secretary/Treasurer