



Legislation Text

File #: 20-0700, **Version:** 1

Recommendation to adopt 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)

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 8,350 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.

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

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.

Approve recommendation.

[Enter Body Here]

XAVIER ESPINO
FIRE CHIEF

APPROVED:

THOMAS B. MODICA
CITY MANAGER