



Office of the City Manager

PUBLIC HEARING
May 26, 2015

To: Honorable Mayor and Members of the City Council

From:  Christine Daniel, City Manager

Submitted by: Gil Dong, Fire Chief

Subject: Amended Fire Permit and Inspection Fee Schedule

RECOMMENDATION

Conduct a public hearing and upon conclusion, adopt a Resolution:

1. Approving a revised Fire Department fee schedule which incorporates an increase in fire permitting and fire inspection fees to \$374 per hour; creates two new permit fees for service associated with new permit types created within the fire code adopted by the City on November 12, 2013; includes errata and changes into the fee schedule for fire permitting and inspections of property sites by the Berkeley Fire Department; and eliminates separate billing language from the fee schedule associated with re-inspections.
2. Rescinding Resolution 66,366-N.S.

FISCAL IMPACTS OF RECOMMENDATION

In FY 2014 fire permit and fire inspection revenue to the City's General Fund totaled \$615,066 under the current fee structure. This was based on a billing rate of \$350 per hour for Fire Prevention staff services and \$340 per hour for prevention services delivered by Fire Suppression personnel. By applying appropriate percentage increases to both fire permit/Fire Prevention and Fire Suppression prevention services, both fees can be harmonized at a uniform rate of \$374 per hour (\$93.50 per quarter hour). This results in a 6.9% increase for fire permitting/Fire Prevention staff services and a 10% increase for fire prevention services delivered by Fire Suppression personnel.

The new value of \$374.00/hr (or \$93.50/ quarter hour) would also apply to fire permits with a minimum "floor" valuation based on one hour of staff time for related processing, review and inspections. The one-quarter hour billing rate and billing unit would also apply to permits with minimum valuations below the one hour threshold and for purposes of computing additional permit billing charges for processing, review and inspection of permits whose processing time exceeds the minimum value listed in the fee schedule.

Revenue projections based on a harmonized billing rate and activity levels similar to FY 2014 are as follows:

Amended Fire Permit and Inspection Fee Schedule

| | FY 2014 Baseline | FY2016 (no fee increase) | Projected FY 2016 (w/ increase) |
|------------------------------|---------------------|-----------------------------|------------------------------------|
| Fire Prevention Revenue | \$615,066 | \$615,066 | \$671,501 |
| Fire Prevention Expenditures | \$735,218 | \$771,208* | \$771,208* |

*Assumes a 4.9% increase in CPI (FY2014- FY2016)

Table 1: Projected Program Costs/Revenues With and Without Proposed Fee Increase

As shown in Table 1, the projected FY 2016 total revenue stream would increase to \$671,501. This represents a blended percentage increase in fire prevention revenue to the General Fund of 9.2%, which is still below the FY 2014 fire prevention program cost of \$735,218.

Attachment 1, "Detailed Listing of Proposed Fire Department Fee Schedule Changes" provides detailed discussion of the individual proposed errata, changes and modification of the fire department fire permitting and fire inspection fee schedule.

A detailed listing of changes in the various fire permit and inspections fees is given in Attachment 3, "Proposed Fire Inspection and Fire Permit Fee Comparison Table".

CURRENT SITUATION AND ITS EFFECTS

The Fire Department's fire prevention permitting and annual fire inspection programs rely on fees for service to defray the operating costs of these programs. On November 12, 2013 Council approved the current Fire Department fee schedule by Resolution 66,366-N.S. Changes made at the time to the fee schedule consisted of editorial changes to and reorganization of the previously approved fee schedule in an effort to achieve compatibility with the new fire code adoption. In the current fee Resolution some new permit types were listed as "no fee" permits to allow for fire department regulation of these activities prior to proposing a more comprehensive revision of the fee schedule.

The basic hourly billing rate and the corresponding value of the billing unit (one quarter hour of time) for fire prevention permitting and inspection services was last increased by Council on May 19, 2009 in Resolution 64,453-N.S. Currently there are two separate billing rates for fire permitting and inspection fees. The fee assessed is dependent on which Fire Department personnel are delivering the service. Fire Prevention staff time is billed at a rate of \$350 per hour and Fire Suppression personnel time is billed at a rate of \$340 per hour. These fees defray costs incurred to process, review and inspect permits which are required by the fire code, as well costs associated with a wide range of fire prevention and inspection services. These services include the annual fire prevention inspection of commercial occupancies as required by the California Fire and Berkeley Municipal codes, as well as more specialized, detailed or limited scope fire

Amended Fire Permit and Inspection Fee Schedule

code inspections that are initiated through a variety of mechanisms such as citizen inquiries or complaints, and internal or external agency referrals.

Between 2009 and 2015, the costs to the City of administering and delivering fire prevention and inspection services have increased. Based on the U.S. Bureau of Labor Statistics Consumer Price Index the CPI in the San Francisco Bay Area (San Francisco-Oakland – San Jose Area CPI, “All Items”, “Not Seasonally Adjusted”) has increased by over 12%. Fire Department records indicate that local costs in administering and delivering the fire prevention and inspection programs have actually increased by 15.45% between FY 2009 and FY 2014. Since both the CPI estimate and our internal calculations show an increase of over 10% in the cost of delivering service to the citizens, the blended 9.2% increase is a conservative rate. In addition to increased direct costs, City staff has observed that there are indirect costs associated with tracking, billing and collecting fire prevention related fees using the current fee structure with multiple billing rates. It is believed that staff time impacts and customer complaints can be minimized by harmonizing the current two billing rates into a single, common fee for fire permit and fire inspection services. This simplification of the billing structure should also reduce confusion among customers and City staff.

In addition to the need to adjust the basic billing rate to defray increased costs, staff has discovered errors in the text of the current fee Resolution document. The proposed errata would correct references to fire code sections where the section numbers have changed, where section titles have been revised, or where fire code permitting requirements have changed or been moved between sections. There are also references to incorrect inspection fee rates that found their way into the current fee Resolution via an out of date document template. Approving these errata and amendments will correct fire code references and ensure that citizens receiving bills for inspection or permitting services are being billed accurately and correctly, and ensure the City reasonable cost recovery associated with its regulatory duties.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the action requested in this report.

RATIONALE FOR RECOMMENDATION

Incorporating the following errata and changes into the fire department fee resolution will ensure that issued regulatory permits reflect the actual requirements of the current fire code and that those citizens receiving bills for inspection or permitting services are being billed accurately and correctly for fire inspection and permitting services.

ALTERNATIVE ACTIONS CONSIDERED

Maintain fire permit and fire inspection billing rates at their current levels and instead incorporate the required errata and amendments into the fee Resolution as required to maintain consistency with and accurately reflect the fire code as adopted.

