

**ORDINANCE NO. 2023-01**

**AN ORDINANCE OF THE LATHROP - MANTECA FIRE PROTECTION DISTRICT OF SAN JOAQUIN COUNTY ESTABLISHING AND ADOPTING A SCHEDULE OF FIRE DISTRICT SERVICES AND FEES FOR SERVICES**

The Board of Directors of the Lathrop – Manteca Fire Protection District of San Joaquin County (“District”) ordains as follows:

**Section 1. AUTHORIZATION AND PURPOSE**

The Lathrop Manteca Fire Protection District (the “District”) is charged with the responsibility of enforcing applicable codes pertaining to fire and panic safety and other regulations of local agencies and municipalities within its boundaries, of the State Fire Marshall pursuant to Section 13146 of the California Health and Safety Code. This ordinance, the schedule of fire district services and fees for services established herein are adopted pursuant to the provisions of Fire Protection District Law of 1987 (Health & Safety Code sections 13800 et seq., the “Act”). Specifically, as authorized under Health & Safety Code section 13916, the District hereby establishes and adopts the schedule of fire district services and fees for services established for the purpose of recovering for the District the cost of providing those services.

The provisions of this ordinance, schedule of fees, and collections policies are consistent with, and authorized by, the provision of Health & Safety Code section 13916 and other laws pertaining to fee schedules. Except as otherwise indicated, the definitions of the Act are incorporated herein and this ordinance shall be interpreted in a manner consistent with the Act.

Pursuant to enforcing the fire prevention provisions of Government Code Section 66014, California Fire Code Section 1.11.4., the Fire Chief may impose a fee for recovery of expenses incurred because of activities undertaken.

Pursuant to Proposition 4 (1979), the defined service fees shall not exceed the full cost of providing the service

**Section 2. BACKGROUND**

The District charges fees to recover expenses for necessary staff resources to provide fire prevention services and inspections. The District has incurred a greater demand on the existing staff resources to provide fire prevention services to the expanding residential, commercial and industrial developments within the District’s jurisdiction. The District retained Revenue & Cost Specialists, L.L.C. (RCS) to perform a Cost of Services Study to identify the full cost of the various services the District offers. RCS prepared the Costs of Services Study (study) for the Lathrop – Manteca Fire District dated July 2022, that calculates the full cost of each fire prevention service the District provide. The RCS study was prepared by gathering the actual costs of personnel, time spent to complete each fire prevention service activity, and the analysis, input and active

participation of District staff and RCS. On August 18, 2022, the RCS Costs of Services Study for the Lathrop – Manteca Fire District was presented to the Fire Board for input on cost recovery.

**Section 3. FEE SCHEDULE**

The fees established and adopted by this ordinance are attached hereto as “Exhibit A” entitled *Schedule of Fire District Fees for Services* (“Fee Schedule”).

**Section 4. PAYMENT OF FEES**

The fees shall be paid by the applicant to the District at the time of application or submittal to cover the actual costs in accordance with the aforementioned schedule for any inspections, plan reviews or any other services listed on the fee schedule.

In the event that service fees are not paid at the time of application or upon request for additional fees, the District shall not be obligated to process, approve or take further action on renewable permits, installation, removal, activity, inspections, plan reviews or other services necessitating a fee as delineated in the fee schedule.

**Section 5. PUBLIC NOTICE OF INTENT TO ESTABLISH FEE SCHEDULE**

Pursuant to the provisions of Health & Safety Code section 13916(b), the District gave public notice pursuant to Section 6066 of the Government Code, of its intent to establish and impose the Fee Schedule listed on “Exhibit A.”

**Section 6. MODIFICATION OF FEE SCHEDULE**

Any modification of the Fee Schedule and/or the Collections Policies imposed and adopted by this ordinance may be modified annually by resolution of the District Board.

**Section 7. FINDINGS REGARDING COSTS OF SERVICES**

The District Board finds that it must charge fees to cover the costs of services which the District provides. The fees are based on the actual costs incurred by the District which are based upon total compensation of the employee(s) providing a particular service and include total personnel hours utilized for plan review, file review, database information entry, travel to and from the site, written response and site inspection.

