

AUG 19 2008

LOS ANGELES FIRE DEPARTMENT



DOUGLAS L. BARRY
FIRE CHIEF

August 11, 2008

BOARD OF FIRE COMMISSIONERS
FILE NO. 08-121

TO: Board of Fire Commissioners

FROM: Douglas L. Barry, Fire Chief *DLB*

SUBJECT: PROPOSAL TO AMEND LOS ANGELES MUNICIPAL CODE
57.33.19 EMERGENCY PLANNING AND EVACUATION
REQUIREMENTS FOR HIGH-RISE BUILDINGS AND TO
CHARGE FEES FOR THE TRACKING OF FIRE SAFETY
DIRECTOR CERTIFICATES, FLOOR WARDEN CERTIFICATES,
AND TOTAL BUILDING EVACUATION OVERSIGHT

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 Withdrawn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 proposed amendment to the Los Angeles Municipal Code (L.A.M.C.), 57.33.19 to improve the training, tracking, and effectiveness of high-rise building evacuation procedures.
2. Approve the findings and support the proposed fees for the tracking of certificates issued to Fire Safety Directors and Floor Wardens in high-rise buildings.
3. Approve the findings and support the proposed fees for the total building evacuation oversight of buildings 35 stories or more in height.
4. Direct staff to report back to the Board in one year on the progress of the high-rise evacuation program and evaluate any additional staffing/resources that may be required.
5. Direct the Commission Executive Assistant II to forward this report to the City Council and Mayor for consideration and approval.
6. Subject to the approval of the City Council and Mayor, request the City Attorney to report back to the City Council within 30 days with an

ordinance revising L.A.M.C. 57.33.19 and 57.02.02 (Attachment 1), which shall include provisions for the collection of fees for the tracking of certificates issued to Fire Safety Directors and Floor Wardens for all high-rise buildings, and a fee for the Total Building Evacuation Oversight of buildings 35 or more stories in height. These fees shall be established by the most current cost-recovery schedule as provided under L.A.M.C. 57.04.12C.

Summary:

Since the events of 9/11, a greater emphasis has been placed on the life/safety procedures in high-rise buildings, particularly, the safe evacuation of occupants. The Los Angeles City Council has instructed the Los Angeles Fire Department (LAFD) to make recommendations to ensure the safety of the City's high-rise occupants during emergency evacuations (Council Motions 02-0887, 02-0887-S1, and 06-0787).

The LAFD is the exclusive Department for enforcing State and local fire and life safety codes in all high-rise buildings in the City of Los Angeles. Currently, L.A.M.C. 57.33.19, Emergency Planning and Evacuation Requirements for High-Rise Buildings, requires all high-rise buildings to complete and submit emergency plans, procedures, and evacuation signs to the LAFD for inspection and approval prior to their implementation.

The LAFD proposes to improve on the existing emergency planning and evacuation procedures by requiring designated personnel in high-rise buildings to be trained, tested, and certificated annually. The proposed amendment to L.A.M.C. 57.33.19 will require all Fire Safety Directors and Floor Wardens in high-rise buildings to be trained, tested, and have a valid certificate. There are currently over 740 high-rise buildings in the City of Los Angeles. The program will initially focus on 236 buildings greater than 250,000 square feet and will gradually phase in the remaining high-rise buildings in the City once the program has been firmly established.

In addition, high-rise buildings 35 stories or more in height will be required to conduct a total building evacuation once every three years. There are currently 24 high-rise buildings that fall under this requirement. The LAFD will provide coordination and oversight during a total building evacuation.

In order to recover the costs to administer the program, it is proposed that fees be assessed for the administrative oversight provided in tracking of Fire Safety Directors and Floor Wardens and oversight provided during a total building evacuation.

Findings:

Per the L.A.M.C. 57.33.19, Emergency Planning and Evacuation Requirements for High-Rise Buildings, the LAFD currently inspects all high-rise buildings to ensure that:

- All fire and life safety systems are fully operational and have been tested in accordance with the prescribed intervals;
- Tenants have an adequate egress pathway to an exit;
- Building and storage features have not compromised the safety of the tenants; and
- The annual emergency evacuation drill has been performed and documented.