Amended Fire Permit and Inspection Fee Schedule

CONTACT PERSON

Steven Riggs, Acting Fire Marshal, Fire Department, 981-5584

Attachments:

1. Detailed Listing of Fire Department Fee Schedule Changes
2. Resolution- Annual Permit Fees, Inspection and Billing Rates for Inspection of Property Sites by the Berkeley Fire Department
3. Proposed Fire Inspection and Fire Permit Fee Comparison Table
4. Public Hearing Notice

Detailed Listing of Proposed Fire Department Fee Schedule Changes

The following list provides a detailed discussion of the individual proposed errata, changes and modification of the fire department fire permitting and fire inspection fee schedule:

- A. Increase the billable rate for fire permit and fire inspection services to \$374.00 per hour. The current staff cost analysis performed for the last fire permit and inspection fee increase in 2009 was based on a detailed breakdown of costs and computed as \$350 per hour for Fire Prevention staff services and \$340 per hour for Fire Suppression staff delivering fire prevention services. The current proposal increases both fire prevention staff and fire suppression prevention services to a common rate of \$374 per hour (\$93.50 per quarter hour). This equates to a 6.8571% increase for fire permitting and Fire Prevention staff services and a 10.000% increase for fire prevention services delivered by Fire Suppression forces.
- B. Create a new fire permit fee in fee schedule Section 1, "Annual Permit Fees", Section 105.6.23 [Emergency Responder Radio Coverage Systems]. The adoption of the Berkeley Fire Code on December 3, 2013 created a new permit type which governs the installation of Emergency Responder Radio Coverage Systems. This permit was adopted as and is currently listed as a "no fee" permit in the current fee Resolution. This "no fee" status was adopted because at the time of fire code adoption the resources required to process this permit type and their impact on the permitting system were unknown, and there was no comparable fire permit type which could be used to estimate associated costs as was explained in the November 12, 2013 staff report to Council on this issue. A minimum of one hour of staff time would be required to process, review, and inspect the equipment associated with the permit.
- C. Revise the fire permit fee in schedule Section 1, "Annual Permit Fees". Section 105.6.23 [Hot work operations]. Item #7 of the section ("Paint removal with a torch, flame or heat producing device") is deleted from the section. This activity is no longer listed in this section of the fire code. Errata is required to maintain consistency with and accurately reflect the fire code as adopted.
- D. Create a new fire permit fee in fee schedule Section 1, "Annual Permit Fees" by adding Section 105.6.31 ["Open flames and torches"]. This section is added to the list of permits which addresses fire code permitting to "...remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area". Change is required to maintain consistency with and accurately reflect the fire code as adopted.
- E. Amend Section 1, "Annual Permit Fees". Section renumbered from 105.6.31 to 105.6.32 and re-titled "Open flames and Candles". Change is required to maintain consistency with and accurately reflect the fire code as adopted.
- F. Amend Section 1, "Annual Permit Fees". Section 105.6.43 ["Temporary membrane structures, tents and canopies (operational permits)."] is amended to delete the language "...200 square feet (19 m2) or a canopy in excess of...". This language has

Detailed Listing of Proposed Fire Department Fee Schedule Changes

been deleted from the California and Berkeley Fire Codes. Errata is required to maintain consistency with and accurately reflect the fire code as adopted.

- G. Amend Section 1, "Annual Permit Fees". Section 105.7.14 ["Temporary membrane structures, tents and canopies (construction permits)"] is renumbered to Section 105.7.16. Change is required to maintain consistency with and accurately reflect the fire code as adopted.
- H. Amend Section 3, "Miscellaneous Fees", "Note"; Change the billing rate shown for permitting related staff time exceeding a one hour duration from \$81.50 per quarter hour to \$93.50 per quarter hour. This note erroneously indicates a fee for service of \$326/hr which is based on a previous billing rate (note: each individual entry within the current permit fee table which references a quarter-hour billing rate correctly states a current billing rate). The new billing rate and unit of \$93.50 per quarter hour is applied to this service.
- I. Correct and update Section 4, "Inspection and Billing Rate". The stated minimum charge for property inspection is erroneously listed as \$75.00 for each property and/or business address inspected. This statement is in conflict with the policy statement in the same paragraph which clearly indicates an updated billing rate and unit. The new billing rate and unit of \$93.50 per quarter hour is applied to this service.
- J. Amend Section 4, "Inspection and Billing Rate". Relocate the "Exception" paragraph of the current Section 6 ("Re-Inspection and Billing Rate") to Resolution Section 4 ("Inspection and Billing Rate"). This exception provides that if a property owner has abated outstanding fire code deficiencies prior to the first re-inspection that an additional fee for the first re-inspection will not be charged to the property owner. This exception is intended to incentivize correction of fire code deficiencies prior to the first re-inspection.
- K. Delete "Section 6, Re-Inspection and Billing Rate" of the fee resolution. When the cost of fire permitting and inspection services is calculated on the basis of fee-for-time expended delivering service, the cost to the City per hour for fire prevention services is identical whether the inspecting employee(s) conduct an initial inspection or a re-inspection. Separately specifying a billing rate for re-inspection services is redundant, unnecessary and confusing.
- L. Change Section 7, "Billing and Collection Procedures". Renumber this section to "Section 6, 'Billing and Collection Procedures'" to accommodate the deletion of the previous section on re-inspection billing.

RESOLUTION NO. XX,XXX–N.S.

ESTABLISHING ANNUAL PERMIT FEES, INSPECTION AND BILLING RATES FOR INSPECTION OF PROPERTY SITES BY THE BERKELEY FIRE DEPARTMENT, AND RESCINDING RESOLUTION NO. 66,366-N.S. AND ALL RESOLUTIONS AMENDATORY THEREOF

BE IT RESOLVED by the Council of the City of Berkeley as follows:

Section 1. ANNUAL PERMIT FEES.

For every permit issued under the provisions of the Berkeley Fire Code (Berkeley Municipal Code Chapter 19.48, Sections 105.6 , 105.7, 5001.7), a fee therefore shall be paid in advance to the Fire Department or upon completion of services rendered as specified by the Fire Department as follows:

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| Section 105.6.1 | Aerosol products. To manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight. | \$374.00 |
| Section 105.6.2 | Amusement buildings. To operate a special amusement building. | \$374.00 |
| Section 105.6.3 | Aviation facilities. To use a Group H or Group S occupancy for aircraft servicing, or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of the fire code may include but are not limited to hot work, hazardous materials and flammable or combustible finishes.. | \$374.00 |
| Section 105.7.2 | Battery system. To install a stationary lead-acid battery system having a liquid capacity of more than 100 gallons (189 L). | \$374.00 |
| Section 105.6.4 | Carnivals and fairs. To conduct a carnival or fair. | \$374.00 |
| Section 105.6.5 | Cellulose nitrate film. To store, handle or use cellulose nitrate film in a Group A occupancy. | \$374.00 |
| Section 105.6.6 | Combustible dust-producing operations. To operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 3. | \$374.00 |
| Section 105.6.7 | Combustible fibers. To store or handle combustible fibers in quantities in excess of 100 cubic feet (2.8m ³). Exception: A permit is not required for agricultural storage | \$374.00 |
| Section 105.6.8 | Compressed gases (operational permits). To store, use or handle at normal temperatures and pressure compressed gases in excess of the amounts listed in Table 105.6.8. | \$374.00 minimum |

