

4) **Consideration of Annual Reporting of Completed State-Mandated Fire and Life Safety Inspections by the City of Lake Elsinore in Compliance With SB 1205 for Fiscal Year 2022-2023.**

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE CHIEF OF THE RIVERSIDE COUNTY FIRE DEPARTMENT REGARDING THE INSPECTION OF CERTAIN OCCUPANCIES REQUIRING ANNUAL INSPECTIONS IN SUCH OCCUPANCIES PURSUANT TO SECTIONS 13145, 13146 and 17921 OF THE CALIFORNIA HEALTH AND SAFETY CODE.



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City Council

**From:** Jason Simpson, City Manager

**Prepared by:** Traci Williams, Assistant Fire Marshal

**Date:** September 26, 2023

**Subject:** Consideration of Annual Reporting of Completed State-Mandated Fire and Life Safety Inspections by the City of Lake Elsinore in Compliance With SB 1205 for Fiscal Year 2022-2023.

### **Recommendation**

Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE CHIEF OF THE RIVERSIDE COUNTY FIRE DEPARTMENT REGARDING THE INSPECTION OF CERTAIN OCCUPANCIES REQUIRING ANNUAL INSPECTIONS IN SUCH OCCUPANCIES PURSUANT TO SECTIONS 13145, 13146 and 17921 OF THE CALIFORNIA HEALTH AND SAFETY CODE.

### **Background**

On September 27, 2018, SB 1205 became effective and added a new section to the California Health and Safety Code, which affects every fire department or fire district in the State. Existing state law requires every fire department or district providing fire protection services to inspect every building used as a public or private school annually. This annual inspection requirement applies to hotels, motels, lodging, and apartment houses. This bill also requires every fire department or district to annually report to its administering authority their compliance with the annual inspection requirements of the California Health and Safety Code. The bill also requires the administering authority to formally acknowledge receipt of the compliance report in a resolution or a similar formal document.

### **Discussion**

The responsibility for conducting the required inspections falls to the Fire Division as directed by the Assistant Fire Marshal. In conducting these inspections, Fire Division staff review compliance with such items as fire sprinkler and fire alarm maintenance, safe exiting, fire extinguisher maintenance, conducting fire drills, and safe storage of combustibles.

Reviewing all completed inspections, the Fire Marshal has determined that all required inspections have been completed for Fiscal Year 2022-2023. Adopting the recommended resolution and transmittal to the appropriate State Agency will meet the City's obligation under SB 1205.

**Environmental Determination**

The proposed resolution is exempt from the California Environmental Quality Act (Cal. Publ. Res. Code §§21000 et seq. "CEQA") and the State CEQA Guidelines (14. Cal. Code Regs §§15000 et seq.), specifically according to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, because there is no possibility that it may have a significant effect on the environment, and because it is not a "project" as that term is defined in Section 15378 of the State CEQA Guidelines.

**Fiscal Impact**

There is no fiscal impact related to this action, and all costs of the inspection processes are included in the adopted fee resolution.

**Attachments**

Attachment 1- Resolution

**RESOLUTION NO. 2022-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE CHIEF OF THE RIVERSIDE COUNTY FIRE DEPARTMENT REGARDING THE INSPECTION OF CERTAIN OCCUPANCIES REQUIRING ANNUAL INSPECTIONS IN SUCH OCCUPANCIES PURSUANT TO SECTIONS 13145, 13146 and 17921 OF THE CALIFORNIA HEALTH AND SAFETY CODE**

**Whereas**, California Health & Safety Code Section 13146.4 was added in 2018, and became effective on January 1, 2019; and

**Whereas**, California Health & Safety Code Section 13146.4 requires all fire departments, including the Riverside County Fire Department, that provide fire protection services to report annually to its administering authority on its compliance with Health & Safety Code sections 13146.2 and 13146.3; and

**Whereas**, California Health & Safety Code Section 13146.2 and 13146.3 requires all fire departments, including the Riverside County 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**, the Council of the City of Lake Elsinore intends this Resolution to fulfill the requirements of the California Health & Safety Code 13146.4 regarding acknowledgment of the Riverside County Fire Department's compliance with California Health and Safety Code Sections 13146.2 and 13146.3.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lake Elsinore, California: expressly acknowledges the measure of compliance of the Riverside County Fire Department with Health and Safety Code sections 13146.2 and 13146.3 in the City of Lake Elsinore for the period of July 1, 2022, to June 30, 2023, as follows:

**Section 1:** The above recitals are true and correct.

**Section 2:** Educational Group E occupancies, for the purposes of this Resolution, are generally those public and private schools, used by more than six persons at any one time for educational purposes through the 12th grade. The Riverside County Fire Department completed 100% of the annual inspections of the identified Group E occupancies, buildings, structures and/or facilities in the City of Lake Elsinore.

**Section 3:** Residential Group R occupancies, for the purposes of this Resolution, are generally those occupancies containing sleeping units, and include hotels, motels, apartments (three units or more), etc. as well as other residential occupancies (including a number of residential care facilities). These residential care facilities have a number of different sub-classifications, and they may contain residents or clients that have a range of needs, including those related to custodial care, mobility impairments, cognitive disabilities, etc. The residents may also be non-ambulatory or bedridden. The Riverside County Fire Department completed 100% of the annual inspections of the identified Group R occupancies, buildings, structures and/or facilities in the City of Lake Elsinore.

**Passed and Adopted** at a regular meeting of the City Council of the City of Lake Elsinore, California, this 26<sup>th</sup> of September 2023.

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Natasha Johnson,  
Mayor

Attest:

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Candice Alvarez, MMC  
City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    ) ss.  
CITY OF LAKE ELSINORE    )

I, Candice Alvarez, MMC, City Clerk, of the City of Lake Elsinore, California, hereby certify that Resolution No. 2023-     was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on the Tuesday, September 26, 2023, and that the same was adopted by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Candice Alvarez, MMC  
City Clerk