

CITY OF YUBA CITY
STAFF REPORT

Date: April 19, 2022
To: Honorable Mayor & Members of the City Council
From: Fire Department
Presentation By: Jesse Frias

Summary

Subject: Fire Inspection Fee Schedule
Recommendation: A. Conduct a Public Hearing; then
B. Adopt a Resolution amending the Yuba City Schedule of Fees and Charges for City services related to Fire Department Inspection Services, which include creating a R-1 & R-2 Fire Inspection Fee and updating the Assembly Fire Inspection Fee
Fiscal Impact: Projected revenue increase by a minimum of \$73,580 for the 22/23 FY.

Purpose:

Increase and inclusion of selected inspection fees to recoup operating costs.

Council's Strategic Goal:

This project addresses the City Council's Strategic Goal of maintaining and improving Public Safety.

Background:

California Senate Bill 1205 (SB 1205) was signed into law on September 27, 2018, after the tragic Ghost Ship Fire in December 2016 brought national attention to California and put a spotlight on fire safety laws and the performance of fire inspections.

State-mandated inspections were enacted by the California Health & Safety Code Sections 13146.2, and 13146.3 requiring all fire departments that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards.

Currently, the fire department has no fee established for said state-mandated inspections.

The department also conducts annual "Assembly" inspections on occupancies being occupied or used for a gathering of 50 or more persons for civic, political, travel, religious, social, educational, recreational, or like purposes, or for the consumption of food or drink.

The current City fees in place do not cover the operational expense of providing fire life and safety inspections to the public members as it relates to Assembly inspections.

Analysis:

Annually, the City of Yuba City Fire Department shall conduct inspections of all public and private schools, hotels, motels, lodging houses, and apartment/condominium buildings according to California Health and Safety Code Section 13146.2 13146.3.

Since California Senate Bill 1205 (SB 1205) was signed into law on September 27, 2018, the City has not established a fee to cover operational expenses for conducting R-1 & R-2, Apartments, Hotels and Motel mandated inspections. Establishing an inspection fee will assist in generating revenue to offset the costs of staffing needed to perform approximately 307 additional required inspections per year.

Staff established the R-1 & R-2 inspection fee based on an approximate actual cost basis by utilizing the hourly rates for the Fire Marshal, Fire Safety Inspector, and Administrative Clerk. The approximate actual cost to inspect R-1 & R-2 occupancies up to 50 units is an average of \$225 per unit, and greater than 50 units is \$300. The fee is calculated at an average of two hours for an inspector, half an hour for the Fire Marshal, a half-hour for the Administrative Clerk, and a ten percent administrative fee for up to 50 units. The same calculation was used for inspections on occupancies greater than 50 units, but with one additional hour for the Fire Safety inspector being added to occupancies with 51 or more units.

Staff also reviewed the fee for conducting "Assembly" occupancy inspections and found that the department is not recovering the total costs for providing the inspections and therefore would like to increase the amounts using the same methodology as stated above based on actual costs.

In addition, staff conducted a fee survey of other municipalities. Please refer to Exhibit A – Proposed Fee Schedule.

Fiscal Impact:

Projected increase of revenue by a minimum of \$73,580 for the 22/23 FY. Establishing a fee for inspections on approximately 307 R-1 & R-2 (apartments, hotels & motels) occupancies will generate a minimum revenue of \$69,075. In addition, increasing the Assembly occupancy inspection fees will generate \$4,505 in additional revenue.

Alternatives:

1. Approve only the R-1 & R-2 fire inspection fee.
2. Approve only the Assembly fire inspection fee increase.
3. Authorize the Fire Department to hire a consultant to perform a Fee Analysis Study.
4. Do not approve the recommendation to update the Yuba City Fee Schedule for the Fire Life & Safety Inspections costs.