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| | Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle | |
| Section 105.7.3 | <p>Compressed gases (construction permits). When the compressed gases in use or storage exceed the amounts listed in Table 105.6.8, a construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a compressed gas system.</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. Routine maintenance. 2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work. | \$374.00 |
| Section 105.6.9 | <p>Covered and open mall buildings. A fire permit is required for:</p> <ol style="list-style-type: none"> 1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall. 2. The display of liquid- or gas-fired equipment in the mall. 3. The use of open-flame or flame-producing equipment in the mall. | \$374.00 minimum |
| Section 105.6.10 | <p>Cryogenic fluids. To produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.10</p> <p>Exception: Permits are not required for vehicles equipped for and using cryogenic fluids as fuel for propelling the vehicle or for refrigerating the lading.</p> | \$374.00 minimum |
| Section 105.7.4 | <p>Cryogenic fluids. A construction permit is required for installation of or alteration to outdoor stationary cryogenic fluid storage systems where the system capacity exceeds the amounts listed in Table 105.6.10. Maintenance performed in accordance with this code is not considered an alteration and does not require a construction permit. (construction permit)</p> | \$374.00 minimum |
| Section 105.6.11 | <p>Cutting and welding. To conduct cutting or welding operations within the jurisdiction.</p> | \$187.00 |
| Section 105.6.48 | <p>Christmas tree sales lot. To operate a Christmas tree sales lot.</p> | \$374.00 |
| Section 105.6.12 | <p>Dry cleaning plants. To engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.</p> | \$374.00 |
| Section | <p>Additional permits (entertainment industry). In addition to the permits required by Section 105.6, the following permits shall be</p> | \$374.00 |

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| 105.6.47 | <p>obtained from the Bureau of Fire Prevention prior to engaging in the following activities, operations, practices or functions:</p> <ol style="list-style-type: none"> 1. Production facilities. To change use or occupancy or allow the attendance of a live audience, or for wrap parties. 2. Pyrotechnics and special effects. To use pyrotechnic special effects, open flame, use of flammable or combustible liquids and gases, welding, and the parking of motor vehicles in any building or location used for the purpose of motion picture, television and commercial production. 3. Live audiences. To install seating arrangements for live audiences in approved production facilities, production studios and sound stages. See Chapter 46. | |
| Section 105.7.5 | <p>Emergency responder radio coverage system. A construction permit is required for installation of or alteration to emergency responder radio coverage systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.</p> | \$374.00 minimum |
| Section 105.6.49 | <p>Escort convoy service. Police and/or Fire Department convoy service for vehicle transportation of extremely hazardous materials.</p> | \$374.00 minimum |
| Section 105.6.13 | <p>Exhibits and trade shows. To operate exhibits and trade shows.</p> | \$374.00 |
| Section 105.6.14 | <p>Explosives or blasting agents. To manufacture, store, handle, sell or use any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects materials with the scope of Chapter 56.</p> <p>Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.</p> <p>To conduct a public fireworks display</p> <p>To continue the use of a public fireworks display permit</p> | <p>\$ 561.00</p> <p>\$ 1122.00</p> <p>\$187.00</p> |
| Section 105.7.6 | <p>Fire alarm and detection system/s and related equipment installation (construction permit). For installation of or modification to any fire alarm or detection system/s and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.</p> <p>A. Under 12 devices.....</p> <p>B. 12-30 devices</p> <p>C. 31-49 devices.....</p> | <p>\$374.00*</p> <p>\$ 561.00*</p> <p>\$ 935.00*</p> |

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| | D. 50 or more devices..... E. Water flow alarms F. Field Inspection | \$1028.50* \$187.00 \$93.50 /qtr. hr.* *minimum |
| Section 105.7.1 | <p>Automatic fire extinguishing system/s (construction permit). To install or modify automatic fire-extinguishing system/s including but not limited to automatic sprinkler systems and associated above or underground water supply systems, Range Hood systems, Chemical Suppression systems and other special automatic extinguishing systems. Maintenance performed in accordance with this code is not considered a modification and does not require a permit</p> <p>B. Range Hood System..... C. Chemical Suppression System..... D. Automatic Sprinkler E. Automatic Sprinkler (small alteration or repairs to an existing system with 20 heads or less..... G. Underground..... H. All others..... Field Inspection</p> | \$374.00* \$374.00* \$374.00* \$187.00* \$374.00* \$374.00* \$93.50/qtr hour* *minimum |
| Section 105.6.15 | <p>Fire hydrants and valves. To use or operate fire hydrants or valves intended for fire suppression purposes which are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public.</p> <p>Exception: A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.</p> | \$187.00 |
| Section 105.7.7 | <p>Fire pumps and related equipment (construction permit). To install or modify fire pumps and related equipment including but not limited to fuel tanks, jockey pumps, controllers and generators. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.</p> | \$374.00 |
| Section 105.6.16 | <p>Flammable or combustible liquids (operational permits). 1. To use or operate a pipeline for the transportation of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOT) nor does it apply to piping systems.</p> | \$374.00 minimum |

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| | <p>2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:</p> <p>2.1 The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the chief, would cause an unsafe condition.</p> <p>2.2 The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.</p> <p>3. To store, handle or use Class II or Class III-A liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.</p> <p>4. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.</p> <p>5. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.</p> <p>6. To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or combustible liquid tank.</p> <p>7. To change the type of contents stored in a flammable or combustible liquid tank to a material other than that for which the tank was designed and constructed.</p> <p>8. To manufacture, process, blend or refine flammable or combustible liquids.</p> <p>9. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments.</p> <p>10. To utilize a site for the dispensing of liquid fuels from tank</p> | <p>\$374.00</p> <p>\$374.00</p> <p>\$187.00</p> <p>\$187.00</p> <p>\$187.00</p> <p>\$187.00</p> <p>\$374.00</p> <p>\$374.00</p> |
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| | vehicles into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments. | \$374.00 |
| | 11. To store, handle or use class III-B liquids with a flashpoint of less than 500 degrees F. in excess of 110 gallons. | \$ NO FEE |
| Section 105.7.8 | <p>Flammable and combustible liquids (construction permits).</p> <p>1. To repair or modify a pipeline for the transportation of flammable or combustible liquids.</p> <p>2. To install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.</p> <p>3. To install, alter, remove or otherwise dispose of an above-ground flammable or combustible liquid tank.....</p> <p>To remove an underground tanks (per tank).....</p> <p>To abandon (fill in place) underground tank (per tank).....</p> | <p>\$374.00 minimum</p> <p>\$187.00</p> <p>\$187.00</p> <p>\$374.00</p> <p>\$374.00</p> |
| Section 105.6.17 | Floor finishing. To conduct floor finishing or surfacing operations exceeding 350 square feet (33 m2) using Class I or Class II liquids. | \$374.00 |
| Section 105.6.18 | Fruit and crop ripening. To operate a fruit- or crop-ripening facility or conduct a fruit-ripening process using ethylene gas. | \$374.00 |
| Section 105.6.19 | Fumigation and thermal insecticidal fogging. To operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used. | No permit required. |
| Section 105.6.50 | General use permit. For any activity or operation not specifically described in this Code, which the Fire Chief reasonably determines, may produce conditions hazardous to life or property. | \$374.00 minimum |
| Section 105.6.20 | Hazardous materials (operational permits). To store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20. | \$374.00 minimum |
| Section 105.7.9 | <p>Hazardous materials (construction permits). To install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a storage facility or other area regulated by Chapter 27 when the hazardous materials in use or storage exceed the amounts listed in Table 105.6.20.</p> <p>Exceptions:</p> | \$374.00 minimum |

