

ORDINANCE No. 2004-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE RANCHO SANTA FE FIRE PROTECTION DISTRICT ADOPTING FEES FOR SERVICES BY REFERENCE TO THE CALIFORNIA HEALTH AND SAFETY CODE SECTION 13916 AND SECTION 13919 AND REPEALING ORDINANCE 2000-01.

The Board of Directors of the Rancho Santa Fe Fire Protection District of the County of San Diego ordains as follows:

ARTICLE I. The Rancho Santa Fe Fire Protection District has incurred un-reimbursed discretionary development costs and is anticipating that further new discretionary development will occur within the District, which will place a greater demand on the existing staffing resources of the fire prevention bureau. Escalating demands have also been placed upon suppression personnel in conducting increasingly numerous and complex occupancy inspections.

ARTICLE II. The Rancho Santa Fe Fire Protection District is charged with the responsibility of enforcing applicable codes pertaining to fire and panic safety and other regulations of the State Fire Marshal pursuant to Section 13146 of the California Health & Safety Code and Section 101.2.2.2 of the California Fire Code.

ARTICLE III. The Rancho Santa Fe Fire Protection District incurs additional costs in lost personnel hours and expended District resources when said fire prevention services are of a recurrent nature and the result of discretionary development. The District charges fees to recover costs incurred for the provision of said services, however, said fees require periodic revision to reflect current personnel costs.

ARTICLE IV. The Fire Chief may impose a fee for recovery of expenses incurred as a result of activities undertaken pursuant to enforcing the fire prevention provisions of the fire code, pursuant to Govt. Code Section 66014, Calif. Fire Code Section 101.2.2.2.5, and County of San Diego Consolidated Fire Code Section 105.2.4.

ARTICLE V. Fire District fees are based upon the actual costs incurred by the fire agency, which are based upon the total compensation of the employee(s) providing a particular service and include total personnel hours utilized for plan review, file review, database information entry, travel to and from the site, written response, and site inspection.

ARTICLE VI. The actual fee shall be paid by the applicant to the Fire District at time of application or submittal to cover the actual costs in accordance with the aforementioned schedule for an INSPECTION or PLAN REVIEW or any OTHER SERVICES listed on the fee schedule.

ARTICLE VII. The actual cost for the provision of said services shall not exceed the actual cost incurred by the District.

ARTICLE VIII. In the event that fees are not paid at the time of application or upon request for additional fees, the District shall not be obligated to process, approve, or take further action on renewable permits, installation, removal, activity or alteration permits, inspections, plan reviews, or other services necessitating a fee as delineated in the Fire District Fee Schedule.

ARTICLE IX. The Board of Directors hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Fire District Fee Schedule referenced herein be declared for any reason to be invalid, it is the intent of the Board that it would have adopted all other portions of this ordinance independent of the elimination there from of any such portion as may be declared invalid.

ARTICLE X. The Board of Directors, the Fire Chief or his/her designee shall have the ability to waive any and all fees by as adopted by a Resolution of the Board of Directors.

ARTICLE XI. The Board of Directors of the Rancho Santa Fe Fire Protection District does hereby approve the adoption of the attached Schedule of Fire District Services and Estimated Fees therefore, (Attachment A, B & C).

ARTICLE XII. Ordinance 2000-01 is hereby repealed.

ARTICLE XIII.

The Secretary to the Board of Directors will certify to the adoption of this Ordinance and cause the same to be published in the manner required by law. This Ordinance will take effect forty-five (45) days after its final passage at a public hearing as required by law.

First Read at a regular meeting of the Board of Directors of the Rancho Santa Fe Fire Protection District of the County of San Diego, California, on the 17th day of May, 2004. A second reading occurred at a regular meeting on June 17, 2004 and a public hearing and final adoption on the 14th day of July 2004 by the following roll call vote:

AYES: Ashcraft, Douglas, Hickerson, Malin
NOES: None
ABSENT: Hillgren
ABSTAIN: None

Original Signature on File
JAMES H ASHCRAFT
President

ATTEST:

Original Signature on File
KARLENA RANNALS
Secretary

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ATTACHMENT "A"

Fire Prevention Fees

PURPOSE: To describe the procedures for the establishment, collection, and management of fire prevention fees.

POLICY: As a condition of reviewing plans for discretionary development and enforcement of the fire code, the District will collect fees to cover costs incurred for provision of these services, pursuant to the Fire Prevention Fee Schedule Ordinance. In accordance with this ordinance, the District shall not be obligated to review, approve, or take action on any activity or service delineated in the fee schedule for which the fee indicated has not been remitted, or for which additional fees are required.

