

November 27, 2018

LOS ANGELES FIRE DEPARTMENT

RALPH M. TERRAZAS  
FIRE CHIEF

November 5, 2018

BOARD OF FIRE COMMISSIONERS  
FILE NO. 18-129

TO: Board of Fire Commissioners

FROM: *RMT* Ralph M. Terrazas, Fire Chief

SUBJECT: PROPOSED DECISION AND RECOMMENDATION FOR THE 2017  
NON-COMPLIANCE FEE APPEALS

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 Withdrawn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

**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 non-compliance indicating that violations were determined 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 non-compliance 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 non-compliance inspection fee to the Los Angeles County Tax Collector for placement on the Los Angeles County 2018 Property Tax rolls.

### **FISCAL IMPACT**

The non-compliance assessment fee of \$432.00 is assessed once a property owner fails to comply by their scheduled due date or re-inspection. For the 2017 Brush Clearance Season, 159 appeal requests were received from property owners electing to appeal their assessment of which 13 were granted.

The total amount of non-compliance assessment fees revenue is \$63,004.00.

### **DISCUSSION**

This year the Fire Department received 159 completed questionnaires from property owners. The Board of Fire Commissioners designees have reviewed the questionnaires and have prepared the "Proposed Decisions and Recommendations." 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 non-compliance fee appeals, the Board of Fire Commissioners' determination is final.

### **CONCLUSION**

Upon approval of this report by the Board of Fire Commissioners, the 2017 non-compliance inspection fee appeals will be completed. Any unpaid invoices can be forwarded to the Los Angeles County Tax Collector for placement on the 2018 Property Tax rolls.

Board report was prepared by James P. Hayden, Battalion Chief, Industrial and Commercial Section, Fire Prevention and Public Safety Section.

#### **Attachments:**

- |               |  |
|---------------|--|
| Attachment 1: | Proposed Decisions and Recommendations |
| Attachment 2: | Notification Letter – "Granted"        |
| Attachment 3: | Notification Letter – "Denied"         |

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

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