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| | <p>1. Routine maintenance.</p> <p>2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.</p> | |
| Section 105.6.21 | HPM Facilities. To store, handle or use hazardous production materials. | \$374.00 |
| Section 105.6.22 | High-piled storage. To use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m ²) | \$374.00 minimum |
| Section 105.6.23 | <p>Hot work operations. For hot work including, but not limited to:</p> <ol style="list-style-type: none"> 1. Public exhibitions and demonstrations where hot work is conducted. 2. Use of portable hot-work equipment inside a structure. <p>Exception: Work that is conducted under a construction permit issued by the building official.</p> <ol style="list-style-type: none"> 3. Fixed-site hot-work equipment such as welding booths. 4. Hot work conducted within a hazardous fire area. 5. Application of roof coverings with the use of an open-flame device..... 6. When approved, the fire code official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in Chapter 26 in an other applicable fire code chapters and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 26. These permits shall be issued only to their employees for hot work operations under their supervision. | <p>\$374.00 (unless otherwise noted)</p> <p>\$93.50</p> |
| Section 105.6.24 | Industrial ovens (operational permits). To operate industrial ovens regulated by Chapter 30. | \$374.00 |
| Section 105.7.10 | <p>Industrial ovens (construction permits). For installation of industrial ovens covered by Chapter 30.</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. Routine maintenance. 2. For repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work. | \$374.00 |
| Section 105.6.25 | Lumber yards and woodworking plants. To store or process lumber in excess of 100,000 board feet (8,333 ft ³)(236 m ³). | \$374.00 |

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| Section 105.6.26 | Liquid-or gas-fueled vehicles or equipment in assembly buildings. To display, operate or demonstrate liquid-or gas-fueled vehicles or equipment in assembly buildings. | \$374.00 |
| Section 105.6.27 | LP-gas (operational permits). 1. To store or use LP-gas. Exception: A permit is not required for individual containers with a 500 gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3. 2. To operate cargo tankers that transport LP-gas. | \$374.00 minimum |
| Section 105.7.11 | LP-gas (construction permits). To install or modify an LP-gas system. | \$374.00 |
| Section 105.6.28 | Magnesium. To melt, cast, heat, treat or grind more than 10 pounds (4.54 kg) of magnesium. | \$374.00 |
| Section 105.6.29 | Miscellaneous combustible storage. To store in any building or upon any premises in excess of 2,500 cubic feet (71 m ³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork, or other similar combustible material. | \$374.00 |
| Section 105.6.30 | Open burning. For the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to Exception: Recreational fires | \$187.00 |
| Section 105.6.31 | Open flames and torches. An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area. | \$187.00 |
| Section 105.6.32 | Open flames and Candles. To use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments. | \$187.00 |
| Section 105.6.33 | Organic coatings. To manufacture more than 1 gallon (4 L) of organic coatings in a working day. | \$374.00 |
| Section 105.6.51 | Parking facility, special events. To use buildings or structures for vehicle parking, including parking for special events (i.e. football games, etc.) A. Less than 15 parking spaces B. 15 or more parking spaces | \$187.00 \$374.00 |
| Section 105.6.34 | Places of assembly. To operate a place of assembly. See Article 25. A. Occupant load less than 300 | \$374.00 |

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| | B. Occupant load 300 or more | \$ 561.00 |
| Section 105.6.35 | Private fire hydrants (operational permits). To use, operate or remove from service private fire hydrants. Exception: A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private fire hydrants. | \$187.00 |
| Section 105.7.12 | Private fire hydrants (construction permits). To install or modify private fire hydrants. Hydrant(s) or hydrant groups..... Field Inspection | \$374.00 \$93.50/qtr hour* *minimum |
| Section 105.6.36 | Pyrotechnical special effects material. To use or handle pyrotechnic special effects material. | \$374.00 |
| Section 105.6.37 | Pyroxylin plastics. To store or handle more than 25 pounds (11 kg.) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics. | \$374.00 |
| Section 105.6.38 | Refrigeration equipment. To operate a mechanical refrigeration unit or system regulated by Chapter 6. | \$374.00 minimum |
| Section 105.6.39 | Repair garages and motor fuel-dispensing facilities. To operate repair garages and automotive, marine and fleet motor fuel dispensing facilities. | \$374.00 |
| Section 105.6.40 | Rooftop heliports. To operate a rooftop heliport. | \$374.00 |
| Section 105.7.13 | Solar photovoltaic power systems. A construction permit is required to install or modify solar photovoltaic power systems | Std. Bldg. Dept. fee applies |
| Section 105.6.41 | Spraying or dipping (operational permits). To conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 24. | \$374.00 |
| Section 105.7.14 | Spraying or dipping (construction permits). To install or modify a spray room, dip tank or booth. | \$374.00 |
| Section 105.7.15 | Standpipe Systems (construction permits). To install, modify or remove from service a standpipe system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit. A. Standpipe, Class I, II and III combined B. Underground..... | \$374.00 \$374.00 |

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| | Field Inspection | \$93.50/qtr hour* *minimum |
| Section 105.6.42 | Storage of scrap tires and tire byproducts. To establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m ³) of total volume of scrap tires and for indoor storage of tires and tire byproducts. | \$374.00 |
| Section 5001.7 | Tank vehicles. To operate a tank vehicle (other than flammable and combustible liquids tank vehicles as listed and regulated in 105.6.16, item 5) including those hazardous materials transportation vehicles defined in Section 5001.7 of the Berkeley Fire Code, for the transportation of hazardous liquids or materials. | \$374.00 annually |
| Section 105.6.43 | Temporary membrane structures, tents, and canopies (operational permits). To operate an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (37 m ²) Exceptions: 1. Tents used exclusively for recreational camping purposes. 2. Fabric canopies open on all sides which comply with all of the following: 2.1. Individual canopies having a maximum size of 700 square feet (65 m ²). 2.2. The aggregate area of multiple canopies placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m ²) total. 2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided. | \$374.00 |
| Section 105.7.16 | Temporary membrane structures, tents, and canopies (construction permits). To erect an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet (19 m ²), or a canopy in excess of 400 square feet (37 m ²) Exceptions: 1. Tents used exclusively for recreational camping purposes. 2. Fabric canopies open on all sides which comply with all of the following: 2.1. Individual canopies having a maximum size of 700 square feet (65 m ²). 2.2. The aggregate area of multiple canopies placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m ²) total. | \$374.00 |