Per L.A.M.C. 57.33.19, owners of high-rise buildings are required to submit an Emergency Plan to the LAFD, which includes a list of available personnel to contact in the event of an emergency. The Fire Safety Director and Floor Wardens listed in the Emergency Plan are the persons depended upon for conducting an evacuation drill in the event of an emergency. Currently, training is provided for these personnel, however, the Fire Department has minimal oversight and there are no competency requirements. The proposed amendment will require that the Fire Safety Director and the Floor Wardens in high-rise buildings are trained and tested annually with administrative oversight by the LAFD. Fire Safety Directors and Floor Wardens who have been trained and successfully passed the tests will be issued certificates valid for one year from the date of issuance. Retesting is required each year.

The training, testing, and issuing of certificates to the Fire Safety Directors and Floor Wardens will actually be conducted by certified High-Rise/Life Safety Service consultants. A certified High-Rise/Life Safety Service consultant is a person that has successfully completed and passed LAFD's Division 6 High-Rise/Life Safety certification process.

L.A.M.C. 57.33.19 currently requires a minimum of one fire drill annually on individual floors. During this drill, the tenants on five floors (two floors above, the simulated fire floor and two floors below) are relocated to a designated floor. The proposed amendment will also require commercial high-rise buildings that are 35 stories or more in height to conduct a "total building evacuation" exercise once every three years. Currently, there are 24 such buildings. The total building evacuation will satisfy the annual fire drill requirement. The total building evacuation will be a coordinated effort between the Fire Inspector assigned to oversee the event, the Fire Safety Director of the building, and other LAFD resources.

One existing Fire Inspector I will be assigned to administer the proposed program; namely, the administrative tracking of certificates issued to Fire Safety Directors and Floor Wardens and providing LAFD oversight during 35 stories or more total building evacuations. No additional resources are required at this time to implement the program. However, an analysis and evaluation on the progress of the program will be conducted after one year to determine the need for additional staffing/resources.

To recover the costs of services and oversight of the emergency evacuation program; record keeping for the certificated personnel; and Total Building Evacuation Oversight of buildings 35 or more stories in height; fees are proposed for: 1) Fire Safety Director Fee, 2) Floor Warden Fee, and 3) Total Building Evacuation Oversight of buildings 35 stories or more in height, under L.A.M.C. 57.33.19. The fees will be determined based on actual staff costs including all applicable indirect costs and expenses and revised on a regular basis per L.A.M.C. 57.04.12C. The annual fees will be charged as follows: one fee per building for the Fire Safety Director (includes the Assistant Fire Safety Director), one fee per floor for all Floor Wardens on each floor (includes Alternate Floor Wardens) and one fee (prorated over three years) for Total Building Evacuation Oversight.

Any other evacuation costs associated with the evacuation process will be the responsibility of the building owner.

The LAFD has met with members of the Building Owners Management Association (BOMA) throughout the past year and the responses to the proposal have been overwhelmingly positive.

Fiscal Impact:

Based on direct and indirect staffing costs, it is proposed that the Fire Safety Director Fee be charged at \$305 per building, the Floor Warden Fee be charged at \$24 per floor, and the Total Building Evacuation Oversight Fee be charged at \$500 per evacuation (Attachment 2).

The following fees would be collected. Fire Safety Director Fees: 236 buildings x \$305 = \$71,977, Floor Warden Fees: 4,610 floors x \$24 = \$112,479, and Total Building Evacuation Oversight Fees: 8 buildings x \$500 = \$4,001. The total estimated fee collected from the implementation of the new emergency evacuation program is \$188,458. The fees will be tracked under Revenue Source Code 3900 High-Rise Inspection Fee.

The fees will be collected on an annual basis in conjunction with the high-rise fees. These fees will recover the cost of the Fire Inspector position that is currently in the High-rise Unit.

Conclusion:

Implementation of a program that involves training and the issuing of Fire Safety Director and Floor Warden certificates will ensure that persons involved in such critical life safety functions meet minimum competency requirements. Also, total building evacuation drills conducted in the more challenging taller buildings gives the occupants and the LAFD the opportunity to practice and fine-tune their emergency evacuation procedures.

