



**Date:** November 12, 2007  
**To:** Mayor and City Council  
**From:** Larry Herrera, City Clerk  
**Subject:** City Council Meeting of November 13, 2007 – Agenda Item H-3

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At the request of the City Manager, the June 19, 2007 Public Safety Committee recommendations and the Fire Department staff report were distributed via the Supplemental Agenda on Friday, November 9, 2007.

At the meeting of June 19, 2007, the following motion was adopted:

A substitution motion was made by Councilmember DeLong, seconded by Councilmember S. Lowenthal, to approve recommendations of the Public Safety Committee as outlined in Long Beach Fire Department and Department of Planning and Building Fire Sprinkler and Fire Alerting Report, under New Construction for Fire Sprinklers Items 1, 2 and 3, and under Existing Construction for Fire Alarms Items 7 and 8; refer recommendations under Existing Construction for Fire Sprinklers Items 4, 5 and 6 and Public Safety Committee recommendations A, B and C to the Economic Development and Finance Committee for further review; and request that a low interest loan be provided to non-profits housing for retrofitting. The motion carried ....

**Therefore, as pertains to Agenda Item H-3 on the November 13, 2007, only items 1, 2, 3, 7 and 8 as outlined in the Fire Department staff report are pertinent,**

Attached is a copy with notes in the margin to clarify the June 19, 2007 action.



~~**R-39**~~

**H-3**

**Date:** June 19, 2007  
**To:** Honorable Mayor and City Council  
**From:** Councilmember Val Lerch, Chair, Public Safety Committee  
**Subject:** RECOMMENDATION TO ADOPT THE EIGHT (8) RECOMMENDATIONS ON  
FIRE SPRINKLERS AND FIRE ALERTING SYSTEMS

The Public Safety Committee, at its meeting held May 22, 2007, considered communications relative to the above subject.

It is the recommendation of the Public Safety Committee to the City Council to request the City Attorney to prepare an Ordinance adopting the recommendations on fire sprinklers and fire alerting systems, and that the communications on file be received and adopted.

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

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Councilmember Val Lerch, Chair

Prepared by:  
Gloria Harper



# CITY OF LONG BEACH

DEPARTMENT OF FIRE

925 Harbor Plaza, Suite 100 • Long Beach, CA 90802 • Telephone (562) 570-2500 • FAX (562) 570-2500

DAVID W. ELLIS  
FIRE CHIEF

June 19, 2007

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Request the City Attorney to prepare an Ordinance adopting the recommendations on fire sprinklers and fire alerting systems (Citywide)

## DISCUSSION

As a result of the Paradise Gardens Apartment fire of December 8, 2006, the City Council requested the Fire Marshal and the Building Official to complete an evaluation of the current fire and building code requirements pertaining to fire sprinklers and fire alerting systems within the City of Long Beach.

A presentation with recommendations was presented to the Public Safety Committee on January 30, 2007 at which time the Public Safety Committee directed staff to investigate possible funding sources for the installation of fire sprinkler and fire alerting systems.

A presentation on funding sources and community outreach was presented to the Public Safety Committee on April 3, 2007 at which time the Public Safety Committee directed staff to provide presentations by industry professionals on fire sprinkler installations, new technologies regarding fire protection systems and insurance premium evaluations by the Insurance Services Office (ISO).

A presentation by industry professionals was presented to the Public Safety Committee on May 22, 2007. The Public Safety Committee subsequently recommended that the recommendations listed below be submitted to the City Council for approval.

## RECOMMENDATIONS

The recommendations developed are an effort to improve fire and life safety and are separated into three distinct areas as follows:

- New Construction – Fire Sprinklers
- Existing Construction – Fire Sprinklers
- Existing Construction – Fire Alarms

ITEMS 1, 2, 3 approve June 19, 2007  
(Pertinent to H-3 on 11/13/07 agenda)

### New Construction – Fire Sprinklers

1. Require all **new multi-family (3 or more units) residential, hotels, motels** and similar buildings to be protected by fire sprinkler systems.
2. Require all **new single-family dwellings and duplexes** greater than 4,000 sq. ft. or more than two-stories in height to be protected by fire sprinkler systems.
3. Require all **new commercial, industrial and non-residential** buildings that require two or more exits or that are greater than 3,000 sq. ft. to be protected by fire sprinkler systems.

### Existing Construction – Fire Sprinklers

4. (a) Require all **existing multi-family residential, hotels and motels** containing 50 or more units to be retrofitted with fire sprinkler systems **within a period not to exceed five years.**  
  
(b) Require all **existing multi-family residential, hotels, motels and buildings** less than 50 units to be retrofitted with fire sprinkler systems **only when** (1) addition is greater than 5,000 sq. ft., or 25% of the existing square footage, or (2) alteration, repair or rehabilitation is equal to or greater than 25% of the replacement cost of the building, over a period of three years.
5. Require all **existing single-family dwellings and duplexes**, when additions are made and the total sq. ft. is greater than 4,000 sq. ft. or more than two stories in height, to be protected by fire sprinkler systems except when the increase in square footage of the building is 10% or less over a period of three years.
6. Require all **existing high-rise** (over 75 feet) buildings as defined by the California Building Code to be retrofitted with fire sprinklers **within a period not to exceed ten years.**

ITEMS 4, 5, 6, were referred to Economic  
Development and Finance Committee for  
further review

### Existing Construction – Fire Alarms

7. Require all **existing multi-family residential, hotels and motels** to upgrade existing fire alarm system to current code at the time of replacement of the existing non-functioning fire alarm control panel.
8. Require all **existing high-rise** (over 75 feet) buildings as defined by the California Building Code to upgrade existing fire alarm system to current code at the time of replacement of the existing non-functioning fire alarm control panel.