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|------------------|---|----------|
| | 2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided. | |
| Section 105.6.44 | Tire-rebuilding plants. For operation and maintenance of a tire-rebuilding plant. | \$374.00 |
| Section 105.6.45 | Waste handling. To operate wrecking yards, junk yards and waste material handling facilities. | \$374.00 |
| Section 105.6.52 | Window bars. To install window bars on exterior doors or windows of any sleeping rooms below the fourth floor in apartment houses, hotels, and motels. | \$187.00 |
| Section 105.6.46 | Wood products. To store wood chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m ³). | \$374.00 |

Section 2. ANNUAL FIRE CLEARANCE

For every annual fire clearance certificate issued by the Berkeley Fire Department, a fee shall be paid in advance of issuance of such certificate (Berkeley Fire Code Section 106.2), to the Fire Department as follows:

| | |
|---|-----------|
| Group Homes , institutions for children, certified family care homes, board and care facilities, and maternity homes (each accommodating more than six persons, not including employees or relatives), and <u>NOT</u> classified as a Community Care Facility as defined in the Calif. Health & Safety Code (H&SC) section 1502, or as a Residential Care Facility for the Elderly (H&SC 1569.2), or as a Child Day Care Facility (H&SC 1596.750). | \$374.00 |
| Convalescent Hospitals , nursing homes, and homes for the aged (each accommodating not more than six persons, not including employees or relatives) and <u>NOT</u> classified as a Community Care Facility as defined in the Calif. Health & Safety Code (H&SC) section 1502, or as a Residential Care Facility for the Elderly (H&SC 1569.2), or as a Child Day Care Facility (H&SC 1596.750). | \$374.00 |
| Convalescent Hospitals , nursing homes, and homes for the aged (each accommodating not more than six persons and less than 100, not including employees or relatives) and <u>NOT</u> classified as a Community Care Facility as defined in the Calif. Health & Safety Code (H&SC) section 1502, or as a Residential Care Facility for the Elderly (H&SC 1569.2), or as a Child Day Care Facility (H&SC 1596.750).. | \$ 561.00 |
| Convalescent Hospitals , nursing homes, and homes for the aged (each accommodating 100 or more persons, not including employees or relatives). | \$ 748.00 |
| Hospitals , less than 100 beds. | \$374.00 |
| Hospitals , 100 beds or more. | \$ 748.00 |
| Community Care Facilities as defined in the Calif. Health & Safety Code | |

| | |
|--|-----------|
| (H&SC) section 1502, Residential Care Facility for the Elderly as defined in H&SC 1569.2, and Child Day Care Facilities (H&SC 1596.750). | |
| Pre-inspection Fee (25 or fewer client capacity) | \$ 50.00 |
| Pre-inspection Fee (26 or more client capacity)..... | \$ 100.00 |
| [Ref. Calif. Health & Safety Code, section 13235(a)] | |

Section 3. MISCELLANEOUS FEES.

A. For copies of fire reports prepared by the Fire Department, a fee shall be paid in advance as follows:

- 1. Staff cost for file review and preparation of subpoena documents \$ 6.00 qtr. hr.
- 2. Copy of each report \$ 0.10 per pg.

B. State Requested Fire & Life Safety Inspection & Permit Clearances \$93.50/qtr hr

C. General inspection and investigation fees (Berkeley Fire Code, Section 106.2).

- 1. Fees for services rendered by the Fire Department for inspections of fire protection systems, re-inspections of citizen complaints with violations, nuisance inspections, preliminary plan review, inspection services, research, report preparation and file review services (except for subpoena documents, city records, publications and meeting tapes.) \$93.50 per quarter hour

D. Fire and Life Safety Investigations or Stand-by Services \$374.00 minimum.

NOTE: All permits and inspection fees under this Resolution are based on average estimated staff and clerical time for applicable plan checking, research, field inspections, etc. Where a fee is indicated as a minimum, and where staff time exceeds one hour, an additional charge will be made at the rate of \$93.50 per quarter hour.

Section 4. INSPECTION AND BILLING RATE.

That a rate of \$93.50 per quarter hour (15 minutes) is hereby established as both the billing rate and the billing unit for a given Fire Prevention inspection of a property. A minimum charge of \$93.50 will be made for each property inspected (e.g. each property and/or business address) with an additional charge for each additional quarter hour unit, or portion thereof.

Exception: Properties that have abated all fire code violations prior to the first re-inspection shall not be charged a fee for the re-inspection

Section 5. DELINQUENCY CHARGE.

That a delinquency charge of 20% may be imposed on each account that remains

unpaid, sixty (60) days following the initial mailing of the bill.

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Section 6. BILLING AND COLLECTION PROCEDURES.

That the billing and collection procedures are to be done by the Finance Department and will allow the City to recover unpaid fees through all available remedies, including the lien process. That in the event of billing disputes, the Fire Chief or his designated representative may review and make recommendations for adjustments to the Finance Department.

BE IT FURTHER RESOLVED that this Resolution shall be in full force and in effect on and after July 26, 2015.

BE IT FURTHER RESOLVED that Resolution No. 66,366-N.S. and all resolutions amendatory thereof are hereby rescinded effective July 26, 2015.

