

September 5, 2023

C-17

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution acknowledging receipt of the annual report regarding 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.

A total of 8,451 sites requiring State-mandated inspections were identified for calendar year 2022, including 8,286 residential and 165 educational sites. Of all State-mandated sites, 4,950 were inspected, resulting in a compliance rate of approximately 59 percent, compared to 27 percent compliance in 2021, and 41 percent in 2020. For residential sites, engine companies performed 198 inspections and Fire Prevention staff performed 4,752 inspections for a total of 4,950 sites, equivalent to a compliance rate of

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approximately 60 percent, compared to 26 percent in 2021 and 40 percent in 2020. For educational sites, Fire Prevention staff performed a total of 165 school inspections out of 165 which results in a compliance rate of 100 percent for this reporting period, compared to 99 percent in 2021 and 92 percent in 2020.

There are many variables that contribute to the compliance rates listed above. These factors include Fire Prevention staffing, number of required inspections, and emergency/non-emergency call volume. Overall, the Fire Prevention team experienced one vacancy this fiscal year. This vacancy and increased inspection workload has been mitigated through cross-bureau assistance to conduct inspections. Specifically, the Long Beach Fire Department engine and truck companies are increasing the number of fire inspections conducted annually. In addition to this effort, Fire Department employees on modified or transitional duty have been assigned to inspection duties. These efforts will place the Fire Department in a better position to increase compliance rates. Additionally, further efficiencies are anticipated with the transition from paper inspection forms to an electronic reporting system.

This matter was reviewed by Deputy City Attorney Arturo D. Sanchez on August 10, 2023 and by Budget Development Officer Jennifer Rodriguez on August 15, 2023.

TIMING CONSIDERATIONS

City Council action is requested on September 5, 2023 to coincide with the discussion of the annual budget as required by the California Health and Safety Code.

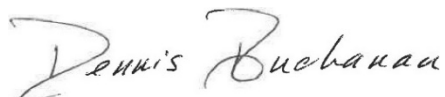
FISCAL IMPACT

There is no fiscal impact with the acceptance and signing of this 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,



DENNIS BUCHANAN
FIRE CHIEF

APPROVED:



THOMAS B. MODICA
CITY MANAGER

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH, CALIFORNIA ACKNOWLEDGING
5 RECEIPT OF A REPORT MADE BY THE FIRE CHIEF OF
6 THE LONG BEACH FIRE DEPARTMENT REGARDING THE
7 INSPECTION OF CERTAIN OCCUPANCIES REQUIRED TO
8 PREFORM ANNUAL INSPECTIONS IN SUCH
9 OCCUPANCIES PURSUANT TO SECTION 13146.4 OF THE
10 CALIFORNIA HEALTH AND SAFETY CODE

11
12 WHEREAS, California Health & Safety Code Section 13146.4 was added in
13 2018, and became effective on September 27, 2018; and

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

19 WHEREAS, California Health & Safety Code Section 13146.4 requires all
20 fire departments, including the Long Beach Fire Department, that provide fire protection
21 services to report annually to its administering authority on its compliance with Sections
22 13146.2 and 13146.3; and

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

27 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
28

1 follows:

2 Section 1. The Council of the City of Long Beach expressly acknowledges
3 the measure of compliance of the Long Beach Fire Department with California Health and
4 Safety Code Section 13146.2 and 13146.3 in the area encompassed by the City of Long
5 Beach as follows:

6 A. Educational Group E Occupancies: Educational Group E
7 occupancies are generally those public and private schools, used by more than six
8 persons at any one time for educational purposes through the 12th grade. Within the City
9 of Long Beach, there lie 165 Group E occupancies, buildings, structures and/or facilities.

10 During calendar year 2022, the Long Beach Fire Department
11 completed the annual inspection of 165 Group E occupancies, buildings, structures
12 and/or facilities. There were 165 total Group E occupancies in 2022. This is a
13 compliance rate of 100% for this reporting period.

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

16 B. Residential Group R Occupancies: Residential Group R
17 occupancies, for the purposes of this resolution, are generally those occupancies
18 containing sleeping units, and include hotels, motels, apartments (three units or more),
19 etc. as well as other residential occupancies (including a number of residential care
20 facilities). These residential care facilities have a number of different sub-classifications,
21 and they may contain residents or clients that have a range of needs, including those
22 related to custodial care, mobility impairments, cognitive disabilities, etc. The residents
23 may also be non-ambulatory or bedridden. Within the City of Long Beach, there lie 8,286
24 Group R (and their associated sub-categories) occupancies of this nature.

25 During calendar year 2022, the Long Beach Fire Department
26 completed the annual inspection of 2,950 Group R occupancies, buildings, structures
27 and/or facilities. This is a compliance rate of approximately 60% for this reporting period.

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