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

Attachments

Note: Amendment language is indicated in italics.

DRAFT ORDINANCE

An ordinance amending Section 57.33.19 of the Los Angeles Municipal Code to provide for emergency and evacuation requirements for high-rise buildings.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. *Section 57.33.19 of the Los Angeles Municipal Code is amended to read:*

**Section 57.33.19. EMERGENCY PLANNING AND EVACUATION
REQUIREMENTS FOR HIGH-RISE BUILDINGS.**

~~—A.— Every new and existing high-rise building owner, manager, operator, administrator, and tenant, in cooperation with the Fire Department, shall establish, implement, and maintain an emergency plan on file for the building which shall include, but not necessarily be limited to, the following:~~

A. Creation and Filing of Emergency Plan.

~~—1.— **Fire Safety Director.** Assignment of a responsible person as Fire Safety Director who shall work with the Department in the establishment, implementation, and maintenance of the emergency plan. The person shall be employed or reside on the premises or be otherwise approved by the Department.~~

- 1. Every owner, manager, operator, administrator, and tenant of a new or existing high-rise building shall, in cooperation with the Department, establish, implement, maintain, and update an Emergency Plan for the building. The owner shall electronically submit the Emergency Plan as soon as it is completed and maintain a current hard copy on the premises. The owner shall also review the Emergency Plan once a year and as a result of that review shall update the Emergency Plan as necessary to ensure that it is accurate and complete. All Emergency Plan transactions shall be electronically submitted by means of a Department approved method. The updated Emergency Plan shall be submitted to the Department within 10 days of its completion. EXCEPTION: Any changes to the lists of Private First Responders, Essential Building Personnel, or*

emergency contact telephone numbers shall be submitted to the Department within 10 days of the date of the change. If the owner determines after an annual review, that the Emergency Plan does not require updating, the owner shall so inform the Department in writing as soon as that determination is made. This does not preclude an owner from reviewing and updating the Emergency Plan more frequently than the annual requirement.

~~—2. **Occupant Instruction:** All high-rise building occupants shall be instructed annually on the procedures to be followed in the event of fire, earthquake, or other emergency. Documentation of occupant instruction shall be maintained by the Fire Safety Director and shall be available for inspection by the Chief. Instruction of all new occupants shall occur within 14 days of their assuming occupancy in the building.~~

2. The Emergency Plan shall be made available upon request to personnel of the Department. Upon any change of ownership or management of a high-rise building the previous owner shall provide all copies of the Emergency Plan required by this chapter to the new owners within 10 days of the change of ownership. The new owner shall, after receiving the Emergency Plan submit the updates within 10 days.

~~—3. **Floor Warden:** A responsible person on each floor of every high-rise building shall be designated as Floor Warden. In cooperation with the Fire Safety Director, Floor Wardens shall oversee and ensure safe and complete evacuation or relocation of occupants during a fire or other emergency, or a fire drill. Alternate Floor Wardens shall be designated for each floor and shall assume Floor Warden duties when necessary. Exemptions to this regulation may be granted only upon a written request approved by the Chief.~~

3. Hotel Exemption. Hotels are exempt from the requirements set forth in 57.33.19.F.1.a(4), D.1.b, F.1.b, of this Section, except that building staff and employees shall participate in the fire drills required in 57.33.19.H, of this Section.

~~—4. **Emergency Evacuation Sign:** The preparation of emergency exit plans, procedures, and evacuation signs shall be approved by the Department before posting. Evacuation signs shall be located in every elevator lobby above and below the ground floor and in other conspicuous floor locations as required by the Department. Each dwelling unit, guest room, and office area shall be~~

~~provided with the fire safety and evacuation information, as required in Section 57.112.05 of this article. All plans, procedures and signs shall be properly maintained.~~

B. Fire Department Approval:

1. All emergency plans, procedures, and evacuation signs must be submitted to the Fire Safety Education Unit of the Fire Department *shall be completed and submitted to the Department* for inspection and approval prior to their implementation. All plans, signs, procedures, or training programs formulated by, or purchased from a **"High-Rise Life/Safety Service"** shall also be submitted for approval. All persons engaging in the business of **"High-Rise Life/Safety Service"** shall be required to obtain a Certificate of Fitness in accordance with Division 6 of this article. The Department may deny approval of any **"High-Rise Life/Safety Service"** which fails to meet minimum standards set by the Chief.