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|-----------------|---|-------------------|------------------|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| Section 105.6.1 | Aerosol products. To manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight. | \$350.00 | \$374.00 |
| Section 105.6.2 | Amusement buildings. To operate a special amusement building. | \$350.00 | \$374.00 |
| Section 105.6.3 | Aviation facilities. To use a Group H or Group S occupancy for aircraft servicing, or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of the fire code may include but are not limited to hot work, hazardous materials and flammable or combustible finishes.. | \$ 350.00 | \$374.00 |
| Section 105.7.2 | Battery system. To install a stationary lead-acid battery system having a liquid capacity of more than 100 gallons (189 L). | \$ 350.00 | \$374.00 |
| Section 105.6.4 | Carnivals and fairs. To conduct a carnival or fair. | \$ 350.00 | \$374.00 |
| Section 105.6.5 | Cellulose nitrate film. To store, handle or use cellulose nitrate film in a Group A occupancy. | \$ 350.00 | \$374.00 |
| Section 105.6.6 | Combustible dust-producing operations. To operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 3. | \$ 350.00 | \$374.00 |
| Section 105.6.7 | Combustible fibers. To store or handle combustible fibers in quantities in excess of 100 cubic feet (2.8m ³). Exception: A permit is not required for agricultural storage | \$ 350.00 | \$374.00 |
| Section 105.6.8 | Compressed gases (operational permits). To store, use or handle at normal temperatures and pressure compressed gases in excess of the amounts listed in Table 105.6.8. Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle | \$ 350.00 minimum | \$374.00 minimum |
| Section 105.7.3 | Compressed gases (construction permits). When the compressed gases in use or storage exceed the amounts listed in Table 105.6.8, a construction permit is required to install, repair damage to, abandon, remove, place | \$ 350.00 | \$374.00 |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|------------------|---|-------------------|------------------|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| | temporarily out of service, or close or substantially modify a compressed gas system. Exceptions: 3. Routine maintenance. 4. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work. | | |
| Section 105.6.9 | Covered and open mall buildings. A fire permit is required for: 1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall. 2. The display of liquid- or gas-fired equipment in the mall. 3. The use of open-flame or flame-producing equipment in the mall. | \$ 350.00 minimum | \$374.00 minimum |
| Section 105.6.10 | Cryogenic fluids. To produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.10 Exception: Permits are not required for vehicles equipped for and using cryogenic fluids as fuel for propelling the vehicle or for refrigerating the lading. | \$ 350.00 minimum | \$374.00 minimum |
| Section 105.7.4 | Cryogenic fluids. A construction permit is required for installation of or alteration to outdoor stationary cryogenic fluid storage systems where the system capacity exceeds the amounts listed in Table 105.6.10. Maintenance performed in accordance with this code is not considered an alteration and does not require a construction permit. (construction permit) | \$350.00 minimum | \$374.00 minimum |
| Section 105.6.11 | Cutting and welding. To conduct cutting or welding operations within the jurisdiction. | \$ 175.00 | \$187.00 |
| Section 105.6.48 | Christmas tree sales lot. To operate a Christmas tree sales lot. | \$ 350.00 | \$374.00 |
| Section 105.6.12 | Dry cleaning plants. To engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment. | \$ 350.00 | \$374.00 |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|------------------|--|-------------------|------------------|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| Section 105.6.47 | <p>Additional permits (entertainment industry). In addition to the permits required by Section 105.6, the following permits shall be obtained from the Bureau of Fire Prevention prior to engaging in the following activities, operations, practices or functions:</p> <p>4. Production facilities. To change use or occupancy or allow the attendance of a live audience, or for wrap parties.</p> <p>5. Pyrotechnics and special effects. To use pyrotechnic special effects, open flame, use of flammable or combustible liquids and gases, welding, and the parking of motor vehicles in any building or location used for the purpose of motion picture, television and commercial production.</p> <p>6. Live audiences. To install seating arrangements for live audiences in approved production facilities, production studios and sound stages. See Chapter 46.</p> | \$350.00 | \$374.00 |
| Section 105.7.5 | <p>Emergency responder radio coverage system. A construction permit is required for installation of or alteration to emergency responder radio coverage systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.</p> | No Fee | \$374.00 minimum |
| Section 105.6.49 | <p>Escort convoy service. Police and/or Fire Department convoy service for vehicle transportation of extremely hazardous materials.</p> | \$ 350.00 minimum | \$374.00 minimum |
| Section 105.6.13 | <p>Exhibits and trade shows. To operate exhibits and trade shows.</p> | \$ 350.00 | \$374.00 |
| Section 105.6.14 | <p>Explosives or blasting agents. To manufacture, store, handle, sell or use any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects materials with the scope of Chapter 56.</p> <p>Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.</p> <p>To conduct a public fireworks display</p> | \$ 525.00 | \$561.00 |
| | | \$1050.00 | \$1122.00 |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|-----------------|--|--|---|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| | To continue the use of a public fireworks display permit .. | \$ 175.00 | \$187.00 |
| Section 105.7.6 | <p>Fire alarm and detection system/s and related equipment installation (construction permit). For installation of or modification to any fire alarm or detection system/s and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.</p> <p>A. Under 12 devices.....</p> <p>B. 12-30 devices</p> <p>C. 31-49 devices.....</p> <p>D. 50 or more devices.....</p> <p>E. Water flow alarms</p> <p>F. Field Inspection</p> | <p>\$ 350.00</p> <p>\$ 525.00</p> <p>\$ 875.00</p> <p>\$962.50*</p> <p>\$ 175.00</p> <p>\$ 87.50</p> <p>/qtr. hr.*</p> <p>*minimum</p> | <p>\$374.00*</p> <p>\$561.00*</p> <p>\$935.00*</p> <p>\$1028.50*</p> <p>\$187.00</p> <p>\$93.50</p> <p>/qtr hr.*</p> <p>*minimum</p> |
| Section 105.7.1 | <p>Automatic fire extinguishing system/s (construction permit). To install or modify automatic fire-extinguishing system/s including but not limited to automatic sprinkler systems and associated above or underground water supply systems, Range Hood systems, Chemical Suppression systems and other special automatic extinguishing systems. Maintenance performed in accordance with this code is not considered a modification and does not require a permit</p> <p>B. Range Hood System.....</p> <p>C. Chemical Suppression System</p> <p>D. Automatic Sprinkler</p> <p>E. Automatic Sprinkler (small alteration or repairs to an existing system with 20 heads or less.....</p> <p>Underground.....</p> <p>All others.....</p> <p>Field Inspection</p> | <p>\$350.00*</p> <p>\$350.00*</p> <p>\$350.00*</p> <p>\$175.00*</p> <p>\$350.00*</p> <p>\$350.00*</p> <p>\$87.50/qtr hour*</p> <p>*minimum</p> | <p>\$374.00*</p> <p>\$374.00*</p> <p>\$374.00</p> <p>\$187.00*</p> <p>\$374.00*</p> <p>\$374.00*</p> <p>\$93.50/qtr hour*</p> <p>*minimum</p> |
| Section | Fire hydrants and valves. To use or operate fire | \$ 175.00 | \$187.00 |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|-----------------|--|-------------|--------------|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| | used in connection with oil-burning equipment..... | \$ 350.00 | \$374.00 |
| | 4. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes. | \$ 175.00 | \$187.00 |
| | 5. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used. | \$ 175.00 | \$187.00 |
| | 6. To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or combustible liquid tank. | \$175.00 | \$187.00 |
| | 7. To change the type of contents stored in a flammable or combustible liquid tank to a material other than that for which the tank was designed and constructed. | \$175.00 | \$187.00 |
| | 8. To manufacture, process, blend or refine flammable or combustible liquids. | \$ 350.00 | \$374.00 |
| | 9. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments. | \$ 350.00 | \$374.00 |
| | 10. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments. | \$ 350.00 | \$374.00 |
| | 11. To store, handle or use class III-B liquids with a flashpoint of less than 500 degrees F. in excess of 110 gallons. | \$NO FEE | \$NO FEE |
| Section 105.7.8 | Flammable and combustible liquids (construction permits). | | |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|------------------|---|----------------------|---------------------|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| | 1. To repair or modify a pipeline for the transportation of flammable or combustible liquids. | \$ 350.00 minimum | \$374.00 minimum |
| | 2. To install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used..... | \$ 175.00 | \$187.00 |
| | 3. To install, alter, remove or otherwise dispose of an above-ground flammable or combustible liquid tank | \$ 175.00 | \$187.00 |
| | To remove an underground tanks (per tank) | \$ 350.00 | \$374.00 |
| | To abandon (fill in place) underground tank (per tank)..... | \$ 350.00 | \$374.00 |
| Section 105.6.17 | Floor finishing. To conduct floor finishing or surfacing operations exceeding 350 square feet (33 m2) using Class I or Class II liquids. | \$ 350.00 | \$374.00 |
| Section 105.6.18 | Fruit and crop ripening. To operate a fruit- or crop-ripening facility or conduct a fruit-ripening process using ethylene gas. | \$ 326.00 | \$374.00 |
| Section 105.6.19 | Fumigation and thermal insecticidal fogging. To operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used. | No permit required. | No permit required |
| Section 105.6.50 | General use permit. For any activity or operation not specifically described in this Code, which the Fire Chief reasonably determines, may produce conditions hazardous to life or property. | \$ 350.00 minimum | \$374.00 minimum |
| Section 105.6.20 | Hazardous materials (operational permits). To store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20. | \$ 350.00 minimum | \$374.00 minimum |
| Section 105.7.9 | Hazardous materials (construction permits). To install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a storage facility or other area regulated by Chapter 27 when the hazardous materials in use or storage exceed the amounts listed in Table 105.6.20. | \$ 350.00 minimum | \$374.00 minimum |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|------------------|---|---|---|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| | <p>Exceptions:</p> <ol style="list-style-type: none"> 1. Routine maintenance. 2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work. | | |
| Section 105.6.21 | HPM Facilities. To store, handle or use hazardous production materials. | \$ 350.00 | \$374.00 |
| Section 105.6.22 | High-piled storage. To use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m ²) | \$ 350.00 minimum | \$374.00 minimum |
| Section 105.6.23 | <p>Hot work operations. For hot work including, but not limited to:</p> <ol style="list-style-type: none"> 1. Public exhibitions and demonstrations where hot work is conducted. 2. Use of portable hot-work equipment inside a structure. <p>Exception: Work that is conducted under a construction permit issued by the building official.</p> <ol style="list-style-type: none"> 3. Fixed-site hot-work equipment such as welding booths. 4. Hot work conducted within a hazardous fire area. 5. Application of roof coverings with the use of an open-flame device..... 6. When approved, the fire code official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in Chapter 26 in another applicable fire code chapters and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 26. These permits shall be issued only to their employees for hot work operations under their supervision. | <p>\$ 350.00 (unless otherwise noted)</p> <p>\$ 87.50</p> | <p>\$374.00 (unless otherwise noted)</p> <p>\$93.50</p> |
| Section | Industrial ovens (operational permits). To operate | \$ 350.00 | \$374.00 |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|------------------|--|----------------------|---------------------|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| 105.6.24 | industrial ovens regulated by Chapter 30. | | |
| Section 105.7.10 | Industrial ovens (construction permits). For installation of industrial ovens covered by Chapter 30. Exceptions: 1. Routine maintenance. 2. For repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work. | \$ 350.00 | \$374.00 |
| Section 105.6.25 | Lumber yards and woodworking plants. To store or process lumber in excess of 100,000 board feet (8,333 ft ³)(236 m ³). | \$ 350.00 | \$374.00 |
| Section 105.6.26 | Liquid-or gas-fueled vehicles or equipment in assembly buildings. To display, operate or demonstrate liquid-or gas-fueled vehicles or equipment in assembly buildings. | \$ 350.00 | \$374.00 |
| Section 105.6.27 | LP-gas (operational permits). 1.To store or use LP-gas. Exception: A permit is not required for individual containers with a 500 gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3. 2. To operate cargo tankers that transport LP-gas. | \$ 350.00 minimum | \$374.00 minimum |
| Section 105.7.11 | LP-gas (construction permits). To install or modify an LP-gas system. | \$ 350.00 | \$374.00 |
| Section 105.6.28 | Magnesium. To melt, cast, heat, treat or grind more than 10 pounds (4.54 kg) of magnesium. | \$ 350.00 | \$374.00 |
| Section 105.6.29 | Miscellaneous combustible storage. To store in any building or upon any premises in excess of 2,500 cubic feet (71 m ³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork, or other similar combustible material. | \$ 350.00 | \$374.00 |
| Section 105.6.30 | Open burning. For the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to Exception: Recreational fires | \$ 175.00 | \$187.00 |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|------------------|--|----------------------------------|-----------------------------------|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| Section 105.6.31 | Open flames and torches. An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area. | N/A | \$187.00 |
| Section 105.6.32 | Open flames and Candles. To use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments. | N/A | \$187.00 |
| Section 105.6.33 | Organic coatings. To manufacture more than 1 gallon (4 L) of organic coatings in a working day. | \$ 350.00 | \$374.00 |
| Section 105.6.51 | Parking facility, special events. To use buildings or structures for vehicle parking, including parking for special events (i.e. football games, etc.) A. Less than 15 parking spaces B. 15 or more parking spaces | \$ 175.00 | \$187.00 |
| | | \$ 350.00 | \$374.00 |
| Section 105.6.34 | Places of assembly. To operate a place of assembly. See Article 25. A. Occupant load less than 300..... B. Occupant load 300 or more..... | \$ 350.00 | \$374.00 |
| | | \$ 525.00 | \$561.00 |
| Section 105.6.35 | Private fire hydrants (operational permits). To use, operate or remove from service private fire hydrants. Exception: A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private fire hydrants. | \$ 175.00 | \$187.00 |
| Section 105.7.12 | Private fire hydrants (construction permits). To install or modify private fire hydrants. Hydrant(s) or hydrant groups..... Field Inspection | \$350.00 | \$374.00 |
| | | \$87.50/qt hour* *minimum | \$93.50/qtr hour* *minimum |
| Section 105.6.36 | Pyrotechnical special effects material. To use or handle pyrotechnic special effects material. | \$ 350.00 | \$374.00 |
| Section 105.6.37 | Pyroxylin plastics. To store or handle more than 25 pounds (11 kg.) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics. | \$ 350.00 | \$374.00 |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|------------------|--|---|---|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| Section 105.6.38 | Refrigeration equipment. To operate a mechanical refrigeration unit or system regulated by Chapter 6. | \$ 350.00 minimum | \$374.00 minimum |
| Section 105.6.39 | Repair garages and motor fuel-dispensing facilities. To operate repair garages and automotive, marine and fleet motor fuel dispensing facilities. | \$ 350.00 | \$374.00 |
| Section 105.6.40 | Rooftop heliports. To operate a rooftop heliport. | \$ 350.00 | \$374.00 |
| Section 105.7.13 | Solar photovoltaic power systems. A construction permit is required to install or modify solar photovoltaic power systems | Std. Bldg. Dept. fees apply | Std. Bldg. Dept fees apply |
| Section 105.6.41 | Spraying or dipping (operational permits). To conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 24. | \$ 350.00 | \$374.00 |
| Section 105.7.14 | Spraying or dipping (construction permits). To install or modify a spray room, dip tank or booth. | \$ 350.00 | \$374.00 |
| Section 105.7.15 | Standpipe Systems (construction permits). To install, modify or remove from service a standpipe system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit. A. Standpipe, Class I, II and III combined..... B. Underground Field Inspection | \$ 350.00 \$ 350.00 \$87.50/quarter hour* *minimum | \$374.00 \$374.00 \$93.50/quarter hour* *minimum |
| Section 105.6.42 | Storage of scrap tires and tire byproducts. To establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m ³) of total volume of scrap tires and for indoor storage of tires and tire byproducts. | \$ 350.00 | \$374.00 |
| Section 5001.7 | Tank vehicles. To operate a tank vehicle (other than flammable and combustible liquids tank vehicles as listed and regulated in 105.6.16, item 5) including those hazardous materials transportation vehicles defined in Section 5001.7 of the Berkeley Fire Code, for the transportation of hazardous liquids or materials. | \$ 350.00 annually | \$374.00 annually |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|------------------|--|-------------|--------------|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| Section 105.6.43 | <p>Temporary membrane structures, tents, and canopies (operational permits). To operate an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (37 m²)</p> <p>Exceptions:</p> <p>3. Tents used exclusively for recreational camping purposes.</p> <p>4. Fabric canopies open on all sides which comply with all of the following:</p> <p>2.1 Individual canopies having a maximum size of 700 square feet (65 m²).</p> <p>2.2 The aggregate area of multiple canopies placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m²) total.</p> <p>2.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.</p> | \$ 350.00 | \$374.00 |
| Section 105.7.16 | <p>Temporary membrane structures, tents, and canopies (construction permits). To erect an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet (19 m²), or a canopy in excess of 400 square feet (37 m²)</p> <p>Exceptions:</p> <p>3. Tents used exclusively for recreational camping purposes.</p> <p>4. Fabric canopies open on all sides which comply with all of the following:</p> <p>2.1 Individual canopies having a maximum size of 700 square feet (65 m²).</p> <p>2.2 The aggregate area of multiple canopies placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m²) total.</p> <p>2.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.</p> | \$ 350.00 | \$374.00 |
| Section 105.6.44 | <p>Tire-rebuilding plants. For operation and maintenance of a tire-rebuilding plant.</p> | \$ 350.00 | \$374.00 |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| PERMIT FEES | | | |
|------------------|---|-------------|--------------|
| Code Section | Fee Description | Current Fee | Proposed Fee |
| Section 105.6.45 | Waste handling. To operate wrecking yards, junk yards and waste material handling facilities. | \$ 350.00 | \$374.00 |
| Section 105.6.52 | Window bars. To install window bars on exterior doors or windows of any sleeping rooms below the fourth floor in apartment houses, hotels, and motels. | \$ 175.00 | \$187.00 |
| Section 105.6.46 | Wood products. To store wood chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m ³). | \$ 350.00 | \$374.00 |