ITEMS 7 and 8 approved June 19, 2007  
(Pertinent to H-3 on 11/13/07 agenda)

### PUBLIC SAFETY COMMITTEE RECOMMENDATIONS

At the meeting of the Public Safety Committee of May 22, 2007 the Committee also recommended the following in addition to the above listed recommendations:

- A. Approve recommendation that the Fire Department work with the City Attorney's Office to draft an ordinance that would allow flexibility in the implementation of the requirements for the retrofitting on a case by case basis, the report should also include the number of condominiums that would be impacted by the implementations of the retrofitting and legal ramifications as determined by the City Attorney.**

Available records indicate that 37 condominium occupancies with 50 or more units and 15 condominium high-rise buildings are not fully fire sprinklered and would be impacted by the proposed ordinance for the retrofitting of fire sprinklers.

In addition, none of the over 7,000 multifamily residential occupancies containing less than 50 units will be required to be fire sprinklered unless such occupancies have additions greater than 5,000 sq. ft., or 25% of the existing square footage, or alteration, repair or rehabilitation is equal to or greater than 25% of the replacement cost of the building, over a period of three years.

The Fire Department currently has the ability to evaluate and modify provisions of the code on a case-by-case basis as allowed by the Fire Code as follows:

**2001 California Fire Code Section 103.1.3 Practical Difficulties.**

*The Chief is authorized to modify any of the provisions of this code upon application in writing by the owner, a lessee or a duly authorized representative where there are practical difficulties in the way of carrying out the provisions of the code, provided that the spirit of the code shall be complied with, public safety secured and substantial justice done. The particulars of such modification and the decision of the chief shall be entered upon the records of the department and a signed copy shall be furnished.*

In order to assist the Fire Chief in the evaluation of proposed code alternates, it is recommended that an advisory board be developed to assist in evaluating such cases involving the adopted retrofit ordinance for fire sprinklers and fire alerting systems. The advisory board would be comprised of City staff and approved community members including the Fire Marshal, the Building Official, the City Attorney's Office and others that could address those unique occupancies on a case-by-case basis of the buildings impacted by the retrofit ordinance.

In addition, if the applicant does not concur with the advisory boards findings then a final appeal can be presented to the City's Board of Appeals for final action.

In order to assist applicants with the approval process it is proposed that the Fire Department designate a Fire Department Liaison. The Liaison will be available to assist applicants with fire code issues thereby expediting the approval process.

ITEMS A, B, C (pages 3-4) were referred to Economic Development and Finance Committee for further review

***B. Approve recommendation that would require those buildings that cannot be retrofitted with a fire sprinkler system as indicated by the Fire Chief as having a need for a sufficient fire suppression system be required to have mandated educational programs, required fire drills and fire extinguishers in each unit.***

Staff will develop, in cooperation with stakeholders, a fire prevention educational campaign targeting residential fire prevention education. The owner/manager of such facilities shall install a fire extinguisher as approved by the Fire Department in each residential unit. The owner/manager shall validate to the Fire Department that such extinguishers are in place and available for use by the occupants.

***C. Approve recommendation that a list of all permanent tenants that have special emergency evacuation needs be given to the Fire Chief on a voluntary basis.***

The Fire Department will coordinate the voluntary tenant evacuation list with the owner/ manager of the occupancy. The list will be kept on site and filed in a manner as approved by the Fire Department.

#### CONCLUSION

Fire sprinklers have been in existence for over 100 years and have proven to be an effective method of suppressing fire in all types of occupancies. The loss of life and property in fire-sprinklered buildings is dramatically reduced compared to non-sprinklered buildings.

The recommendations proposed address life safety hazards associated with non-sprinklered occupancies. Additional changes can be made as necessary or on a triennial basis at the time of the regular readopting of the Fire and Building Codes.

This letter was reviewed by Deputy City Attorney Gary Anderson and Budget and Performance Management Bureau Manager David Wodynski on June 7, 2007.

#### TIMING CONSIDERATIONS

Council action on this item is not time critical.

#### FISCAL IMPACT

The estimated cost to install fire sprinklers and alarm systems will vary by project for affected property owners. There is no immediate cost to the City. However, increased staffing for plan review and inspections could be required in future years, but would be offset by user fees.

HONORABLE MAYOR AND CITY COUNCIL

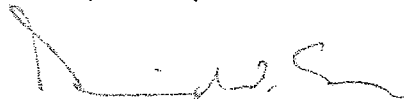
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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

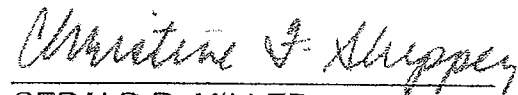


DAVID W. ELLIS  
FIRE CHIEF



SUZANNE FRICK  
DIRECTOR OF PLANNING AND BUILDING

APPROVED:



 GERALD R. MILLER  
CITY MANAGER

Attachment:

Fire Sprinklers and Fire Alerting Systems – Summary Report