~~—C.— Fire Drills: A minimum of one fire drill annually on individual floors is mandatory. Total building evacuation is not required. Documentation of all fire drills on Fire Department approved forms shall be maintained by the Fire Safety Director. Fire drills may be scheduled in advance, with a notice posted to all tenants. All building occupants are required to participate in the fire drills. Buildings that have stairshaft doors locked for security reasons shall include in the evacuation plan provisions that will allow safe horizontal egress from the stairshaft during a drill or emergency evacuation.~~

C. Building Inventory Form:

1. A Building Inventory Form, which is provided by the Department, shall be completed and submitted as part of the Emergency Plan and subject to approval by the Department.

~~—D.— Handicapped Requirement: The Fire Safety Director shall maintain a current list of handicapped persons located within the building who would require assistance during an emergency evacuation or relocation. Methods for their safe evacuation or relocation must be established.~~

D. Required Designated Personnel.

1. Each Plan shall include the following required designated personnel:

- a. **Fire Safety Director.** *The Fire Safety Director and Assistant Fire Safety Director shall be employees of the building or reside on the premises or be otherwise approved by the Department. The Fire Safety Director shall be responsible for the establishment, implementation, and maintenance of the Emergency Plan, the annual emergency evacuation drills, training, and all documentation required by the Emergency Plan. The Fire Safety Director shall also verify that all security personnel have a valid State certification. The Fire Safety Director and the Assistant Fire Safety Director shall obtain and maintain a valid Fire Safety Director Certificate, and shall present their certificate for inspection upon request to Department personnel. The Fire Safety Director shall be responsible for renewing their Certificate at least once a year in order to maintain a valid certificate. The Assistant Fire Safety Director shall be prepared to assume the Fire Safety Director's duties when necessary. The building owner shall be responsible for the fees associated with the issuance of the Fire Safety Director Certificate by the Department as described in 57.33.19 I.1.a.*
- b. **Floor Wardens.** *A minimum of one Floor Warden per floor shall be designated to perform duties as required by this chapter. Additional Floor Wardens shall be required if the occupant load of a floor exceeds 500 people. The Floor Warden shall obtain and maintain a valid Floor Warden Certificate, approved by the Department, and shall present their certificate for inspection upon request by Department personnel. Alternate Floor Wardens shall also obtain a certificate as Floor Warden and be designated for each floor and be prepared to assume the Floor Warden duties when necessary. In a residential building, the Floor Warden shall be a resident on that floor or an employee of that building. In a non-residential building, the Floor Wardens shall be employees on that floor. The Floor Wardens shall receive training at least once each year in order to maintain a valid certificate. Exemptions to this regulation may be granted only upon a written request approved by the Chief. The building owner shall pay a fee as described in 57.33.19.I.1.b, for the required number of Floor Warden Certificates issued by the Department.*
- c. **Private First Responders.** *The operational portion of the Emergency Plan shall identify and incorporate all Private First Responders within the building.*
- d. **Essential Building Personnel.** *The operational portion of the Emergency Plan shall also identify and incorporate all Essential Building Personnel who are employees in the building.*

~~E. Hotel Exemption:~~ Hotels are exempt from the requirements set forth in Subsection "A. 2.", "A. 3.", and "C." of this section, except that building staff and employees shall participate in the fire drills required in Subsection "C."

E. Required Designated Personnel – On-Site Presence.

1. As used in this section, the phrase, "if required," shall mean if that particular category of designated personnel is required by the Emergency Plan pursuant to 57.33.19.D.
 - a. With regard to non-residential high-rise buildings, the Fire Safety Director or Assistant Fire Safety Director shall be present on-site during normal business hours.