The District Board finds that there is a reasonable relationship between the amount of the fee charged and the service performed, i.e., pursuant to Health & Safety Code section 13916(a), no fee on the Fee Schedule exceeds the costs reasonably borne by the District in providing the service for which the fee is charged.

**Section 8. SEVERBILITY**

Should any provision of this ordinance be held invalid, its invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end, the provisions of this ordinance are declared to be severable.

**Section 9.** Ordinance No. 2011-01 is hereby repealed.

**Section 10. EFFECTIVE DATE**

The Secretary of the Board of Directors will certify the adoption of this Ordinance and cause the same to be published in the manner required by law. This Ordinance will take effect thirty (30) days after its final passage at a public hearing as required by law.

**First Reading: Regular Fire Board Meeting on December 15, 2022**

**Second Reading: Regular Fire Board Meeting on January 19, 2023**

First Notice Posted in the Manteca Bulletin on December 24, 2022

Second Notice Posted in the Manteca Bulletin on December 31, 2022

Notice Following Adoption Posted in Manteca Bulletin on January 21, 2023

PASSED AND ADOPTED on this 19<sup>th</sup> day of January, 2023 by the following vote of the Board of Directors to wit:

AYES: 5 Garcia, Elliott, Dresser, Rhodes, Coe

NOES: 0

ABSENT: 0

ABSTAIN: 0

  
Charles Garcia  
Chairperson of the Board of Directors

ATTEST: Hailey Salazar  
Secretary of the Board of Directors of the  
Lathrop Manteca Fire Protection District  
State of California

By:  (SEAL)  
Board Secretary



**EXHIBIT A**

Schedule of Lathrop Manteca Fire Protection District Services and Fees

<b>FEE TYPE</b>	<b>FEE AMOUNT</b>
AEROSOL PRODUCT ANNUAL PERMIT	\$290 per annual permit
AMUSEMENT BUILDING ANNUAL PERMIT	\$370 per annual inspection
AVIATION FACILITY ANNUAL PERMIT	\$290 per annual inspection
CARBON DIOXIDE SYSTEM ANNUAL PERMIT	\$210 per annual permit
CELLULOSE NITRATE FILM ANNUAL PRMT	\$210 per annual permit
COMBUSTIBLE DUST PRODUCTION ANNUAL PERMIT	\$405 per annual permit
COMBUSTIBLE FIBER ANNUAL PERMIT	\$405 per annual permit
COMPRESSED GASES ANNUAL PERMIT	\$405 per annual permit
COVERED MALL BUILDING ANNUAL PERMIT	\$290 per annual permit
MALL-HIGHLY COMBUST DISPLAY ANNUAL PERMIT	\$290 per annual permit
MALL-LIQUID/GAS FIRE EQUIPMENT ANNUAL PERMIT	\$290 per annual permit
MALL-OPEN FLAME / EQUIPMENT ANNUAL PERMIT	\$290 per annual permit
CRYOGENIC FLUID ANNUAL PERMIT	\$290 per annual permit
CUTTING/WELDING ANNUAL PERMIT	\$290 per annual permit
DRY CLEANING ANNUAL PERMIT	\$290 per annual permit
EXHIBIT/TRADE SHOW ANNUAL PERMIT	\$370 per annual inspection
EXPLOSIVES ANNUAL PERMIT	\$795 per annual permit
FIREWORKS BOOTH ANNUAL PERMIT	\$165 per permit
FIRE HYDRANT/VALVES ANNUAL PERMIT	\$210 per annual permit
FLAMMABLE / COMBUSTIBLE LIQUID ANNUAL PERMIT	\$290 per annual permit
FLOOR FINISHING ANNUAL PERMIT	\$290 per annual permit
FRUIT/CROP RIPENING ANNUAL PERMIT	\$290 per annual permit
FUMIGATION / THERMAL INSECTICIDE ANNUAL PERMIT	\$290 per annual permit
HAZARDOUS MATERIALS ANNUAL PERMIT	\$290 per annual permit
HAZARDOUS PRODUCTION MATERIAL FACILITY ANNUAL PERMIT	\$1,145 per annual permit
HIGH PILED STORAGE ANNUAL PERMIT	0-500 sq ft - \$290 per annual permit
	501-100,000 sq ft - \$525 per annual permit
	100,001-250,000 sq ft - \$1,110 per annual permit
	250,001-500,000 sq ft - \$1,535 per annual permit
	500,001+ sq ft - \$2,550 per annual permit

