


LOS ANGELES FIRE DEPARTMENT

RALPH M. TERRAZAS
FIRE CHIEF

July 18, 2016

BOARD OF FIRE COMMISSIONERS FILE NO. 16-074
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TO: Board of Fire Commissioners

FROM: Ralph M. Terrazas, Fire Chief *R.T.*

SUBJECT: PROPOSED DECISION AND RECOMMENDATION FOR THE 2015
NONCOMPLIANCE FEE APPEALS

FINAL ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<input type="checkbox"/> Approved w/Corrections <input type="checkbox"/> Received & Filed	<input type="checkbox"/> Withdrawn <input type="checkbox"/> Other
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SUMMARY

The process in which the Fire Department enforces the Fire Code is through the inspection process. Properties or businesses found not in compliance with the Fire Code during the initial inspection are issued a notice of noncompliance indicating the violations found during the inspection.

A follow-up inspection is conducted and if the nuisance has not been abated, then a second notice is issued. At this point, the property owner is subjected to a non-compliance fee. Each property/business owner is given an opportunity to challenge the imposed noncompliance fee by completing a questionnaire and submitting it to the Fire Department.

RECOMMENDATIONS

That the Board:

1. Approve the hearing officers' "Proposed Decision and Recommendations" (Attachment 1).
2. Direct the Fire Department to mail the notification letter, "Granted" (Attachment 2) or "Denied" (Attachment 3), to the property/business owner regarding the Board of Fire Commissioners findings, conclusion and proposed assessment.
3. Direct the Fire Department to complete all accounting transactions.
4. Direct the Department to forward the unpaid Noncompliance Inspection Fee to the Los Angeles County Tax Collector for placement on the Los Angeles County 2016 Property Tax rolls.

FISCAL IMPACT

The Noncompliance Assessment Fee of \$356.00 is assessed once a property owner fails to comply by their scheduled due date or re-inspection. For the 2014 Brush Clearance Season, 110 appeal requests were received from property owners electing to appeal their assessment of which 12 appeals were granted.

The total amount of Noncompliance Assessment Fees revenue is \$34,888.00.

DISCUSSION

This year the Fire Department received 110 completed questionnaires from property owners. The Board of Fire Commissioners designees have reviewed the questionnaires and have prepared the "Proposed Decision and Recommendation." The Board of Fire Commissioners has the authority to modify or rescind the fees, or impose and require the owner to pay the fee. In regards to the Noncompliance Fee Appeals, the Board of Fire Commissioners' determination is final.

CONCLUSION

Upon approval of this report by the Board of Fire Commissioners, the 2015 Noncompliance Inspection Fee Appeals will be completed. Any unpaid invoices can be forwarded to the Los Angeles County Tax Collector for placement on the 2016 Property Tax rolls.

Board report was prepared by Robert Knight, Captain II, Brush Clearance Unit.

Attachments:

- Attachment 1: Proposed Decision and Recommendation
- Attachment 2: Notification letter "granted"
- Attachment 3: Notification letter "denied"

**BOARD OF FIRE
COMMISSIONERS**

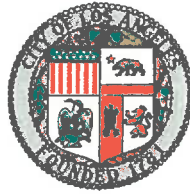
DELIA IBARRA
PRESIDENT

ANDREW GLAZIER
VICE PRESIDENT

JIMMY H. HARA, M.D.
JIMMIE WOODS-GRAY
REBECCA NINBURG

LETICIA GOMEZ
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(800) 994-4444
FAX: (818) 778-4910

[HTTP://WWW.LAFD.ORG](http://www.lafd.org)

(DATE)

(ATTACHMENT 2)

Dear Property Owner:

As President of the Los Angeles Board of Fire Commissioners, I am writing to inform you of the decision regarding your written appeal of the Noncompliance Inspection Fee assessed toward your property for the 2015 Brush Clearance Season. Due to the volume of Noncompliance Inspection Fee written appeals that were received by my office, the task of reviewing each appeal became a very time consuming job, I thank you for your patience.

Los Angeles Municipal Code, Section 57.104.12, provides the Board of Fire Commissioners the authority to review the *Noncompliance Inspection Fee Written Appeals*. The Code also provides that the determination by the Board of Fire Commissioners shall be final.

The Hearing Officer assigned to your appeal has completed a thorough review of your written appeal and the Los Angeles Fire Department records concerning your property. Based on the Hearing Officer's recommendation, the Los Angeles Board of Fire Commissioners has determined that your Noncompliance Inspection Fee Written Appeal has been **GRANTED**.

Thank you for your courtesy and patience throughout the appeal process, and please remember that brush clearance is a year-round responsibility.

Very truly yours,

Delia Ibarra, President
Board of Fire Commissioners

Attachment

**BOARD OF FIRE
COMMISSIONERS**

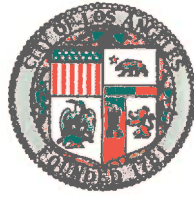
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(DATE)

(ATTACHMENT 3)

Dear Property Owner:

On behalf of the Los Angeles Board of Fire Commissioners, I am writing to inform you of the decision regarding your written appeal of the noncompliance fee assessed on your property for the 2015 Brush Clearance Season.

The Los Angeles Municipal Code, Section 57.104.12, authorizes the Board of Fire Commissioners or their representative to review the Noncompliance Inspection Fee Written Appeals. The Municipal Code also stipulates that the determination by the Board is final.

The Hearing Officer assigned to your appeal has completed a thorough review of the documentation that you provided and the Los Angeles Fire Department's records concerning your property. Based on the Hearing Officer's recommendation, the Los Angeles Board of Fire Commissioners has determined that your Noncompliance Inspection Fee Written Appeal is **DENIED**.

The **\$356.00** Noncompliance Inspection Fee must be received by (DATE). Please note that if your payment is not received by the established deadline, you are subject to a 50% penalty. Additionally, any outstanding balances are sent to the County Assessor's Office for assessment onto the property tax bill.

If you have any further questions, please contact the Brush Clearance Unit at (800) 994-4444. Thank you for your courtesy and patience throughout the appeal process. Please remember that brush clearance is a year-round responsibility.

Very truly yours,

Delia Ibarra
President, Board of Fire Commissioners

Attachment

**Due to the large volume of pages in this report, not all
attachments are included.**

A copy of the entire report can be obtained by contacting the
Board of Fire Commissions Office at (213) 978-3838.