F. Required Designated Personnel Duties.

1. The designated personnel required by 57.33.19D shall have, at a minimum, the following duties:
 - a. The Fire Safety Director or Assistant Fire Safety Director shall:
 - (1) During an emergency, call 911 or designate someone to place the call; report to the building's Emergency Assistance Center; direct emergency evacuation operations in the building including personnel in the designated refuge or rescue locations who have identified the need for assistance; and report the current conditions to the Department.
 - (2) Conduct monthly building safety inspections to identify hazards and obstructions in the egress pathways.
 - (3) Develop procedures and direct emergency evacuations and drills.
 - (4) Assign Floor Wardens for each floor, selected from the occupants on that floor.
 - (5) Incorporate Private First Responders if identified by the Emergency Plan for each occupied floor.
 - b. Floor Wardens shall:
 - (1) Know the locations of all exits leading from occupied areas and carry out the requirements in the Emergency Plan.

(2) Direct emergency evacuations and drills for their assigned floor in accordance with the Emergency Plan.

c. Private First Responders shall:

(1) Know the location of all exits leading from occupied areas and carry out the requirements in the Emergency Plan.

(2) Assist the Floor Wardens in the emergency evacuations and drills in accordance with the Emergency Plan.

d. Essential Building Personnel shall:

(1) Assist the Fire Safety Director during emergency evacuation operations in accordance with the Emergency Plan.

(2) Assist the Department and other emergency responders during emergency operations as described in the Emergency Plan.

G. Emergency Plan - Minimum Requirements.

1. The following provisions of this section reflect minimum requirements and are not intended to restrict owners from implementing any additional warranted measures:

a. Each Emergency Plan shall contain a description of the procedures all occupants should follow in an emergency evacuation or drill during the regular business hours and non-business hours of the building. Each Emergency Plan shall also have a procedure for total building evacuations.

b. Each Emergency Plan shall specify in detail the evacuation role and duties of the designated personnel required by 57.33.19D including the names of the Fire Safety Director and Assistant Fire Safety Director, their pager, in-house, and cellular telephone numbers.

c. Each Emergency Plan shall require emergency evacuation signs be posted in elevator lobbies and adjacent to the doorway leading to the exit stairs. The sign shall include, but not be limited to, the high-rise building's core floor plan describing all corridors, stairways, elevator lobbies, and interior evacuation routes for each floor.

- d. *The Fire Safety Director with the approval of the Department, shall establish within every Emergency Plan an Emergency Assistance Center (e.g. fire control room, lobby, or safe refuge area outside of the building) where the Fire Safety Director or Assistant Fire Safety Director and other selected personnel report during an emergency incident. The Fire Safety Director shall also assign a responsible person to meet and direct the Fire Department to the location of the emergency incident.*
- e. *Special Needs Requirements shall be incorporated in the Emergency Plan and shall include the current list of the names and usual floor locations of each occupant who has voluntarily, in writing, self-identified their need for assistance and the type of aid required to exit the building during an emergency. One or more places of refuge or rescue shall be designated in the Emergency Plan including a method to safely remove these occupants from the building. The Emergency Plan shall include the appropriate number of personnel designated to assist each of these occupants during an emergency evacuation or fire drill.*
- f. *Occupant Instruction and Training. All high-rise building occupants shall be instructed annually on the procedures to be followed in the event of fire, earthquake, or other emergency and participate in the mandatory fire drill. Documentation of the occupant instructions shall be maintained by the Fire Safety Director and be made available for inspection by the Chief. These instructions shall also be made available to all new occupants within 14 days of their assuming occupancy in the building.*
- g. *Emergency Evacuation Plans, Signs, and Procedures. The proposed emergency exit plans, procedures, and evacuation signs shall be approved by the Department before posting. Evacuation signs shall be located in every elevator lobby above and below the ground floor, adjacent to the doorway leading to the exit stairs, and in other conspicuous floor locations as required by the Department. Each dwelling unit, guest room, and office area shall be provided with the fire safety and evacuation information, as required in Section 57.112.05 of this article. All plans, procedures, and signs shall be properly maintained.*
- h. *Each Emergency Plan shall be filed:*
 - (1) *In the office of the high-rise building;*
 - (2) *At the security desk; and*

