



City of Rialto

Legislation Text

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For City Council Meeting [January 14, 2020]

TO: Honorable Mayor and City Council

APPROVAL: Rod Foster, City Manager

FROM: Sean Grayson, Fire Chief

Request City Council to Conduct a Public Hearing to consider the second reading and adoption **Ordinance No. 1630** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, REPEALING IN ITS ENTIRETY TITLE 15, CHAPTER 15.28, OF THE RIALTO MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA FIRE CODE, FEES AND PENALTIES, THE CALIFORNIA CODE OF REGULATIONS, TITLE 19 AND 24, AND OTHER RELATED CODES, WITH APPROPRIATE AMENDMENTS PER CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 17958, 17958.5 AND 17598.7 AS A NEW TITLE 15, CHAPTER 15.28 " Amending Chapter 15.28 of the Rialto Municipal Code to Adopt by Reference the 2019 Edition of the California Fire Code and Approving Findings of Local Necessity.

(ACTION)

BACKGROUND

The California Fire Code is revised every three years to incorporate the latest technology together with the most current building and fire-related practices. The last change was made in 2017, when the City adopted by reference and with minor amendments, the 2016 California Code series. The 2019 California Fire Code, has been adopted by the State of California and became state law effective January 1, 2020. Health and Safety Code Section 17958.5 authorizes local amendment of these codes; provided the local jurisdiction makes express findings pursuant to Health and Safety Code Section 17958.7(a) that such modifications and changes are necessary because of local climatic, geological or topographical conditions.

The Rialto Fire Department has participated in a Fire Code Committee with surrounding jurisdictions in considering any local modifications. The attached amendments to the fire code represent the product of those meetings. The intent is to have a regional approach to the fire code adoption process and similar ordinances.

ANALYSIS/DISCUSSION

On December 10, 2019 the City Council conducted the first reading of the proposed ordinance, approved Resolution 7579 declaring findings of local necessity, and set the public hearing to consider the adoption for January 14, 2020. The proposed ordinance would update sections of Title 15.28 of the Rialto Municipal Code (RMC) that are directly affected by the adoption of the 2019 California Fire Code. The proposed ordinance contains modifications and amendments to certain sections of the fire code recommended by staff to adapt the requirements to the local conditions in the City of Rialto.

The California Health and Safety Code empowers the City to adopt by reference the most current fire

related codes that have been approved, codified and published by the California Building Standards Commission. State law also authorizes the City to make modifications in the standard building and fire code requirements as necessary to be adapted for local climatic, geological or topographical conditions. The proposed resolution identifies the following local conditions that support the need for modifications in the uniform building and fire code standards:

1. The local area receives relatively small amounts of precipitation, and experiences very low humidity levels and extremely high temperatures. These conditions are conducive to the spread of fire.
2. The local area is subject to extremely strong wind conditions, which can exceed wind speeds of 90 miles per hour. Extensive damage often occurs during such winds, including downed trees, power lines, utility poles and utility service lines.
3. The above-mentioned adverse conditions cause fires, impairment of emergency apparatus access, delays in emergency response times, and the depletion of apparatus readily available for fire suppression activities.
4. The local area is situated on alluvium sediments, which during seasons of heavy rains provide the potential for heavy flooding in the City.
5. There is one major earthquake fault within the City and four additional faults within the adjacent area. In the event of a severe earthquake, catastrophic damage could occur throughout the City, including extensive damage to buildings, fire, and major damage to the infrastructure that would impair the movement of emergency apparatus and personnel.
6. The local area has experienced growth and development, which has contributed to severe traffic congestion during peak traffic hours. The resulting congestion contributes to the probability of delays in responding emergency personnel and apparatus to fires and other life-threatening situations.

Based on the above referenced climatic, geological and topographical conditions, staff recommends that the City Council adopt the Ordinance to include the findings of Resolution 7579 and determine that the amendments to the 2019 California Fire Code are necessary to protect life and property. Copies of the fire codes proposed for adoption are available for public review at the Fire Department Administration Headquarters.

There are minimal or no anticipated costs for builders or developers to comply with the fire code updates as previous local amendments have been shifted to the model code making the total enforceable code relatively unchanged since the last revision in 2017. There is a potential cost, in the form of a permit and inspection fee, that may be born by food truck vendors as the proposed regulations contemplate that those vehicles will be subject to fire inspections. The current City adopted annual permit and inspection fee for this purpose is \$174.50 per permit or vehicle.

ENVIRONMENTAL IMPACT

Adoption of the proposed Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b) (3) [14 C.C.R. §15061(b) (3)] which sets forth the rule that "CEQA" applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

GENERAL PLAN CONSISTENCY

The City of Rialto General Plan establishes various guiding principles, goals, and objectives through which the City looks to improve the community and protect the quality of life for our residents.

Adopting Fire Code amendments is consistent with the Rialto General Plan. Chapter 5: Safety and Noise as noted in Sections 5-6. Also, Section 5-3 states the Goal to: Increase the City's fire protection capabilities and implement fire prevention regulations and standards that minimize potential fire hazards and fire losses.

LEGAL REVIEW

The City Attorney has reviewed and supports this staff report

FINANCIAL IMPACT

Operating Budget Impact

Adoption of the 2019 California Fire Code will not alter current fire plan check, inspection, permitting, or the revenue generated from these processes. There is no anticipated operating budget impact associated with the request.

Capital Improvement Budget Impact

There is no anticipated capital improvement budget impact associated with the request.

Licensing

A Rialto Business License is not required for this action.

RECOMMENDATION

Staff recommends that the City Council:

- Conduct the Public Hearing and upon its conclusion, consider adoption of **Ordinance No. ____** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, REPEALING IN ITS ENTIRETY TITLE 15, CHAPTER 15.28, OF THE RIALTO MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA FIRE CODE, FEES AND PENALTIES, THE CALIFORNIA CODE OF REGULATIONS, TITLE 19 AND 24, AND OTHER RELATED CODES, WITH APPROPRIATE AMENDMENTS PER CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 17958, 17958.5 AND 17598.7 AS A NEW TITLE 15, CHAPTER 15.28 " Amending Chapter 15.28 of the Rialto Municipal Code to adopt by reference the 2019 Edition of the California Fire Code and approving findings of local necessity.