

June 18, 2013

LOS ANGELES FIRE DEPARTMENT



BRIAN L. CUMMINGS
FIRE CHIEF

June 18, 2013

BOARD OF FIRE COMMISSIONERS
FILE NO. 13-076R

TO: Board of Fire Commissioners

FROM: Brian L. Cummings, Fire Chief

SUBJECT: FEE FOR REQUESTED INSPECTION TO OBTAIN A FIRE CLEARANCE LETTER

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 Withdrawn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 that a fee shall be charged for Requested Inspections.
2. Approve the Requested Inspection fee to be a minimum of one hour plus hour for hour for any additional time at the current Inspector rate of \$176 hourly.
3. Request that this report be forwarded to the City Council for consideration.
4. Request the City Council to instruct the City Attorney to draft an Ordinance to the Los Angeles Municipal Code (L.A.M.C.), 57.03.17 establishing charging a fee for a Requested Inspection, 57.02.02, defining a Requested Inspection, and 57.04.12C establishing the method of calculating the fee.
5. Request the City Attorney to report back to the City Council within 30 days with an Ordinance amending the L.A.M.C., 57.03.17, 57.02.02, and 57.04.12C, per the recommendations in this report.

Summary:

The purpose of this proposed Ordinance and fee is to establish cost recovery to the City of Los Angeles for the time spent to conduct a Requested Inspection. Requested Inspections are to be defined as: "An inspection that is requested from a business or building owner with the intent to receive a Fire Clearance letter stating that the building and business are Fire Code compliant at the time of the inspection. Normal periodic inspections and inspections covered under other sections of this Fire Code would not be considered a Requested Inspection."

Findings:

Requested Inspection

The State agencies responsible for the administration of insurance payments from Medicare, Medi-Cal, and other public assistance programs to doctors' offices and clinics often require these establishments to obtain a Fire Clearance letter from the local Authority Having Jurisdiction (AHJ). The letter simply states that the facility has been inspected and is compliant with the Fire Code.

The Los Angeles Fire Department as the AHJ must conduct an inspection of the facility and then generate a Fire Clearance letter in order for them to continue to participate in the program. These offices and clinics normally are not complex inspections but from the time the Inspector receives the call, schedules the inspection, travels to the inspection, conducts the inspection, and then generates the Fire Clearance letter, the average time spent is an hour.

The language for a Requested Inspection will be broad enough to include any other request where a Fire Clearance letter is requested for any other purpose not already addressed in this code. The key element of the Requested Inspection is the request for a Fire Clearance letter.

At the current time the Fire Department does not have a tracking mechanism to track the total number of requested inspections conducted each year. It would be fair to estimate that the number of requested inspections is between 500 and 1,000 annually. These inspections are conducted by both Inspectors assigned to the Bureau of Fire Prevention and Public Safety as well as field resources assigned to Emergency Services Bureau as established by policy. (Manual of Operations 11/1-28.84).

There is no California State law prohibiting the City of Los Angeles from charging for these inspections.

Tracking

At the current time, these inspections have not been tracked. There are several sources that conduct these inspections; for example, approximately 104 fire companies and approximately 40 Fire Inspectors handle inspections in buildings they have primary inspection responsibility for. When implemented these inspections would be consolidated at the Fire Prevention Bureau and tracked in a new computer application that is currently under development.

Fee

The current cost of services, by RESOLUTION NO. 1237, \$176/hour for inspections. The Department estimates it conducts 500 Requested Inspections per year, which would generate annual revenue of \$88,000 under the current hourly rate.

Fiscal Impact:

If implemented in July 2013, this new fee is expected to generate revenue of \$88,000 for Fiscal Year 2013-2014.

Conclusion:

Currently, the Fire Department conducts between 500 and 1,000 Requested Inspections each year. By implementing this fee for each hour spent conducting required inspections, outside of the normal inspection cycle, will achieve cost recovery for the inspection time.

Board report prepared by Paul Ponce, Captain II and Scott Miller, Captain I, Bureau of Fire Prevention and Public Safety.

ORDINANCE NO. _____

An ordinance adding the following: Section 57.03.17 of the Los Angeles Municipal Code to provide for Fees for Requested Inspections, add a definition Requested Inspection to 57.02.02 of the Los Angeles Municipal Code, and add 37 Requested Inspection to 57.04.12 C establishing the method to calculate the cost.

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

Section 57.02.02 of the Los Angeles Municipal Code is amended to include:

Definition

Requested Inspection - An inspection that is requested from a business or building owner with the intent to receive a fire clearance letter stating that the building and business are Fire Code compliant at the time of the inspection. Normal periodic inspections and inspections covered under other sections of this code would not be considered a requested inspection.

Section 57.03.17 of the Los Angeles Municipal Code is added to read:

SEC. 57.03.17 Requested Inspections.

A. The Department shall charge and collect a fee for any requested inspection. A requested inspection shall be conducted to determine the building and business are fire code compliant, at the specific request of the building or business owner. Upon payment and verification that the building and business are code compliant the Fire Department will provide a fire clearance letter stating such. If the inspection reveals that there are code violations that need to be resolved, a notice of violation will be issued and an additional requested inspection fee collected prior to issuing a compliance fire clearance letter.

B. The fee shall be established in the same manner as provided for the establishment of fees under section 57.04.12C of this code.

Section 57.04.12C of the Los Angeles Municipal Code is added to read:

37. Requested Inspections