- (3) In the vicinity of the Fire Department annunciator/control panel or, as to residential buildings in an identifiable location approved by the Chief. The Emergency Plan shall be made readily available to the building staff and to the designated personnel required by 57.33.19D at all times.*

H. Fire Drills.

- 1. Commercial high-rise buildings, less than 35 stories in height, are required to conduct mandatory fire drills at least annually under the direction of the Fire Safety Director:*
 - a. A mandatory minimum of one fire drill shall be conducted annually on individual floors and when practical, shall include at least five floors at a time.*
 - b. During the annual fire drill the occupants shall proceed to the safest stairwell and relocate to a predetermined floor or outside safe refuge area.*
- 2. Commercial high-rise buildings, 35 or more stories in height, are required to conduct a mandatory fire drill at least annually under the direction of the Fire Safety Director:*
 - a. A mandatory minimum of one fire drill shall be conducted annually on individual floors, and when practical, shall include at least five floors at a time.*
 - b. During the annual fire drill the occupants shall proceed to the safest stairwell and relocate to a predetermined floor or outside safe refuge area.*
 - c. Every three years it is required that the fire drill include a total building evacuation, where every occupant of the building proceeds to the safest stairwell and evacuates directly to a predetermined outside safe refuge area.*
- 3. Residential high-rise buildings are required to conduct mandatory fire drills at least annually under the direction of the Fire Safety Director:*
 - a. A mandatory minimum of one fire drill shall be conducted annually on individual floors and when practical, shall include at least five floors at a time.*

- b. During the annual fire drill the occupants shall proceed to the safest stairwell and relocate to a predetermined floor or outside safe refuge area.*
- 4. Buildings that have stair shaft doors locked for security reasons shall include a method in the Emergency Plan that allows for safe horizontal egress from the stair shaft during a fire drill or emergency evacuation.*
- 5. The Fire Safety Director of the building or their designee shall coordinate the date of the total building evacuation drill for buildings 35 or more stories in height with the Department during normal working hours. A Fire Safety Officer shall be present to witness the total building evacuation drill.*
- 6. The Fire Safety Director shall maintain documentation of all fire drills on Department approved forms and make it available for inspection by the Department. Fire drills may be scheduled in advance, with a notice posted to all tenants. All building occupants shall participate in the fire drills and emergency evacuations.*

I. Fees.

1. The building owner shall be responsible for the following fees:

- a. Fire Safety Director Certificate Fee. The fee for the Fire Safety Director Certificate is described in 57.33.19D. The owner of the building shall be responsible for paying the fee based on one Fire Safety Director Certificate Fee per building.*
- b. Floor Warden Certificate Fee. The fee for the Floor Warden Certificate is described in 57.33.19D. The owner of the building shall be responsible for paying the fees based on one Floor Warden Certificate Fee per floor.*

Total Building Evacuation Oversight Fee. The fee for the Fire Safety Officer witnessing a total building evacuation for buildings 35 or more stories in height is described in 57.33.19.H.2. The owner of the building shall be responsible for paying the Total Building Evacuation Oversight Fee.

Due Dates.

- 1. Initial Payment.** *The permit fee shall initially be due, and shall accompany the filing of an initial permit application, on the 1st of January following the date of construction, as that term is defined in Section 57.119.03 of this Code, or for buildings constructed prior to the effective date of these provisions, on 1st of January following that effective date.*

2. **Annual Renewal.** Annual Renewal of certificate fees for existing certificates shall become due and payable each year on the first day of January of the calendar year and shall be submitted with the renewal application.

3. **Delinquency.** Fees, whether initial or renewal, which are not paid within 60 days after the due date shall be deemed delinquent and subject to a 50% penalty. However that the Department shall waive the penalty, with the approval of the City Attorney, to the extent it exceeds any extra costs caused by said delinquency.