AUTHORITY: The Rancho Santa Fe Fire Protection District retains the right to collect fees for certain fire prevention services pursuant to Govt. Code Section 66014, Calif. Fire Code Section 101.2.2.2.5, and Co. of San Diego Consolidated Fire Code Section 105.2.4. The District has established a Fire Prevention Fee Schedule.

PROCEDURE:

I. ESTABLISHMENT OF FEE SCHEDULE. Fire prevention fees are based upon the actual personnel and overhead administrative costs incurred for services provided. Personnel costs (Attachment B) are determined by multiplying the total hourly compensation (including benefits) by the average time required to complete the specified assignment. The total time allotment includes the total time required to review plans, enter database information, travel to and from the site, and conduct a site inspection. (Attachment C)

II. PAYMENT OF FEES.

A. Plan Review, Construction, and Service Fees. Payment for these services provided is collected at time of request for service or plan submittal.

B. Payment may be made by credit card, check, or money order made out to the Rancho Santa Fe Fire Protection District, or cash. A receipt shall be provided, which shall identify the purchaser and project in question.

C. Additional Fees. If the estimated fees remitted are found to be insufficient to compensate the District for actual personnel costs incurred, the District will require the payment of additional fees by the applicant in order to process or complete the specified service(s).

D. Non-compliance Inspection Fees. Fees for non-compliance (Reference 4.4) inspections may only be paid by cashier's check or money order and must be submitted prior to rescheduling of a re-inspection. A non-compliance inspection is defined as the third and any subsequent inspection.

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ATTACHMENT "A"

Fire Prevention Fees

E. Services Generated by Outside Agencies. Fees for services generated by outside agencies (i.e. DPLU or DPW) as a result of a request for agency recommendation or similar request are billed to the responsible party (owner, developer, etc.). Said responsible party is to be notified that no future action will be taken by the District on subject project until payment has been received for such services. At such time when payment has been received, a receipt shall be provided, which shall identify the purchaser and project in question.

F. The Board of Directors, the Fire Chief or his/her designee shall have the ability to waive any and all fees as specified by the adopted resolution of the Board of Directors.

III. Recordkeeping. Fee collection shall be dually recorded in the current Bookkeeping Records program and database for subject property.

IV. Meeting Facilities – All facilities must be reserved in advanced and arrangements will be made in accordance with District Policy. Additional requirements may be made at the discretion of the Fire Chief. Additional requirements may include, but not limited to, reimbursement cost of stand-by personnel, all cost for any property damage, and liability Insurance.

V. Fee Recovery for Special Services: apparatus shall be charged at \$200.00 per hour, and actual employee costs incurred by the Fire District. A deposit shall be required. The Fire Chief shall determine the estimated cost of use of the apparatus and personnel. Any additional monies due at calculation of actual cost shall be immediately payable to the Fire District. Should the original estimates actually be larger than the actual costs, a refund shall be delivered through normal procedures.

VI. Construction Plans may be sent to an engineering firm to verify the calculations and insure that the design will meet all fire safety code requirements. The cost for this certification will be paid for the owner, contractor or developer.

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ATTACHMENT "B"

**Fire Prevention Fees
Fee Schedule Hourly Basis**

PURPOSE: To illustrate the basis upon which hourly time commitments are determined for services provided in the fire prevention fee schedule.

POLICY: The total hourly basis for fire prevention services are determined by calculating total personnel time commitment for processing a particular service request plus associated support costs. Personnel costs are determined by calculating the total personnel time plan review, file review, database entry, inspection, billing, written response, and travel to and from the site. Total associated support costs were determined by establishing the proportionate costs to the District for administering the Fire Prevention Bureau (Admin Fees) and proportionate use of related equipment (vehicles, computers), expendable supplies and ancillary services (phone, computer, consultant, utilities, insurance), as determined on an hourly basis.

PROCEDURE: The basis for the District's deposit fee structure for the fire prevention fee schedule is based upon the following time figures, which represent the actual average time spent on the services listed below and associated support costs. 15 minutes (.25) have been added to all plan review activities to account for database information entry and 30 minutes (15 minutes each way) (.50) for each inspection activity to account for file review.

HOURLY SUPPORT COSTS

SERVICE	HOURLY AVERAGE	NOTES
Utilities	\$2.50	Cost per month per hour
Phone/Fax/Cell	\$1.25	Cell phone (1 phone), fax, per hour usage.
Vehicles	\$2.20 Operation \$2.00 Replacement	Includes, equipment, service, fuel for one vehicle on an hourly basis. (.36 cents per mile) & replacement cost
District Administration/ Overhead	\$18.66	2/3 Staff Assistant time hourly basis. Includes, bookkeeping, computers, office supplies, etc.
Liability & Vehicle Insurance	1.00	For one vehicle
COMBINED HOURLY ADMIN. FEE TOTAL	\$27.61/hr	Total overhead & admin. Costs.