| ANNUAL FIRE CLEARANCE | | |
|---|-------------|--------------|
| Description | Current Fee | Proposed Fee |
| Group Homes , institutions for children, certified family care homes, board and care facilities, and maternity homes (each accommodating more than six persons, not including employees or relatives), and <u>NOT</u> classified as a Community Care Facility as defined in the Calif. Health & Safety Code (H&SC) section 1502, or as a Residential Care Facility for the Elderly (H&SC 1569.2), or as a Child Day Care Facility (H&SC 1596.750). | \$350.00 | \$374.00 |
| Convalescent Hospitals , nursing homes, and homes for the aged (each accommodating not more than six persons, not including employees or relatives) and <u>NOT</u> classified as a Community Care Facility as defined in the Calif. Health & Safety Code (H&SC) section 1502, or as a Residential Care Facility for the Elderly (H&SC 1569.2), or as a Child Day Care Facility (H&SC 1596.750). | \$350.00 | \$374.00 |
| Convalescent Hospitals , nursing homes, and homes for the aged (each accommodating not more than six persons and less than 100, not including employees or relatives) and <u>NOT</u> classified as a Community Care Facility as defined in the Calif. Health & Safety Code (H&SC) section 1502, or as a Residential Care Facility for the Elderly (H&SC 1569.2), or as a Child Day Care Facility (H&SC 1596.750).. | \$525.00 | \$561.00 |
| Convalescent Hospitals , nursing homes, and homes for the aged (each accommodating 100 or more persons, not including employees or relatives). | \$700.00 | \$748.00 |
| Hospitals , less than 100 beds. | \$350.00 | \$374.00 |
| Hospitals , 100 beds or more. | \$700.00 | \$748.00 |
| Community Care Facilities as defined in the Calif. Health & Safety | | |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| ANNUAL FIRE CLEARANCE | | |
|---|-------------|--------------|
| Description | Current Fee | Proposed Fee |
| Code (H&SC) section 1502, Residential Care Facility for the Elderly as defined in H&SC 1569.2, and Child Day Care Facilities (H&SC 1596.750). | | |
| Pre-inspection Fee (25 or fewer client capacity)..... | \$50.00 | \$50.00 |
| Pre-inspection Fee (26 or more client capacity)..... | \$100.00 | \$100.00 |
| [Ref. Calif. Health & Safety Code, section 13235(a)] | | |
| <i>[note: maximum fee regulated by Statute]</i> | | |