B. Computation.

c. **Manner of Determining Cost.** The Board, with the concurrence of the Director of the Office of the City Administrative Office, shall determine on a regular basis the verifiable cost to the City for the certificate fees and the evacuation fees of high-rise buildings. These costs shall be the actual costs incurred as determined by the Board. The costs shall include both direct and indirect costs to the City for administering the certificate process and the total building evacuation process of high-rise buildings. The Board shall use these costs to develop a cost recovery schedule of applicable charges necessary to recover City costs. The Board shall adopt such costs as fees at any time during each fiscal year. The cost recovery schedule shall recover the verifiable annual costs of administering the certificates for Fire Safety Directors and Floor Wardens, as well as the administration of the total evacuation of high-rise buildings which shall include the cost of collection of any fees due and owing in connection with these fees. It shall take into consideration the number of certificates issued and affected by the fees. Upon adoption of a schedule of verifiable costs by the Board, as provided herein, the Board shall transmit the Board order to the Mayor and to the City Council.

2. **Manner of Approval Of Schedule.** At any time within 60 days after delivery of the Board order, the Mayor, by writing, or the Council, by majority vote, may disapprove the Board order. If, within 60 days after delivery of such a proposed fee schedule from the Board, neither the Mayor nor the City Council has disapproved said order of the proposed schedule, or the Council has failed to recommend any amendments thereon, the Board order and the Board's proposed fee schedule shall be deemed approved as

submitted, and the Board shall cause it to be published in a daily newspaper in the same manner as ordinances of the City are published pursuant to Charter Section 251. The order shall take effect upon publication.

In such event the fees as to those items on the proposed schedule which have been disapproved or recommended for change shall not change during the ensuing fiscal year under said Board order, provided however, that those remaining items not disapproved or not recommended for amendment by the Council shall be deemed approved and, as above provided, may be published as a schedule by the Board and said deemed approved fees shall become effective as otherwise provided herein.

D. Manner of Assessing Fees. *The cost recovery schedule adopted herein shall impose a charge per certificate.*

J. Violations.

- 1. Each person, owner, tenant, or other responsible party shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by that person, and shall be punishable accordingly.*
- 2. In addition to the penalties provided above, any condition caused or permitted to exist in violation of any of the provisions of this chapter shall be deemed a public nuisance and may be summarily abated as such by the City. Each day that such a condition continues shall be deemed to be a new and separate offense.*
- 3. Refusal to participate in a mandatory fire drill shall be a violation of this Section punishable by at least a mandatory minimum fine of \$100, up to and not to exceed \$1,000, or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.*

DRAFT ORDINANCE

An ordinance amending Section 57.02.02 of the Los Angeles Municipal Code to provide for emergency and evacuation requirements for high-rise buildings.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Add the following definitions to Section 57.02.02 of the Los Angeles Municipal Code after the existing definitions as stated below:

Section 57.02.02 GENERAL DEFINITIONS.

Alter or Alteration – Any change, addition, or modification...

Alternate Floor Warden – A responsible person, holding a valid Floor Warden Certificate, designated on each floor of every high-rise building, prepared to assume the Floor Warden's duties when necessary.

Assembly Occupancy (Place of Assemblage) – A building, portion of a building, or premises...

Assistant Fire Safety Director – A responsible person, who is an employee/resident of the building, designated by the building owner, holding a valid Fire Safety Director Certificate, prepared to assume the Fire Safety Director's duties when necessary.

Building Department – The Department of Building and Safety of the City of Los Angeles.

Building Inventory Form – A form, provided by the Fire Department and completed by the Fire Safety Director, that contains information about a building's features, contents, systems, or any other pertinent facts that could be used by emergency responders in mitigating an emergency incident in the building.

Emergency - An unexpected situation requiring immediate action...

Emergency Assistance Center - A location (i.e. Fire Control Room, Main Lobby, etc.) designated by the Fire Safety Director or Assistant Fire Safety Director where they and other selected personnel report during an emergency incident to manage the emergency evacuation or fire drill.

Emergency Power System – The wiring, fixtures, equipment, and luminaires in or on a building...

