

LOS ANGELES FIRE DEPARTMENT



MAY 15 2007

DOUGLAS L. BARRY
INTERIM FIRE CHIEF

MAY 08 2007

BOARD OF FIRE COMMISSIONERS
FILE NO. 07-031

TO: Board of Fire Commissioners *DB*

FROM: Douglas L. Barry, Interim Fire Chief

SUBJECT: PROPOSAL TO CHARGE FEES FOR THE PLAN CHECK,
INSPECTION, AND CERTIFICATION OF TESTERS OF
METHANE GAS DETECTION SYSTEMS

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 Withdrawn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

Recommendations: That the Board:

1. Approve the findings in support of collecting fees for:
 - a) the plan check and final acceptance inspection of methane gas detection systems, and
 - b) the certification program for testers of methane gas detection systems.
2. Approve the proposed fees for methane gas detection system plan check, final acceptance inspection, and certification program.
3. Direct the Commission Executive Assistant II to forward this report to the City Council and Mayor for consideration and approval.
4. Subject to the approval of the City Council and Mayor, request the City Council to instruct the City Attorney to draft revisions to certain sections of the Los Angeles Municipal Code (L.A.M.C.), Chapter 5, Article 7, (as detailed in the summary of this report) to include provisions for the collection of fees for methane gas detection system plan check and final acceptance inspection, certification program, and for the establishment of the fees by the most current cost-recovery schedule as provided under L.A.M.C. 57.04.12C (Attachment 1).

5. Request the City Attorney to report back to the City Council within 30 days with an amendment revising the L.A.M.C., Chapter 5, Article 7, per the recommendations in this report.
6. Request City Council to direct the Department of Building and Safety to collect the fees for the plan check and final acceptance inspection of methane gas systems on behalf of the Fire Department.

Summary:

The Los Angeles Municipal Code, Chapter IX, Building Regulations, Article 1, Division 71, Methane Seepage Regulations, amended on March 29, 2004 (Attachment 2), requires construction projects located within the Methane Zone or Methane Buffer Zone to comply with the Methane Mitigation Standards, and for all persons performing testing, maintenance, and servicing of gas detection systems to be certified. The Fire Department and the Department of Building and Safety (LADBS) are the authorized departments for enforcing the methane gas mitigation system requirements.

The LADBS charges fees for installing methane detection systems (building, electrical, mechanical, and grading permits).

The Fire Department approves and determines the compatibility of component parts of the methane detection system; ensures the proper operation of the entire system, including the correct placement of devices; and oversees the maintenance and testing of these systems through plan check and final acceptance inspection, which includes checking the methane sensors, control panel, alarms, strobes, back-up emergency power, and methane ventilation system. The final acceptance inspection is conducted prior to building occupancy. Once the systems are installed, they require calibration on a periodic basis including an annual systems test.

The Fire Department performs the above services currently without charge. To recover costs for Fire Department services in accordance with the City's financial policies, it is proposed that the Fire Department begin charging fees for plan check and final acceptance inspection of methane gas detection systems.

In addition, it is proposed that a certification program be implemented to certify persons performing methane gas detection system testing and fees be charged for the certification process. The certification process would ensure that persons performing such critical life safety functions meet minimum competency requirements. The Fire Department proposes to implement the certification process by using the requirements in Division 6, Certificate of Fitness, of the Fire Code, a system that is already in place and is being used to test and certify persons in the business of testing and servicing fire and life safety systems.

To recover the costs of services, two fees are proposed: 1) methane gas plan check and final acceptance inspection fee, and 2) the methane gas detection system certification fee under Division 6, Certificate of Fitness, of the Fire Code. Based on current inspection standards, the plan-check review takes approximately two hours while the final field acceptance test takes another two hours, for a total of four hours. Given current experience for other Certificate of Fitness exams, the time necessary for documentation and certifying testers through the written, oral, and practical exam takes approximately two hours for each phase, for a total of six hours.

The fees collected for these services depend on the number of methane gas detection systems being inspected and the number of persons being certified monthly. Currently, there are approximately ten methane system plans that are being submitted monthly for plan check. Using the current hourly rate of \$135 per hour, this amounts to an annual collection of \$64,000 (120 plan checks yearly x \$ 540 per plan check and inspection). A conservative estimate of approximately four methane gas testers being certified each month would amount to \$38,880 (48 yearly x \$810 per certification). The total revenue is estimated to be \$102,880 yearly.

The fees for plan check and final acceptance inspection would be collected by the LADBS on behalf of the Fire Department in the same manner as is currently practiced for all Fire Department construction related projects processed through the One Stop - Construction Service Centers.

The fees for the certification of methane gas detection system testers would be collected by the Fire Department Construction Services Unit-Reg. 4, the same manner in which all other L.A.M.C., Chapter 5, Article 7, Division 6, Certificate of Fitness Programs within the Fire Department are collected.

In order to implement the proposed changes, the following revisions to the L.A.M.C., Chapter 5, Article 7, are recommended:

- a) L.A.M.C. 57.01.35 B.
Add No. 8 to read:
8. Gas Detection System
- b) L.A.M.C. 57.02.02
Add definition to read:
Gas Detection System – (Refer to LA Building Code 91.7102)
- c) L.A.M.C. 57.05.20 A.
Add No. 19 to read:
19. Gas Detection System
- d) L.A.M.C. 57.05.31 A.

Add No. 20 to read:
20. Gas Detection System

e) L.A.M.C. 57.06.01.

Add G. to read:

G. No person shall, without a valid Certificate of Fitness as required by this article, test or certify any gas detection system.

f) L.A.M.C. 57.06.15 A.

Add No. 7 to read:

Gas Detection System

Fiscal Impact:

Revenue generated from the implementation of the plan check and final acceptance inspection of methane gas detection systems and the certification program for methane gas testers are estimated to be \$102,880 yearly. No additional resources are required to implement this program.

Conclusion:

Implementation of a certification program for testers of methane gas detection systems is necessary to ensure that persons performing these tests meet minimum competency requirements and are qualified to perform critical fire/life safety services.

Amending the L.A.M.C. to authorize the collection of fees for plan check and final acceptance inspection of methane gas detection systems and certification fees for methane gas detection system testers will allow the Fire Department to recover costs for special services, ensure continuation of the fire/life safety functions of the Fire Department, and is consistent with the City's financial policy of full cost recovery.

Board report prepared by Rosemarie Barraza, Senior Management Analyst I, Bureau of Fire Prevention and Public Safety, and Muriel Gee, Senior Management Analyst I, Administrative Services Bureau.

Attachments

rb:MethaneReport-final.doc