



## Legislation Text

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**File #:** 14-1480, **Version:** 1

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Community Development Agency, Development Services Division, recommending the Board consider the following pertaining to the 2013 Fire Code regarding Tahoe Basin Fire Agencies:

- 1) Adopt Resolution **221-2014** regarding the Lake Valley Fire Protection District and Resolution **222-2014** regarding the Meeks Bay Fire Protection District to do the following:
  - a) Ratify the Fire Agency Amendments to the 2013 Fire Code, with clarifications;
  - b) Delegate enforcement authority of the Fire Code to the Fire Chief of the local Fire Agencies except for one and two family dwellings; and
  - c) Delegate the Building Official as an agent of the Fire District for enforcement of the Fire Code of one and two family dwellings. The local Fire District shall remain the authority; and
- 2) Do not approve 2013 Fire Code Amendments to Sections: 903.2.8.2 and 903.2.8.3 which requires sprinkler systems to additions and alterations because this contradicts the 2013 California Residential Code Section R313 which specifically excludes this requirement.

**Fiscal Impact/Change to Net County Cost:**

There is no Fiscal Impact or change to Net County Cost associated with this item.

**Background:**

The El Dorado County Fire Prevention Officers Association requests the Board of Supervisors ratify the Building Standards Amendments of the 2013 Fire Code, as adopted by the individual Fire Agencies, and approves the Building Official as an agent for the local Fire Districts. This request is from two local Fire Agencies intent on ratifying Building Standards Amendments to the 2013 Fire Code. These Fire Agencies have worked diligently to agree on a very similar set of amendments so there is consistency within the East Slope of the County.

**Fire Code Amendments:** The proposed El Dorado County Resolution and Fire District Ordinances and Resolutions are included as Attachments pages A and B. The Amendments which are "Building Standards" are individually listed on the resolutions and must be ratified by the Board of Supervisors. Other "Non-Building Standards" amendments, mostly administrative in nature, which are not subject to ratification by the Board of Supervisors, were also adopted by the Agencies.

The California State Fire Code is mandated by the State and is updated on a three-year cycle. It does not require ratification and is automatically enacted at the local level. Although local jurisdictions do not have authority to modify the State Code, they may adopt additional and more stringent requirements. The attached Amendments are not mandated, but are being recommended by the local Fire Agencies to address unique local climatic, geologic, and topographic conditions.

Representatives from the Fire Agencies will be available at the public hearing to provide explanation and answer the Board's questions regarding their Amendments.

**Fire Code Amendments Section 903.2.8.2 and 903.2.8.3:** This Fire Code Amendment requires automatic fire sprinkler systems to be added for additions and alterations for one and two family dwellings. This is a contradiction to 2013 California Residential Code Sections R313.1 and R313.2.

The Residential Code specifically exempts one and two family dwelling additions and alterations from sprinkler requirements. The Fire District does not have the authority to amend California Residential Code. The Building Official is given the authority to amend California Residential Code. Additionally, the West Slope Fire Districts do not have the Fire Code Amendment Section 903.2.8.2 and 903.2.8.3. The East Slope Fire Districts should determine an alternate method to meet their concern for unique local climatic, geologic, and topographic conditions regarding this matter.

**Delegation of Agent:** The El Dorado County Building Official or his representative will act as an agent for the local Fire District for Fire Safe Regulations of permits regulated by Title 24 part 2.5 (California Residential Code); however, the local Fire District shall be the authority on appeal.

**Fire Agencies:** There are 13 separate Fire Agencies in the unincorporated portions of El Dorado County. There are two Fire Agencies represented in this request:

Lake Valley Fire Protection District, and  
Meeks Bay Fire Protection District.

There are two Fire Agencies not represented: Fallen Leaf Lake CSD, Garden Valley Fire Protection District.

**Resolution:** There is a separate resolution for each Fire Agency's Fire Code Amendments. Each Fire Agency Resolution will rescind their applicable Fire Code Resolution adopted in 2011. It is important to recognize that the County is only ratifying the Building Standards portion and is not ratifying the Non-Building Standards.

**Community and Economic Development Advisory Committee (CEDAC) Consultation:** During August and September of 2013, the El Dorado County Fire Prevention Officers formally met with representation of CEDAC to ensure that their needs and concerns were addressed in the fire code adoption process. These issues included driveways, dead end roads, road widths, road access, Subdivision Map Act consistency, and Fire Safe Regulations. The fire agencies made revisions to their code amendments to resolve concerns presented by CEDAC.

**Land Development Manual (LDM):** In 2011, El Dorado County Development Services Department, in conjunction with the Department of Transportation, Environmental Management Department, County Surveyor's Office, the Economic Development Advisory Committee, and local fire district personnel, worked on the development of a Land Development Manual (LDM), intended to replace the Design and Improvement Standards Manual. The LDM will provide design standards and information regarding the development of land in the County, addressing roads, lot design, fire protection, water, sewage disposal, mapping requirements, and other design criteria. Formal adoption of the draft LDM would be beneficial in providing clarification on the details needed for successful development in El Dorado County.

**Road Access Standards:** Much of the controversy over the Fire Code from years prior surrounded issues with road access standards. In 2013, the State did not adopt Section 503, Fire Apparatus Access Roads, of the California Fire Code. Due to the State's action in this code adoption cycle, local fire agencies have flexibility in dealing with issues that surround road access standards.

**Action to be taken following Board approval**

Clerk of the Board to obtain the Chair's signature on the Resolutions and send a fully-executed copy of the Resolutions to the Division for implementation.

**Contact**

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**Concurrences**

El Dorado County Fire Prevention Officer's Association