

Newcastle Fire Protection District

ORDINANCE NO: 2019-02

**AN ORDINANCE OF THE NEWCASTLE FIRE DISTRICT REPEALING
ORDINANCE 18-01 AND ENACTING ORDINANCE 19-02
ESTABLISHING FIRE RE-INSPECTION FEES FOR**

Newcastle Fire Protection District of Newcastle, California

Pursuant to Health and Safety Code §13869, §13916 and Government Code §66016

PURPOSE:

The purpose of this ordinance is to repeal Ordinance No. 2018-01 in its entirety and enact Ordinance No. 2019-02.

**THE BOARD OF DIRECTORS OF THE NEWCASTLE FIRE PROTECTION
DISTRICT DO ORDAIN AS FOLLOWS:**

WHEREAS, pursuant to the International Fire Code/State Code, as adopted by the State of California, the Newcastle Fire Protection District is required to annually conduct a fire code compliance inspection for commercial buildings and premises; and

WHEREAS, the Newcastle Fire Protection District incurs administrative time and expense in connection with the performance of fire code compliance inspections for commercial buildings and premises within the Newcastle Fire Protection District; and

WHEREAS, the Newcastle Fire Protection District has studied the aforementioned costs and expenses associated with the performance of fire code compliance inspections for commercial businesses and premises within the Newcastle Fire Protection District; and

WHEREAS, the Newcastle Fire Protection District has made certain recommendations to establish a fire code compliance inspection fee; and

NOW, THEREFORE, BE IT RESOLVED by the Board of the Newcastle Fire Protection District that Fire Inspection Fees shall be added to the Local Ordinances per the attached Fee Schedule/Exhibit; and the Board does

AUTHORIZE THE FOLLOWING:

- (a) *Authority to Enter.* The Fire Marshal or designee is authorized to enter and inspect, or cause to be inspected, all commercial buildings and premises for the purpose of conducting an annual fire code compliance inspection.
- (b) *Re-inspection Fees.* The Fire Marshal or designee shall charge a re-inspection fee, for a site visit that requires a re-inspection, for each fire code compliance inspection except local and state government buildings. Each separate business or premise, even if housed within a single building, if separated by walls (as in a strip mall type of

structure), shall be subject to re-inspection requirements and fee schedule. Said fee schedule shall state the fee for a re-inspection, in the event of a failed initial inspection, and an hourly rate for fire inspector services in the event of non-compliance with the initial inspection. Equipment requiring periodic testing or operation shall be tested or operated as specified by the International Fire Code/State Code, as adopted by the State of California, and the equipment testing fees shall be included in the fire inspection fee schedule Exhibit A.

(c) *Required Posting of Fire Inspection Certificate.* Each commercial building or premise shall post their Fire Inspection Certificate in plain view and each Fire Inspection Certificate will be updated upon the completion of the annual fire inspection.

(d) *Finding of Dangerous or Hazardous Conditions; Notice of Violation.* Whenever the Fire Marshal or designee determines that there are reasonable grounds to believe that there has been a violation of any provision of this section, he or she shall give notice of the alleged violation to the persons responsible. The notice shall be in writing, include a statement of the reasons why it is being issued, allow a reasonable time, not less than ten (10) days, for the performance of any act it requires, be served upon the owner or his agent, or the occupant, as the case may require. The notice shall be deemed properly served upon the owner, agent or occupant if a copy thereof is sent by regular mail or email to the last known address. The notice may contain an outline of remedial action, which, if taken, will affect compliance with the provisions of this article.

EFFECTIVE, This Ordinance shall take effect thirty (30) days from the date of adoption as permitted by law.

Passed: _____
Signature

Approved _____
Signature

VOTE ON PASSAGE: ___ Yea ___ Nay ___ Abstain

Attest: _____
Clerk

I, Gillian Lofrano, Secretary to the Board, do hereby certify that the foregoing Ordinance No. 19-02 was duly published in the Auburn Journal, a newspaper of general circulation in the Community on the ___ of July, 2019; and I further certify the compliance with the Codified Ordinances and the laws of the State of California, pertaining to Public Meetings.

Clerk