

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: John A. Brand, Senior Management Analyst

DATE: October 31, 2007 (CC Meeting of 11/07/2007)

SUBJECT: Consider an Ordinance Amending Section 3.36.010, Definitions, of Article 1, Fire Protection Facility Fee, of Chapter 3.36, Building Permit Fees, of Title 3 of The Moorpark Municipal Code, By Revising The Definition of a "Standard Fire Station" within the City Of Moorpark

BACKGROUND

On October 19, 1983 the City Council adopted Ordinance 8, establishing a Fire Protection Facility Fee Ordinance to match the one adopted by the County on behalf of the Ventura County Fire Protection District. The County and the City updated their respective ordinances in 1992 (City Ordinance 156). The Fire Protection Facility Fee Ordinance and the corresponding fee resolution being considered separately by Council provide for the accommodation of fire protection for new development.

DISCUSSION

Concurrent with the County's new Fire Facilities Fee schedule, the County introduced some minor changes to its Ordinance on October 16, 2007. The changes to the Ventura County Ordinance Code revised the definitions of the term "standard fire station" to remove factually outdated material.

Currently, the Code defines "Standard Fire Station" as:

"Standard Fire Station" means a fire station designed to the fire district's specifications, containing five thousand seven hundred (5,700) square feet of floor space, and having as appurtenant equipment one (1) primary fire engine and one (1) reserve fire engine.

The proposed change in this definition is:

“Standard Fire Station” means a fire station designed to the fire district’s specifications, containing *a standard amount of square feet of floor space to be determined by resolution of the Council from time to time on the basis of evidence submitted to it*, and having as appurtenant equipment one (1) primary fire engine and one (1) reserve fire engine.

The change is to take the specific size of a standard fire station out of the ordinance and place the floor space size of a fire station in the fee ordinance such as the one also being considered by Council. In the companion resolution one of the findings is that floor space of a “Standard fire Station” is increase to 7,700 square feet from the current 5,700 square feet.

It would be appropriate at this time to update the Code to match the Ventura County Ordinance.

STAFF RECOMMENDATION

Introduce Ordinance No. _____ for first reading, waive full reading, and schedule second reading and adoption for December 5, 2007.

Attachments

Attachment “A” Proposed Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING SECTION 3.36.010, DEFINITIONS, OF ARTICLE 1, FIRE PROTECTION FACILITY FEE, OF CHAPTER 3.36 OF TITLE 3 OF THE MOORPARK MUNICIPAL CODE, BY REVISING THE DEFINITION OF A "STANDARD FIRE STATION" WITHIN THE CITY OF MOORPARK

WHEREAS, Article I of Chapter 3.36 of the Moorpark Municipal Code provides for a fire protection facilities fee on certain new construction where the City Council has determined that existing fire station or group of fire stations to be overextended within the City of Moorpark ("City"); and

WHEREAS, the definition of the term "Standard Fire Station" has changed within Ventura County as it pertains to those sections of the Code pertaining to the fire protection facilities fee; and

WHEREAS, the City Council has received and duly considered evidence necessary to update the Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 3.36.010, Definitions, of Article 1, Fire Protection Fee, of Chapter 3.36, Building Permit Fees, of Title 3 of the Moorpark Municipal Code is amended to revise the definition of "Standard Fire Station" in its entirety as follows:

"Standard Fire Station" means a fire station designed to the fire district's specifications, containing a standard amount of square feet of floor space to be determined by resolution of the Council from time to time on the basis of evidence submitted to it, and having as appurtenant equipment one (1) primary fire engine and one (1) reserve fire engine."

SECTION 2. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 3. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance; shall enter the same in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published once in the Moorpark Star a newspaper of general circulation, as defined in Section 6008 of the Government Code, for the City of Moorpark, and which is hereby designated for that purpose.

PASSED AND ADOPTED this _____ day of _____, 2007.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk