

**BEFORE THE BOARD OF DIRECTORS OF THE LATHROP-MANTECA FIRE
PROTECTION DISTRICT**

RESOLUTION - #R-2022-05

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE LATHROP-MANTECA
FIRE PROTECTION DISTRICT ACKNOWLEDGING ACCEPTANCE OF A REPORT
ON THE DISTRICT'S COMPLIANCE WITH SB1205 AND CALIFORNIA HEALTH
AND SAFETY CODE SECTION 13146.4**

WHEREAS, Section 13146.4 was added to the California Health & Safety Code in 2018, and became effective September 27, 2018; and

WHEREAS, California Health & Safety Code Sections 13146.2 and 13146.3 require all fire departments, including the Lathrop-Manteca Fire District (District), 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, California Health & Safety Code Section 13146.4 requires all fire departments, including the District, that provide fire protection services to report annually to its administering authority its compliance with Section 13146.2 and 13146.3, and

WHEREAS, the Board of Directors of the Lathrop-Manteca Fire District intends this Resolution to fulfill the requirements of the California Health & Safety Code regarding acknowledgement of the District's compliance with California Health & Safety Code Sections 13146.2 and 13146.3:

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Lathrop-Manteca Fire District expressly acknowledge the measure of compliance of the District with California Health & Safety Code Sections 13146.2 and 13146.3 in the jurisdictional area of the District, as follows:

A. EDUCATIONAL GROUP E OCCUPANCIES:

Educational Group E occupancies are generally those public and private schools, used by more than six persons at any one time for educational purposes through the 12th grade. Within the District, there lie 11 known Group E occupancies, buildings, structures and/or facilities.

During fiscal year 2021-2022, the District completed the annual inspection of 9 Group E occupancies, buildings, structures and/or facilities. This is a compliance rate of 81.8% for this reporting period.

B. RESIDENTIAL GROUP R OCCUPANCIES:

Residential Group R occupancies, for the purpose of this resolution, are generally those occupancies containing sleeping units, and including hotels, motels, and apartments (three units or more). Within the District, there lie 28 known Group R occupancies of this nature.

During fiscal year 2021-2022, the District completed the annual inspection of 18 Group R occupancies, buildings, structures and/or facilities. This is a compliance rate of 64.3% for this reporting period.

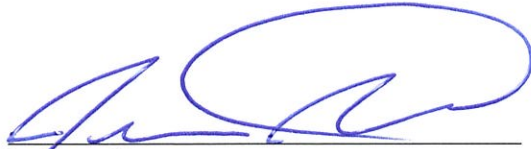
C. INSTITUTIONAL GROUP I OCCUPANCIES:

Institutional Group I occupancies, for the purpose of this resolution, are generally those occupancies where the use of a building or structure, are for the purpose of providing care or supervision to persons who are incapable of self-preservation without physical assistance or in which persons are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Within the District, there lies 1 known Group I occupancy, building, structure and/or facility.


During fiscal year 2021-2022, the District completed the annual inspection of 1 Group I occupancy, buildings, structures and/or facilities. This is a compliance rate of 100.0% for this reporting period.

PASSED AND ADOPTED on this 15th, day of September 2022 by the following vote of the Board of Directors to wit:

AYES: 4 Coe, Garcia, Rhodes, Ishihara
NOES: Ø
ABSENT: 1 Elliott
ABSTAIN: Ø


Jeremy Coe,
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



STAFF REPORT

TO: Board of Directors MEETING DATE: September 15, 2022

PREPARED BY: David A. Bramell, Fire Chief
APPROVED BY: David A. Bramell, Fire Chief

ITEM: ADOPT A RESOLUTION ACKNOWLEDGING ACCEPTANCE OF A REPORT ON THE LATHROP-MANTECA FIRE DISTRICT'S COMPLIANCE WITH SB1205 AND CALIFORNIA HEALTH AND SAFETY CODE SECTION 13146.4

EXECUTIVE SUMMARY

On September 27, 2018, California Senate Bill 1205 (SB1205) 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 same annual inspection requirement is applicable to hotels, motels, lodging houses, and apartment houses.

With the signing of SB 1205, the California Health Safety and Code was amended by adding Section 13146.4, that requires that all fire departments required to perform annual inspections pursuant to Sections 13146.2 and 13146.3 shall report annually to its administrating authority its compliance with Sections 13146.2 and 13146.3

DISCUSSION

Annually, the Lathrop-Manteca Fire District is required to conduct inspections of all public and private schools, hotels, motels, lodging houses, and apartment/condominium buildings, in accordance with California Health and Safety Code Section 13146.2 and 13146.3. The purpose of annual fire inspections is to mitigate known hazards, reduce risk to the community and ensure reasonable compliance with the California Fire Code.

California Health and Safety Code Section 13146.2 mandates that the local fire district inspect all hotels, motels and condominium/apartment buildings (three units or more) once annually. In FY 21/22, the Fire District inspected 18 of 28 hotels, motels, condominiums and apartment buildings.

California Health and Safety Code Section 13146.3 mandates that the local fire department inspect all public and private schools once annually. In FY21/22 the Fire District inspected 9 of 11 school facilities.

The Fire District completed 70.0% of its annual inspections of all known mandated buildings that are included within the mandate for fiscal year 2021-2022. In total, the Fire District conducted 28 of the 40 mandated annual inspections. The 28 inspections does not include the numerous re-inspections. Fire District staff continue to conduct re-inspections in response to deficiencies observed during initial inspections.

The acceptance of this compliance report and the recommended Resolution fulfill the statutory requirements contained in California Health and Safety Code Section 13146.2, 13146.3 and 13146.4, as amended by SB1205.

FISCAL IMPACTS

There are no fiscal impacts with the filing and acceptance of this report.

RECOMMENDATION

Staff recommends the Board of Directors Resolution #2022-05, acknowledging acceptance of a report on the Lathrop-Manteca Fire District's compliance with SB1205 and California Health and Safety Code Section 13146.4.

ATTACHMENTS

None