HOT WORK OPERATION ANNUAL PERMIT	\$290 per annual permit
INDUSTRIAL OVEN ANNUAL PERMIT	\$290 per annual permit
LUMBER YARDS ANNUAL PERMIT	\$290 per annual permit
LIQUID / GAS VEHICLE / EQUIPMENT ANNUAL PERMIT	\$290 per annual permit
LIQUIDIFIED PETROLEUM GAS ANNUAL PERMIT	\$290 per annual permit
MAGNESIUM WORKING ANNUAL PERMIT	\$290 per annual permit
MISC COMBUSTIBLE STORAGE ANNUAL PERMIT	\$290 per annual permit
MOTOR FUEL DISPENSING FACILITY ANNUAL PERMIT	\$290 per annual permit
OPEN BURNING PERMIT	\$250 per permit
OPEN FLAME / TORCH PERMIT	\$175 per permit
OPEN FLAME / CANDLE PERMIT	\$175 per permit
ORGANIC COATING ANNUAL PERMIT	\$290 per annual permit
PLACE OF ASSEMBLY ANNUAL PERMIT	50-100 people - \$290 per annual permit 101-250 people - \$370 per annual permit 251+ people - \$445 per annual permit
PRIVATE FIRE HYDRANT ANNUAL PERMIT / TESTING	\$270 per annual permit plus \$1555 per hydrant
FIREWORKS DISPLAY PERMIT	\$875 per permit
PYRO SPECIAL EFFECT MATERIAL PERMIT	\$875 per permit
PYROXYLIN PLASTIC ANNUAL PERMIT	\$290 per permit
REFRIGERATION EQUIPMENT ANNUAL PERMIT	\$290 per annual permit
REPAIR GARAGE & FUEL DISPENSING ANNUAL PERMIT	\$370 per annual permit
ROOFTOP HELIPORT ANNUAL PERMIT	\$290 per annual permit
SPRAYING AND DIPPING ANNUAL PERMIT	\$290 per annual permit
TIRE STORAGE / BYPRODUCT ANNUAL PERMIT	\$370 per annual permit
TIRE REBUILDING PLANT ANNUAL PERMIT	\$290 per annual permit
WASTE HANDLING FACILITY ANNUAL PERMIT	\$680 per annual permit
WOOD PRODUCT ANNUAL PERMIT	\$290 per annual permit
S.F.M. MOVIE PRODUCT OPERATIONS ANNUAL PERMIT	\$290 per annual permit
EMERGENCY RESPONDER RADIO ANNUAL PERMIT	\$290 per annual permit
SINGLE HOOD & DUCT SYSTEM ANNUAL PERMIT	\$250 per annual permit
MULTIPLE HOOD & DUCT SYST ANNUAL PERMIT	\$290 per annual permit
FIRE AND LIFE SAFETY ANNUAL PERMIT	\$250 per annual permit

