



## Legislation Details (With Text)

**File #:** 23-0015      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 12/14/2022      **In control:** Board of Supervisors

**On agenda:** 1/3/2023      **Final action:** 1/3/2023

**Title:** 1) Adopt and authorize the Chair to sign Resolutions that ratify Ordinances adopted by each of the following Districts to reflect changes to the California Fire Code, 2022 Edition; delegate the enforcement of the Ordinances to the respective Fire Department Chief; and rescind the previous Resolutions Adopted in 2020:

- a) Resolution 007-2023 - Cameron Park Community Services District;
- b) Resolution 008-2023 - Diamond Spring-El Dorado Fire Protection District;
- c) Resolution 009-2023 - El Dorado County Fire Protection District;
- d) Resolution 010-2023 - El Dorado Hills County Water District;
- e) Resolution 011-2023 - Pioneer Fire Protection District; and
- f) Resolution 012-0223 - Rescue Fire Protection District; and

2) Direct Staff to transmit the Board's determination to each District within 15 days of the determination.

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - FPO Letter to BOS for Fire Code Ratification 2022 12.5.22, 2. B - Counsel Approved Blue Route, 3. C - Cameron Park Resolution, 4. D - Diamond Springs-El Dorado Resolution, 5. E - El Dorado County Resolution, 6. F - El Dorado Hills Resolution, 7. G - Pioneer Resolution, 8. H - Rescue Resolution, 9. Executed Resolution 007-2023, 10. Executed Resolution 008-2023, 11. Executed Resolution 009-2023, 12. Executed Resolution 010-2023, 13. Executed Resolution 011-2023, 14. Executed Resolution 012-2023

Date	Ver.	Action By	Action	Result
1/3/2023	1	Board of Supervisors	Approved	Pass

1) Adopt and authorize the Chair to sign Resolutions that ratify Ordinances adopted by each of the following Districts to reflect changes to the California Fire Code, 2022 Edition; delegate the enforcement of the Ordinances to the respective Fire Department Chief; and rescind the previous Resolutions Adopted in 2020:

- a) Resolution **007-2023** - Cameron Park Community Services District;
- b) Resolution **008-2023** - Diamond Spring-El Dorado Fire Protection District;
- c) Resolution **009-2023** - El Dorado County Fire Protection District;
- d) Resolution **010-2023** - El Dorado Hills County Water District;
- e) Resolution **011-2023** - Pioneer Fire Protection District; and
- f) Resolution **012-0223** - Rescue Fire Protection District; and

2) Direct Staff to transmit the Board's determination to each District within 15 days of the determination.

**FUNDING:** N/A

### **DISCUSSION / BACKGROUND**

Every three (3) years the State updates the Statewide California Fire Code (Code). Although local jurisdictions do not have the authority to modify the Code, they may adopt additional or more stringent requirements as are reasonably determined necessary due to local climatic, geological, or topographical conditions.

There are twelve (12) special districts (Districts) that provide fire protection services within the County. At this time, the Planning and Building Department (Department) has received approved Code Ordinances from six (6) of the twelve (12) Districts, including the Cameron Park Community Services District, Diamond Springs-El Dorado Fire Protection District, El Dorado County Fire Protection District, El Dorado Hills County Water District (El Dorado Hills Fire Department), Pioneer Fire Protection District, and Rescue Fire Protection District.

Due to current staffing levels and individual District response needs, the following Districts anticipate Ordinance adoption in Spring 2023: Garden Valley, Georgetown, Lake Valley, Mosquito, and Fallen Leaf Lake Community Services District Fire Department. Meeks Bay Fire Protection District's update will be taken to the Board with the Spring 2023 Resolutions.

A letter from the El Dorado County Fire Prevention Officers Association summarizing the efforts of the Fire Districts is included as Attachment A. Also attached are separate Resolutions for each of the six Districts prepared to update their Fire Code. Each District has provided a cover letter, a copy of the revised Fire Code Ordinance adopted by the applicable District, the Findings necessary to adopt local amendments to the Code and a summary matrix of all Code changes noting the significance of the change and why the change was needed. The Resolutions, Ordinances, Findings and matrix are identical for each District. Adoption of the updated Code does not affect the Memorandums of Understanding (MOUs) between the County and Fire Districts which outline the roles and responsibilities for enforcement of the Code for residential structures.

On December 2, 2014 (File No. 14-1478, Item No. 32), the Board approved and adopted Resolutions 212-2014, 213-204, 2014-2014, 215-2014, 216-2014, 217-2014, 218-2014, 219-2014, 220-2014 to reflect changes to the 2014 Code.

On February 7, 2017 (File No. 16-1189, Item No. 24), the Board approved and adopted Resolutions 011-2017, 012-2017, 013-2017, 014-2017, 015-2017, 016-2017, 017-2017, 018-2017, 019-2017 and 020-2017 to reflect changes to the 2017 Code.

On March 10, 2020 (File No. 20-0203, Item No. 19), the Board approved and adopted Resolutions 035-2020, 036-2020, 037-2020, 038-2020, 039-2020, 040-2020, 041-2020, 042-2020, 043-2020, 044-2020 and 045-2020 to reflect changes to the 2020 Code.

Pursuant to Health and Safety Code Section 13869.7(c), the legislative body of the city or county where these Ordinances will apply must ratify, modify, or deny the adopted Ordinances. The Department is recommending the Board, by adoption of the proposed Resolutions, ratify the Ordinances adopted by each of the Districts and delegate the enforcement of each Ordinance to their respective Fire Protection District Chief. Each proposed Resolution rescinds the previous Resolution adopted in 2020.

## **ALTERNATIVES**

The Board may choose to modify or deny all or select adopted Fire Protection District Ordinances as

identified in California Health and Safety Code Section 13869.7(c) and direct staff to transmit its determination to each District within fifteen (15) days of the Board's determination. Any modifications or denial of an adopted Ordinance shall also include a written statement describing the reasons for any modifications or denial.

#### **PRIOR BOARD ACTION**

See Discussion/Background above.

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and El Dorado County Fire Prevention Officer's Association

#### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

#### **FINANCIAL IMPACT**

There is no change to Net County Cost associated with the Board's approval as there is no direct fiscal impact to the County and enforcement of the Code is delegated to each District.

#### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on each of the six (6) Resolutions; and
- 2) The Clerk of the Board will return a fully-executed copy of each Resolution to Tom Burnette, Deputy Director of Building/Building Official, for distribution to each District.

#### **STRATEGIC PLAN COMPONENT**

The Board's adoption of these Resolutions supports the Good Governance goal by evaluating requests and recommendations based on complete assessment of the best available information, with the goal of reaching well informed decisions, and also furthers the County's Healthy Communities and Public Safety goals through uniform health and safety standards and enforcement.

#### **CONTACT**

Tom Burnette, Deputy Director of Building/Building Official  
Planning and Building Department