Recommendation:

1. Conduct a Public Hearing; then
2. Adopt a Resolution authorizing the Finance Department to update the Yuba City Fee Schedule for the costs associated with Fire Life and Safety Inspections, which include creating a R-1 & R-2 Fire Inspection Fee and increasing the Assembly Fire Inspection Fee.

Attachments:

1. Attachment 1 - Exhibit A - Proposed Fee Schedule
2. Attachment 2 - Fee Schedule Resolution

Prepared By:
Jesse Alexander
Fire Chief

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

EXHIBIT A

Fee Description	YC Current	YC Proposed	Chico	Woodland	Merced	Marysville	Folsom	Tracy	Rocklin	Lodi	Davis
R-1 & R-2 Occupancies - Apartments/Hotels/ Motels	\$0.00	3-50 Units \$225 >50 Units \$300	\$106/hr +\$20 if they have a P.A	3-9 units \$192 10-49 units \$235 50-100 units \$277 101-200 units \$362 201-300 units \$447 301-400 units \$489 401-500 units \$575 >500 units \$660	<5 units \$98 5-20 units \$130 21-50 units \$163 >50 units \$163	3-9 units \$75 10-16 \$150 17-60 \$225 >61 \$300	\$185/hr	\$157.13/hr	3-16 units \$283 17-32 units \$338 33 or more \$420	3-16 units \$146+ 17-32 units \$205+ 33 or more \$234+ +min fee, actual cost may vary - Fees based on \$135/hr (in quarter increments)	30 or less units \$129 31 or more \$317
Assembly (Per occupant Load amount)	50-299 \$74 300-999 \$98 1,000+ \$147	50-299 \$99 300-999 \$132 1,000+ \$198	\$122	\$227	50-299 \$130 300+ \$260 Non-profit \$75	\$150	50+ \$185	\$282.13/ permit fee \$157.13/ Inspection fee	<300 \$338 300-900 \$475 1,00+ \$530	\$135+ +min fee, actual cost may vary - Fees based on \$135/hr (in quarter increments)	>10,000 sq ft \$129 10,000+ sq ft \$317

ATTACHMENT 2

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AMENDING THE SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES RELATED
TO FIRE DEPARTMENT INSPECTION FEES**

WHEREAS, on March 20, 2007, the City Council repealed and reenacted Chapter 8 of Title 3 of the Yuba City Municipal Code (User Fee Recovery System) and adopted Resolution No. 07-25 updating the Schedule of Fees and Charges for City Services (User Fee Schedule); and

WHEREAS, the City desires to maintain its policy of recovering the full costs reasonably borne of providing special services of a voluntary and limited nature, such that general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such special services; and

WHEREAS, the User Fee Schedule is adjusted annually for inflationary changes and as needed for changes to services offered by the City; and

WHEREAS, the City Council of the City of Yuba City has repealed and reenacted Chapter 5 of Title 4 of the Yuba City Municipal Code pertaining to Inspection Services and Permit fees; and

WHEREAS, the Fire Chief may establish a schedule of fees, as approved by the City Council, to be charged and collected for plan checking, required inspection services, and for the issuance of permits pursuant to Section 105 of the International Fire Code. In addition, this schedule may include a fire service fee to be charged to any person, firm, corporation or business that through negligence, violation of the law, or as a result of carelessness, is responsible for the cause of any fire service response to the scene of such an incident; and

WHEREAS, it shall be unlawful for any person, firm or corporation to operate a business unless a fire clearance inspection has been made and such businesses are in compliance with all Fire Department requirements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City that Section V - Public Safety of the User Fee Schedule reflect the addition of R1 & R2 (Apartments/Hotels/Motels) Occupancy Inspections and Places of Assembly is amended to read as follows:

Places of Assembly:	50-299 persons	\$99
	300-999 persons	\$132
	1000+ persons	\$198

R-1 & R-2 (Apartments/Hotels/Motels):	
	3-50 units \$225
	>50 units \$300

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 19th day of April, 2022.

AYES:

NOES:

ABSENT:

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP