

## **C-10**

August 4, 2020

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

Adopt a Resolution acknowledging receipt of the annual report on the inspection of certain occupancies, including schools, hotels, motels, lodging houses, apartments, and residential care facilities, pursuant to Section 13146.4 of the California Health and Safety Code. (Citywide)

### DISCUSSION

On December 2, 2016, in Oakland, California, a fire broke out during a concert in a warehouse, known as the Ghost Ship, that had been illegally converted into an artist collective with dwelling units. The Ghost Ship Fire killed 36 people and became the deadliest building fire in California since 1906. This tragedy drew national attention and put a spotlight on fire safety laws and inspections in California. Since then, statewide efforts have been made to increase fire safety and accountability in California cities.

Senate Bill 1205 is State legislation resulting directly from the findings of this incident. Prior to the Ghost Ship Fire, Sections 13146.2 and 13146.3 of the California Health and Safety Code (Code) required fire departments to conduct annual inspections of certain occupancies, including schools, hotels, motels, lodging houses, apartments, and residential care facilities. Senate Bill 1205 amended the Code, adding Section 13146.4 to require each fire department to report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3 of the Code. The Code requires this report to occur when the administering authority discusses its annual budget and requires the administering authority to acknowledge receipt of the report in a Resolution or similar formal document.

The California State Fire Marshal mandates inspections to be performed annually in all public and private schools (Group E Occupancy), hotels, motels, lodging houses, apartment houses and dwellings (Group R-1, R-2, R2.1, and R-4 Occupancy). Under the direction of the City's Fire Marshal, most of these annual inspections are performed by civilian fire inspection staff in the Fire Prevention Bureau, with the balance conducted by staff on engine companies.

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A total of 8,350 sites requiring State-mandated inspections were identified for calendar year 2019, including 8,245 residential and 105 educational sites. Of all State-mandated sites, 1,743 were inspected, resulting in a compliance rate of approximately 21 percent. For residential sites, engine companies performed 191 inspections and Fire Prevention staff performed 1,447 inspections, for a total of 1,638. This resulted in a compliance rate of approximately 20 percent. There are many variables that impact the ability to complete the annual inspections. These factors include staffing, number of required inspections, and emergency/non-emergency call volume. Other municipalities are experiencing the same challenges. Fire Prevention staff performed a total of 105 school inspections. This is a compliance rate of 100 percent for this reporting period.

This matter was reviewed by Deputy City Attorney Sarah E. Green on May 7, 2020 and by Budget Management Officer Rhutu Amin Gharib on May 11, 2020.

TIMING CONSIDERATIONS

City Council action is requested to coincide with the discussion of the annual budget.

FISCAL IMPACT

There is no fiscal impact with the acceptance and signing of the Resolution. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



XAVIER ESPINO  
FIRE CHIEF

APPROVED:



THOMAS B. MODICA  
CITY MANAGER

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Lona Beach, CA 90802

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RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF LONG BEACH, CALIFORNIA ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE CHIEF OF THE LONG BEACH FIRE DEPARTMENT REGARDING THE INSPECTION OF CERTAIN OCCUPANCIES REQUIRED TO PERFORM ANNUAL INSPECTIONS IN SUCH OCCUPANCIES PURSUANT TO SECTION 13146.4 OF THE CALIFORNIA HEALTH AND SAFETY CODE

WHEREAS, California Health & Safety Code Section 13146.4 was added in 2018, and became effective on September 27, 2018; and

WHEREAS, California Health & Safety Code Sections 13146.2 and 13146.3 require all fire departments, including the Long Beach Fire Department, that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards, as provided; and

WHEREAS, California Health & Safety Code Section 13146.4 requires all fire departments, including the Long Beach Fire Department, that provide fire protection services to report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3; and

WHEREAS, the Council of the City of Long Beach intends this Resolution to fulfill the requirements of the California Health & Safety Code regarding acknowledgment of the Long Beach Fire Department's compliance with California Health and Sections 13146.2 and 13146.3;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

1           Section 1.   Educational Group E occupancies are generally those public  
2 and private schools, used by more than six persons at any one time for educational  
3 purposes through the 12th grade. Within the City of Long Beach, there lie 105 Group E  
4 occupancies, buildings, structures and/or facilities.

5           During calendar year 2019, the Long Beach Fire Department completed the  
6 annual inspection of 105 Group E occupancies, buildings, structures and/or facilities.  
7 This is a compliance rate of 100 % for this reporting period.

8           Additional items of note regarding this compliance rate can be found in the  
9 accompanying staff report for this resolution.

10          Section 2.   Residential Group R occupancies, for the purposes of this  
11 resolution, are generally those occupancies containing sleeping units, and include hotels,  
12 motels, apartments (three units or more), etc. as well as other residential occupancies  
13 (including a number of residential care facilities). These residential care facilities have a  
14 number of different sub-classifications, and they may contain residents or clients that  
15 have a range of needs, including those related to custodial care, mobility impairments,  
16 cognitive disabilities, etc. The residents may also be non-ambulatory or bedridden.  
17 Within the City of Long Beach, there lie 8,245 Group R (and their associated sub-  
18 categories) occupancies of this nature.

19          During calendar year 2019, the Long Beach Fire Department completed the  
20 annual inspection of 1,638 Group R occupancies, buildings, structures and/or facilities.  
21 This is a compliance rate of approximately 20% for this reporting period.

22          Additional items of note regarding this compliance rate can be found in the  
23 accompanying staff report for this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2020 by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

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Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Clerk

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
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