Essential Building Personnel – Personnel employed by the building who possess special knowledge of the building and its systems:

- Building Manager

- *Building Engineer*
- *Security Personnel*

~~Fire Safety Director~~ — ~~A person employed by the owner, administrator, or manager of a high-rise building, hospital, institution, or other occupancy designated by the Chief to be responsible for the establishment, implementation, and maintenance of a Department approved emergency plan for that occupancy, and who provides training in the use of first aid fire equipment and employee evacuation procedures which are approved by the Chief.~~

Fire Safety Director – An employee or resident of the building and designated as the Fire Safety Director by the owner, administrator, or manager of a high-rise building, health care facility, institution or other occupancy. The Fire Safety Director must have a valid Fire Safety Director Certificate and be responsible for the establishment, implementation, and maintenance of a Department approved emergency plan for that occupancy, and provides training in the use of first aid, fire equipment and building evacuation procedures which are approved by the Chief.

Fire Safety Director Certificate - A written document approved by the Chief authorizing an employee/resident of a high rise building, health care facility or institution, to be the Fire Safety Director. The Certificate is site specific and shall only apply to that high-rise building, health care facility, institution or other occupancy.

Flash Point – The minimum temperature at which a liquid gives out vapors in sufficient concentrations....

Floor Warden – A responsible person, holding a valid Floor Warden Certificate, designated on each floor of every high-rise building, and charged with the responsibility of overseeing and ensuring the safe and complete evacuation or relocation of occupants during an emergency or fire drill.

Floor Warden Certificate – A written document approved by the Chief authorizing an employee/resident of a high-rise building to be the Floor Warden. The Certificate is site specific and shall only apply to that high-rise building.

Non-Ambulatory Person – Any person who is unable to leave a building unassisted under emergency conditions...

Normal working hours - The hours between 8:00 a.m. and 5:00 p.m. of any day except Saturdays, Sundays, and legal holidays.

Private Fire Hydrant – An approved fire hydrant...

Private First Responder – Personnel incorporated into the Emergency Plan, trained to handle an emergency incident by providing direction and assistance prior to the arrival of emergency responders. All Private First Responders must be approved by the Fire Department. **EXCEPTION:** Paramedics and Emergency

Medical Technicians are approved by the California Emergency Medical Services Authority.

- *Fire Safety Director*
- *Floor Warden*
- *Paramedic*
- *Emergency Medical Technician (EMT)*
- *Civilian Emergency Response Team (CERT)*

Theater – Any room, hall, auditorium...

Total Building Evacuation - *When all of the occupants of a building and portions thereof are evacuated during a single event to a predetermined outside safe refuge area.*

HIGH-RISE BUILDING EVACUATION FEES

ATTACHMENT 2

STAFF COST

Class Code	Title	No. of Staff	Proposed FY 08-09 Salary ¹	CAP 29 ² Sworn = 79.97 %	Bonus	Total Cost Per Staff	Total Cost
2128-1	FIRE INSPECTOR I	1	\$104,753	\$83,771	\$737	\$189,261	\$189,261
							\$189,261
	TOTAL ON-DUTY HOURS PER YEAR						
	Total Compensated Hours Per Year					2088	hours
	Compensated Time Off		25.70%		(537)	hours	
	Total On-Duty Hours Per Year					1551	hours
	Hourly Rate for Services		\$122				
Notes:							
¹ Proposed 2008-09 Average Annual Salary							
² Official Approved CAP 29							
³ Total Compensated Hours Per Year is from the FY 07-08 CAO Budget Manual							

HIGH-RISE BUILDING EVACUATION FEES

Type of Fee	No. of Units	Hours / Unit	Total Hours	Fee / Unit	Total Fees
Fire Safety Director Fee	236	2.5	590	\$305	\$71,977
Floor Warden Fee	4610	0.2	922	\$24	\$112,479
Total Building Evacuation Fee	8	4.1	32.8	\$500	\$4,001
			1544.8		\$188,458

- Notes:
- One (1) Fire Safety Director is required per building for all high rise buildings over 75 feet in height or area greater than 250,000 square feet. There are 236 such buildings.
 - One Floor Warden is required on every floor for all high rise buildings over 75 feet in height or area greater than 250,000 square feet. The 236 buildings comprise of 4610 floors.
 - A Total Building Evacuation is required once every 3 years for all high rise buildings over 35 stories. There are a total of 24 buildings. Eight (8) Total Building Evacuations will be conducted per year.