SPECIAL EVENT PERMIT	1-99 attendees - \$330 100-499 attendees - \$525 500+ attendees - \$1,070
SPECIAL EVENT EMERGENCY MANAGEMENT PLAN	\$1,000 deposit with charges at the fully allocated hourly rates for all personnel involved plus any outside costs.
TEMPORARY MEMBRANE STRUCTURE / TENT PERMIT	400-1,600 square feet - \$175 per permit 1,601-5,000 square feet - \$370 per permit 5,001+ square feet - \$525 per permit
NEW BATTERY SYSTEM PERMIT - 50+ GAL	\$330 per permit
NEW BATTERY SYSTEM PERMIT - OTHER	\$525 per permit
NEW COMPRESSED GASES PERMIT	\$330 per permit
NEW CRYOGENIC FLUID PERMIT	\$525 per permit
NEW EMERGENCY RESPONDER RADIO COVER REV	\$915 per permit
NEW CELL TOWER PERMIT	\$135 per permit
NEW ENHANCED VAPOR RECOVERY SYSTEM PERMIT	\$785 per permit
NEW GATES & BARRICADES PERMIT	1-2 access points - \$135 per facility 3-7 access points - \$250 per facility 8+ access points - \$405 per facility
NEW INDUSTRIAL OVEN PERMIT	First Oven - \$600 Each Additional Oven - \$235
LIQUID PETROLEUM GAS PERMIT	\$330 per permit
PRIVATE FIRE HYDRANT PERMIT	\$760 per permit
SPRAYING / DIPPING PERMIT	\$525 per permit
NEW RURAL WATER SUPPLY TANK PERMIT	Residential - \$1,215 per permit Commercial - \$1,530 per permit
R-1 OCCUPANCY ANNUAL PERMIT	\$525 per annual permit
R-2 OCCUPANCY ANNUAL PERMIT	Up to 100 units - \$445 per annual permit 101+ units - \$640 per annual permit
LICENSED CARE PRE-INSPECTION	1-25 persons - \$330 per inspection 26+ persons - \$485 per inspection
LICENSED CARE INITIAL FIRE CLEARANCE	1-6 persons - No fee allowed under State law 7-12 persons - \$445 per facility 13+ persons - \$600 per facility
LICENSED RESIDENTIAL CARE ANNUAL PERMIT	1-6 persons - No fee allowed under State law 7-12 persons - \$445 per annual permit 13+ persons - \$600 per annual permit
C OCCUPANCY ANNUAL PERMIT	\$370 per annual permit
INSTITUTIONAL OCCUP ANNUAL PERMIT	\$680 per annual permit

LABORATORY OCCUPANCY ANNUAL PERMIT	\$330 per annual permit
HIGH RISE BUILDING ANNUAL PERMIT	\$835 per annual permit
NEW SINGLE FAMILY RESIDENTIAL SPRINKLER PLAN CHECK / INSPECTION	\$1,140 per system
	1-50 heads - \$1,140
	51-250 heads - \$1,450
	251-500 heads - \$1,530
NEW COMMERCIAL / INDUSTRIAL / MANUFACTURER SPRINKLER PLAN CHECK / INSPECTION	501-1,000 heads - \$1,685
	1,000+ heads - \$2,930
TENANT IMPROVEMENT – SINGLE FAMILY RESIDENCE SPRINKLER PLAN CHECK / INSPECTION	\$400 per system
	1-20 heads - \$555
TENANT IMPROVEMENT COMMERCIAL / INDUSTRIAL / MANUFACTURER SPRINKLER PLAN CHECK / INSPECTION	21-50 heads - \$1,140
	51+ heads - \$1,450
STANDPIPE WITH A SYSTEM PLAN CHECK / INSPECTION	\$155 per standpipe
FIRE PUMP WITH A SYSTEM PLAN CHECK / INSPECTION	\$545 per pump
U/G PIPING WITH A SYSTEM PLAN CHECK / INSPECTION	\$1,090 per system
FIRE PUMP STAND-ALONE PLAN CHECK / INSPECTION	\$785 per pump
U/G PIPING STAND ALONE PLAN CHECK / INSPECTION	\$1,215 per system
	1-10 devices - \$595
	11-50 devices - \$825
	51-200 devices - \$2,930
	201-500 devices - \$3,010
FIRE ALARM PLAN CHECK / INSPECTION	501+ devices - \$3,085
FIRE SUPPRESSION SYSTEM PLAN CHECK / INSPECTION - SMALL	\$320 per system
FIRE SUPPRESSION SYSTEM PLAN CHECK / INSPECTION - LARGE	\$515 per system
FIRE HOOD SYSTEM PLAN CHECK / INSPECTION - SMALL	\$320 per system
FIRE HOOD SYSTEM PLAN CHECK / INSPECTION - LARGE	\$515 per system

