



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Fire Department

Prepared by: Robert Sinnott, Deputy Fire Chief/Deputy Fire Marshall

City Manager Approval: _____

TOPIC: REPORT ON CALENDAR YEAR (CY) 2023 FIRE PREVENTION INSPECTIONS OF CERTAIN OCCUPANCIES

SUBJECT: RESOLUTION ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE CHIEF REGARDING THE 2023 ANNUAL FIRE PREVENTION INSPECTION OF CERTAIN OCCUPANCIES PURSUANT TO SECTIONS 13146.2 AND 13146.3 OF THE CALIFORNIA HEALTH AND SAFETY CODE

RECOMMENDATION: Adopt a resolution acknowledging receipt of a report made by the Fire Chief regarding the Calendar Year (CY) 2023 annual fire prevention inspection of certain occupancies pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code.

BACKGROUND: On December 2, 2016, a fire broke out in a warehouse, known as the Ghost Ship, in Oakland, California. What became the deadliest fire in the history of the city took thirty-six lives that night. The deadliest fire since the Station Nightclub fire in 2003, it quickly caught the attention of media throughout California, and the United States. Several articles, editorials, and social media postings were published, specifically around the Bay Area.

Media attention put a spotlight on fire and safety laws and inspections in California. In response, lawmakers passed SB 1205, which was authored to assist in the prevention of tragedies of this nature and magnitude. On September 27, 2018, SB 1205 became effective, and added a new section to the California Health and Safety Code (CHSC) which affects every fire department or fire district in the State. This law requires every fire department or district to annually report to its administering authority their compliance with the annual inspection requirements of the California Health and Safety Code. The law also requires the administering authority to formally acknowledge receipt of the compliance report in a resolution or a similar formal document.

ANALYSIS: In addition to reporting requirements, SB 1205 requires every fire department or district providing fire protection services to annually inspect every building used as a public or private school. This same annual inspection requirement is applicable to hotels, motels, lodging houses, residential care facilities and apartment houses containing three or more living units. SB 1205 and its required reporting

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

provides an avenue for policy makers to understand the annual inspection process as well as any compliance shortcomings.

During CY 2023, the Fire Department was able to complete all required inspections. With the valuable assistance of our engine company firefighters, the Fire Department was able to meet with building site representatives, conducted fire and life safety inspections, answered questions and provided assistance to issues pertaining to fire safety, and followed up to ensure substantial compliance on any outstanding violations.

FISCAL IMPACT:

There is no additional impact to the City's General Fund. The inspection program is funded by existing Fire Department staffing resources.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution.
2. Adopt the resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt the resolution.

ATTACHMENTS:

1. Resolution acknowledging receipt of a report made by the Fire Chief regarding the CY 2023 annual fire prevention inspection of certain occupancies pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE
CHIEF-FIRE MARSHAL REGARDING THE FIRE PREVENTION
INSPECTIONS OF CERTAIN OCCUPANCIES PURSUANT TO
SECTIONS 13146.2 AND 13146.3 OF THE CALIFORNIA HEALTH AND
SAFETY CODE FOR CALENDAR YEAR 2023**

WHEREAS, California Health & Safety Code Section 13146.4 was added in 2018, and became effective on September 27, 2018; and,

WHEREAS, California Health & Safety Code Sections 13146.2 and 13146.3 requires all fire departments, including the San Rafael Fire Department, that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, and apartment house compliance with building standards, as provided and,

WHEREAS, California Health & Safety Code Section 13146.2 requires all fire departments, including the San Rafael Fire Department, that provide fire protection services to report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3 and,

WHEREAS, the City Council of the City of San Rafael intends this Resolution to fulfill the requirements of the California Health & Safety Code regarding acknowledgment of the San Rafael Fire Department's compliance with California Health and Sections 13146.2 and 13146.3.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL RESOLVES that it has received the annual inspection report required pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code during calendar year 2023, as follows:

A. EDUCATIONAL GROUP E OCCUPANCIES:

Educational Group E occupancies are generally those public and private schools, used by more than six persons at any one time for educational purposes through the 12th grade.

During calendar year 2023, the San Rafael Fire Department completed the annual inspections of Group E occupancies, buildings, structures and/or facilities.

B. RESIDENTIAL GROUP R OCCUPANCIES:

Residential Group R occupancies, for the purposes of this resolution, are generally those occupancies containing sleeping units, and include hotels, motels, apartments (three units or more), etc. as well as other residential occupancies (including several residential care facilities). These residential care facilities have a few different sub-classifications, and they may contain residents or clients that have a range of needs, including those related to custodial care, mobility impairments, cognitive disabilities, etc. The residents may also be non-ambulatory or bedridden.

During calendar year 2023, the San Rafael Fire Department completed the annual inspections of the Group R occupancies, buildings, structures and/or facilities.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of said City held on the 5th day of February by the following vote, to wit:

AYES:

NOES:

ABSENT:

LINDSAY LARA, City Clerk