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Fee Schedule Hourly Basis**

HOURLY BASIS OF SERVICES:

DEVELOPMENT PLAN REVIEW			
Reference Number	SERVICE	HOURLY AVERAGE	NOTES
1.1	Project Availability Form for Minor Subdivision, Minor Use Permit (service letter)	$.75 + .25 = 1.0$	Includes written response, data base entry.
1.2	Project Availability Form for Major Subdivision (service letter)	$1.0 + .25 = 1.25$	Includes written response, data base entry
1.3	TPM or Minor Subdivision Service Letter Renewal	$.5 + .25 = .75$	Includes written response, data base entry
1.4	TM or Major Subdivision Service Letter Renewal	$.5 + .25 = .75$	Includes written response, data base entry
1.5	Final Map/Mylar Review	$.25 + .25 = .50$	Includes standard review and data base entry
1.6	Release of Map Covenants	$.5 + .50 + .25 = 1.25$	Includes site inspection and written response, data base entry
1.7	Cellular Sites	$.25 + .50 + .25 = 1.00$	Includes site inspection and written response and data base entry
1.8	MUP/STP	$1.0 + .25 = 1.25$	Includes written response and data base entry
1.9	Fuel Modification Plan/EIR	$1.3 + .25 = 1.55$	Includes written response, data base entry
1.10	L Grading Plan	$.50 + .25 = .75$	Includes written response
1.11	Administrative, Zoning, or Variance (AD, ZAP, VAR)	$.25 + .50 + .25 = 1.0$	Includes site inspection and written response and data base entry
1.12	Improvement Plans/PRD	$1 + .25 = 1.25$	Includes written response, data base entry
1.13	Remote Water Meter	$.25 + .25 + .50 = 1.00$	Includes travel, site inspection and written response and data base entry
1.14	Conceptual Site Landscaping Plan/Consultation UF	$1 + .25 = 1.25$	Includes written response and data base entry

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NEW CONSTRUCTION			
Reference Number	SERVICE	HOURLY AVERAGE	NOTES
2.1	Grading Plan (Building)	$.50 + .25 + .50 = 1.25$	Includes plan review, site inspection and data base entry
2.2	New residential construction (Up to 7,999 square foot)	$1 + 1.5 + .25 = 2.75$	Includes plan review, site, rough & final inspections and data base entry
2.3	New residential construction (8,000 – 11,999square foot)	$1.75 + .25 + 1.5 = 3.50$	Includes plan review, site, rough & final inspections,
2.4	New residential construction (12,000 square foot and up)	$2.25 + .25 + 2.0 = 4.25$	Includes plan review, site, rough & final inspections, data base entry
2.5	Residential addition or remodel	$.5 + 1.50 + .25 = 2.25$	Includes plan review, site, rough & final inspections, data base entry
2.6	Residential Landscape Plans	$2.0 + 1.0 + .25 = 3.25$	Includes plan review, site, final inspections, data base entry
2.7	Residential plan re-submittal-new or remodel	$.25 + .25 = .50$	Includes second review of plan, data base entry
2.8	Residential Building Plans (PRD)	$.75 + 1.50 + .25 = 2.5$	Includes plan review, site, rough & final inspections, data base entry
2.9	Residential Building Plans (PRD), each additional unit	$.25 + 1.50 + .25 = 2.0$	Includes additional plan review, site, rough & final inspections, data base entry
2.10	Room addition or tenant improvement < 50% remodel without sprinklers	$.5 + 1.5 + .25 = 2.25$	Includes plan review, site, rough & final inspections, data base entry
2.11	Barn & Outbuilding	$.50 + 1.5 + .25 = 2.25$	Includes plan review, site, rough & final inspections, data base entry
2.12	Commercial/Industrial and Multi-Family Building Plans	$2.25 + 1.50 + .25 = 3.75$	Includes plan review for new commercial construction and site, rough, field inspection and data entry
2.13	Commercial/Industrial and Mulit-family Landscape Plans	$3 + 1.0 + .25 = 4.25$	Review of plans for fire safe planting for new construction and 1 field inspection each (site & final)

