

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council
FROM: Barry K. Hogan, Deputy City Manager *BKH*
By: David Lasher, Senior Management Analyst *DJL*
DATE: November 27, 2007 (CC Meeting of 12/5/2007)
SUBJECT: Consider a Resolution Ratifying the Implementation of Appendix J of the Ventura County Fire Protection District Ordinance No. 26 within the Jurisdictional Boundaries of the City of Moorpark and Rescinding Resolutions No. 2007-2564, No. 2002-2010, No. 99-1615 and No. 96-1186

BACKGROUND

The State of California Health and Safety Code requires all jurisdictions to enforce the most recent editions of various building standards. Although the State requires the enforcement of certain standards, it allows local jurisdictions to amend these standards in order to address local concerns. The State, however, does limit the local jurisdiction's ability to amend the prescribed building standards to amendments that are reasonably necessary for reasons relating to local climate, geology and topography. The Ventura County Fire Protection District proposed the adoption of building standards more restrictive than those adopted by the State Fire Marshall and contained within the California Building Code. The California Health and Safety Code Section 13869.7 authorizes the Fire District to adopt such standards, but requires ratification by the legislative body where the standards apply; in this case the cities that are served by the Ventura County Fire Protection District.

DISCUSSION

The City's resolution, as drafted, will ratify Appendix J of the Ventura County Fire Protection District Ordinance 26. This ordinance was adopted on November 20, 2007 by the VCFPD. Appendix J adopts building standards, relating to fire and life safety, which are more restrictive than those adopted by the State Fire Marshal and contained within the California Building Standards Code. California law requires building standards adopted by local jurisdictions that are more restrictive than those adopted by

the state to be enacted by ordinance within 180 days after the state adopts and publishes the California Building and Fire Code.

Similar building standards contained in Appendix J have been in effect since June 3, 1982 and are an integral part of the Fire District's fire protection plan. Modifications were recently adopted in May 2007 and are contained in the current Appendix J. These modifications include provisions to require the installation of an automatic sprinkler system in all occupancies except Group U, when approved.

The proposed Appendix J has been editorially reformatted and renumbered to be consistent with the new model code. Modifications were codified to amend the location of sprinkler protection to include bathrooms. A new modification was added to not allow construction trade-offs when a residential sprinkler system (a '13R' system) is provided. In addition, the existing Emergency Communications Equipment Section has been modified. Existing language is applicable to buildings more than three stories and required an Emergency Voice Alarm Signaling System (Public Address system throughout the building) and Fire Department Communication System (dedicated phone system for fire department use generally included in a Fire Command Center). The proposed language for Public Safety Radio System Coverage is designed to address buildings that acoustically shield radio communication and create an ineffective environment for fire department communications. In addition the modified language allows the fire official the authority to require communication equipment on buildings that would greatly improve radio communication in geographical areas that have inoperable or degraded radio communication.

California Health and Safety Code Section 13869.7 requires the Fire District to file findings that support the need for more restrictive building standards based on local climatic, geological, or topographical conditions. Those findings are as follows:

1. *Climatic.* Ventura County experiences periods of high temperatures, accompanied by low humidity and high winds each year. These conditions create an environment in which the Fire District commits large numbers of fire fighting resources to the control and extinguishment of wildland fires. During such periods, the limited available of firefighting resources may create great difficulty in controlling fires in structures that do not have built-in fire protection.
2. *Geological.* Ventura County is in a potential high activity seismic zone. After a large seismic event, the potential for multiple fires occurring simultaneously will tax available firefighting resources. Built-in fire protection will assist in extinguishing or controlling fires in structures, which will increase the availability of firefighting resources after seismic activity.
3. *Topographical.* Ventura County has rural areas that are in high fire hazard areas. Due to topography, access to structures in rural areas increases

response time and delays fire suppression efforts. An extended response time will allow fires to grow beyond the control of initial attack fire suppression resources. Structure fires in the hillside areas will have a greater likelihood of starting a wildland fire, which may expose additional structures to fire.

The pending resolution also repeals prior City resolutions directly related to previous actions on this subject matter. These four resolutions are listed below and in the resolution.

STAFF RECOMMENDATION

Adopt Resolution No. 2007-____ ratifying Ventura County Fire Protection District Ordinance No. 26, Appendix J, pertaining to building standards for application with the jurisdictional boundaries of the City of Moorpark and Rescinding Resolutions No. 2007-2564, No. 2002-2010, No. 99-1615 and No. 96-1186.

Attachments:

1. Resolution No. 2007- ____ ratifying Ventura County Fire Protection District Ordinance No. 26, Appendix J.

RESOLUTION NO. 2007-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, RATIFYING VENTURA COUNTY FIRE PROTECTION DISTRICT ORDINANCE NO. 26, APPENDIX J, PERTAINING TO BUILDING STANDARDS FOR APPLICATION WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY OF MOORPARK AND RESCINDING RESOLUTIONS NO. 2007-2564, NO. 2002-2010, NO. 99-1615 AND NO. 96-1186

WHEREAS, the City of Moorpark lies within the jurisdictional boundaries of the Ventura County Fire Protection District and the Ventura County Fire Protection District has responsibility for fire protection within said jurisdictional boundaries; and

WHEREAS, the Ventura County Fire Protection District adopted Fire Protection District Ordinance No. 26 on November 20, 2007, adopting the 2006 edition of the International Fire Code including local amendments; and

WHEREAS, the District has asked for the assistance and cooperation of the cities within Ventura County with regard to the approval of Ordinance 26; and

WHEREAS, Appendix J of said amendments constitutes an amendment to building standards relating to fire and panic safety adopted by the State Fire Marshal and contained in the California Building Standards Code and Appendix J contains similar building standards that have been in effect and enforced within the City since June 3, 1982; and

WHEREAS, the building standards contained within said Appendix J are an integral part of the Ventura County Fire Protection District fire protection response plan; and

WHEREAS, the District's prior building standards ordinances are superseded by Ordinance 26, therefore the City's prior resolutions are equally superseded and shall be rescinded; and

WHEREAS, pursuant to Section 13869.7(c) of the California Health and Safety Code, amendments containing such building standards are not effective within the jurisdictional boundaries of the City until ratified by the City Council.

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

SECTION 1. CITY COUNCIL RATIFICATION: The City of Moorpark ratifies, without modification, Appendix J of Ventura County Fire Protection District Ordinance No. 26 to be effective within the jurisdictional boundaries of the City of Moorpark.

SECTION 2. Resolutions No. 2007-2564, No. 2002-2010, No. 99-1615 and No. 96-1186 are hereby rescinded in their entirety.

SECTION 3. CERTIFICATION OF ADOPTION: The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 5th day of December, 2007.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

Attachment: Exhibit A, Draft Ventura County Fire Protection District Ordinance No. 26,
Appendix J