

ORDINANCE NO. 2005-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NORTH COUNTY FIRE PROTECTION DISTRICT ESTABLISHING A SCHEDULE OF FIRE PREVENTION SERVICES AND ACTUAL FEES AND REPEALING ORDINANCE 2004-01.

ARTICLE I. The North County Fire Protection District has incurred un-reimbursed discretionary development costs and is anticipating that further new discretionary development will occur within the District which will place a greater demand on the existing staffing resources of the fire prevention bureau. Also, escalating demands have been placed upon suppression personnel in conducting increasingly numerous and complex occupancy inspections.

ARTICLE II. The North County Fire Protection District is charged with the responsibility of enforcing applicable codes pertaining to fire and panic safety and other regulations of the State Fire Marshal pursuant to Section 13146 of the California Health & Safety Code and Section 101.2.2.2 of the California Fire Code.

ARTICLE III. The North County Fire Protection District incurs additional costs in lost personnel hours and expended District resources when said fire prevention services are of a recurrent nature and the result of discretionary development. The District charges fees to recover costs incurred for the provision of said services, however, said fees require periodic revision to reflect current personnel costs.

ARTICLE IV. The Fire Chief may impose a fee for recovery of expenses incurred as a result of activities undertaken pursuant to enforcing the fire prevention provisions of the fire code, pursuant to Govt. Code Section 66014, Calif. Fire Code Section 101.2.2.2.5, and County of San Diego Consolidated Fire Code Section 105.2.4.

ARTICLE V. Fire prevention service fees are based upon the actual costs incurred by the fire agency, which are based upon the total compensation of the employee(s) providing a particular service and include total personnel hours utilized for plan review, file review, database information entry, mapping updates, travel to and from the site, written response, and site inspection.

ARTICLE VI. The actual fee shall be paid by the applicant to the fire prevention bureau at time of application or submittal to cover the actual costs in accordance with the aforementioned schedule for an INSPECTION or PLAN REVIEW or any OTHER SERVICES listed on the Fire Prevention Fee Schedule.

ARTICLE VII. The actual cost for the provision of said services shall not exceed the actual cost incurred by the District.

ARTICLE VIII. In the event that fees are not paid at the time of application or upon request for additional fees, the District shall not be obligated to process, approve or take further action on renewable permits, installation, removal, activity or alteration permits, inspections, plan reviews, or other services necessitating a fee as delineated in the Fire Prevention Fee Schedule.

ARTICLE IX. The Board of Directors hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Fire Prevention Fee Schedule referenced herein be declared for any reason to be invalid, it is the intent of the Board that it would have adopted all other portions of this ordinance independent of the elimination therefrom of any such portion as may be declared invalid.

ARTICLE X. The Board of Directors of the North County Fire Protection District does hereby approve the adoption of the attached Schedule of Fire Prevention Services and Fees therefore, (Exhibit 1) to become effective September 26, 2005. This ordinance shall be published according to law.

ARTICLE XI. Ordinance 2004-01 is hereby repealed.

PASSED this date July 26, 2005, by the following vote:

AYES: Directors Graham, Harris, Lindeman and Olson

NOES: Director Adams

ABSENT: None

RECUSED: None

Richard Olson
Board President

ATTEST:

Loren Stephen-Porter
Board Secretary