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Reference Number	SERVICE	HOURLY AVERAGE	NOTES
2.14	Commercial/Industrial and Multi-Family Plan Re-submittal	.5 + .25 = .75	Includes second review of plan, data base entry
FIRE PROTECTION SYSTEMS and INSTALLATIONS			
3.1	Residential fire sprinkler system, 13D or 13R	.5 + 1.0 + .25 = 1.75	Includes consultant plan review, rough & final inspections, data base entry
3.2	Residential fire sprinkler plans-PRD, each additional unit	.25 + 1.0 + .25 = 1.50	Includes additional plan review, rough & final inspections, data base entry
3.3	Residential fire sprinkler plan re-submittal	.25 + .25 = .50	Includes second review of plan, data base entry
3.4	Commercial fire sprinkler system	.75 + 1.0 + .25 = 2.00	Includes consultant plan review, rough & final inspections, data base entry
3.5	Underground Sprinkler System Plans (Commercial)	.75 + 1.0 + .25	Includes plan review, rough & final inspections, data base entry
3.6	Commercial sprinkler plan re-submittal	.25 + .25 = .50	Includes second review of plan, data base entry
3.7	Commercial sprinkler tenant improvement	1.0 + 1.0 + .25 = 2.25	Includes plan review, rough & final inspections, data base entry
3.8	Special Fire Protection Installations--Hood & duct system, remote extinguishing systems	1.0 + .50 + .25 = 1.75	Hood & duct, remote extinguishing systems, includes inspection and data base entry
3.9	Special Hazard Installations-High Piled Storage, Underground/Aboveground Storage Tanks, spray booths, industrial ovens, refrigeration systems, etc.	2.0 + 1.0 + .25 = 3.25	Includes consultant plan review, rough & final inspections, data base entry
3.10	Fire Alarm System	1 + 1.0 + .25 = 2.25	Includes consultant plan review, rough & final inspections, data base entry

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MISCELLANEOUS FEES			
Reference Number	SERVICE	HOURLY AVERAGE TIME OR COST	NOTES
4.1	Stamp Approval Transfer	.25	Transfer stamp approval from one plan to another
4.2	Knox Key Installation	.25 + .50 +.25 = 1.0	Includes plan review, site inspection, data base entry
4.3	Temporary Membrane Structures, Tents and Canopies	.25 +. 50+ .25 = 1.0	Permit and Inspection fee, includes permit, plan review, travel to and from and data entry
4.4	Business License Inspection (SDSO, CCLB permit)	1.0 + .25 = 1.25	Includes site, and final approval data base entry
4.5	Non-compliance Re-inspection	.75 + .50 = 1.25	Data base entry and re-inspection
4.6	Non-compliance weed abatement re-inspection	1.0 + .25 = 1.25	Two site inspection and data base entry
4.7	Forced weed abatement administrative fee (Expense of Abatement Report and Hearing)	1.25 + 1.50 + .50 +1.0 + .75 = 5.0	Includes above 4.5, plus work order, description of work, hearing, contractor meetings, inspections, billing and report.
4.8	Urgent Plan Check - Overtime Plan Review/Inspection New residential construction Up to 7,999 square foot)	2.75 +1.37+1.5 +.37 = 5.99	Includes base plan check time plus ½ time plus travel time and data base entry
	Urgent Plan Check New residential construction (8,000 -11,999 square foot)	3.50 +1.75+ 1.5 +.37 = 7.12	Includes base plan check time plus ½ time plus travel time and data base entry
	Urgent Plan Check New residential construction (12,000 square foot and up)	4.50 +2.25+ 1.50 +.37= 8.62	Includes base plan check time plus ½ time plus travel time and data base entry
	Urgent Plan Check Commercial/Industrial and Multi-Family Building Plans	2.25 + 1.12+1.50 +.37= 5.24	Includes base plan check time plus ½ time plus travel time and data base entry
4.9	Fire Department Documents, other than District Ordinances	\$5.00 for the first 5 pages, \$.70 for each additional page thereafter	Staff time, plus paper, copier, toner, electricity etc.

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Reference Number	SERVICE	HOURLY AVERAGE TIME OR COST	NOTES
4.10	District Ordinances, Developmental Guides	No Charge for the first copy; \$5.00 for the first 5 pages, \$.70 for each additional page when additional copies are ordered.	Staff time, plus paper, copier, toner, electricity etc.
4.11	Documents sent electronically, or accessed via the web site (www.rsf-fire.org)	No Fee	No Fee
4.12	Annexation Fees - each acre or portion thereof:	\$1,000	\$1,000
	Annexation Fees - Each Dwelling Parcel:	\$500	\$500
	Annexation Fees - Each Commercial/Industrial Parcel:	\$1,000	\$1,000
4.13	Meeting Facilities -Category 1- for use of District-owned meeting facilities by members of the public as noted.	\$25.00	\$25.00
4.14	Meeting Facilities - Category 2 - for use of District-owned meeting facilities by members of the public as noted.	\$250.00	\$250.00
4.15	Return Check Fee	\$25.00	Addition handling fee for returned check plus the amount of the check
4.16	Postage/supplies Cost	Actual cost	Actual cost
4.17	Other services not listed Services not otherwise specified herein	Actual cost	Actual cost