UNDERGROUND STORAGE TANK INSTALL	First tank - \$735 Each additional tank - \$350
ABOVEGROUND STORAGE TANK INSTALL	First tank - \$735 Each additional tank - \$350
UNDERGROUND STORAGE TANK REMOVAL	First tank - \$735 Each additional tank - \$350
ABOVEGROUND STORAGE TANK REMOVAL	First tank - \$385 Each additional tank - \$80
SOLAR - SINGLE FAMILY RESIDENTIAL 1-10 KW	\$135 per system
SOLAR - SINGLE FAMILY RESIDENTIAL 10 KW+	\$175 per system
SOLAR - OTHER 1 KW TO 50 KW	\$405 per system
SOLAR - OTHER FROM 51- 250 KW	\$640 per system
SOLAR - OTHER OVER 251 KW	\$875 per system
CANNABIS DISPENSARY PERMIT - NEW	\$1,110 per permit
CANNABIS CULTIVATION PERMIT - NEW	\$1,810 per permit
CANNABIS MANUFACTURING PERMIT - NEW	\$2,435 per permit
CANNABIS TESTING PERMIT - NEW	\$795 per permit
CANNABIS DISTRIBUTION PERMIT - NEW	\$1,030 per permit
CANNABIS DISPENSARY PERMIT - RENEW	\$720 per permit
CANNABIS CULTIVATION PERMIT - RENEW	\$1,340 per permit
CANNABIS MANUFACTURING PERMIT- RENEW	\$1,665 per permit
CANNABIS TESTING PERMIT - RENEW	\$405 per permit
CANNABIS DISTRIBUTION PERMIT-RENEW	\$565 per permit
ALTERNATIVE METHOD & MATERIALS REQUEST	\$950 per application  Charge the fully allocated hourly rates for all personnel involved in excess of 6 hours plus any outside costs.
NEW CONSTRUCTION LIFE SAFETY REVIEW	12.5% of City/County Building Plan Check and Permit fees
EXPEDITED PLAN REVIEW	150% of standard plan check fee
EXTRA PLAN REVIEW	Charge the fully allocated hourly rate for all personnel involved plus outside costs
REINSPECTION	Charge the fully allocated hourly rate for all personnel involved plus outside costs



AFTER-HOURS INSPECTION	Charge the fully allocated hourly rates for all personnel involved plus any outside costs
MISCELLANEOUS/OTHER PLAN REVIEW / INSPECTION	Charge the fully allocated hourly rate for all personnel involved plus outside costs
RELEASE OF STOP WORK ORDER	\$290 per release
WEED ABATEMENT	Actual abatement costs plus 20% administrative fee This is in addition to any additional fees or fines due to non-compliance.
ILLEGAL FIREWORKS CONFISCATION / DISPOSAL	Charge the fully allocated hourly rate for all personnel involved plus outside costs
FALSE ALARM RESPONSE	First three responses in a calendar year - No Charge Fourth Response - \$215 per response Fifth Response - \$430 per response Sixth and Subsequent Responses - \$645 per response
DUI COLLISION RESPONSE	Charge the fully allocated hourly rates for all responding personnel up to the State-set maximum of \$12,000 per Government Code Sections 53150-55.
UNPERMITTED BURN RESPONSE	\$300 per response, or if determined to be necessary, charge the fully allocated hourly rate for all personnel involved plus outside costs
PERMITTED BURN RESPONSE THAT ESCAPES ORIGINAL INTENTION	\$300 per response, or if determined to be necessary, charge the fully allocated hourly rate for all personnel involved plus outside costs
FIRE / EMS STANDBY	Charge the fully allocated hourly rate for all personnel involved plus outside costs
FIRE TRAINING SERVICES	Actual training costs plus 20% administrative fee, to be allocated among the training class students when applicable.
FIRE INCIDENT REPORT COPY	Fee is limited by the California Public Records Act \$0.25 per copy