| MISCELLANEOUS FEES | | |
|---|-----------------------------------|-----------------------------------|
| Description | Current Fee | Proposed Fee |
| A. For copies of fire reports prepared by the Fire Department, a fee shall be paid in advance as follows: | | |
| 1. Staff cost for file review and preparation of subpoena documents | \$6.00 /qtr hr | \$6.00 /qtr hr |
| 2. Copy of each report | \$0.10 /pg | \$0.10 /pg |
| B. State Requested Fire & Life Safety Inspection & Permit Clearances | \$87.50 per qtr hr | \$93.50 per qtr hr |
| C. General inspection and investigation fees (Berkeley Fire Code, Section 106.2). | | |
| 1. Fees for services rendered by the Fire Department for inspect protection systems, re-inspections of citizen complaints with viol inspections, preliminary plan review, inspection services, research preparation and file review services (except for subpoena docum records, publications and meeting tapes.) | \$87.50 per quarter hour | \$93.50 per quarter hour |
| D. Fire and Life Safety Investigations or Stand-by Services | \$350.00 minimum | \$374.00 minimum |
| NOTE: All permits and inspection fees under this Resolution are | \$87.50 | \$93.50 |

| INSPECTION AND BILLING RATE | | |
|--|-------------|--------------|
| Description | Current Fee | Proposed Fee |
| Rate per quarter hour (15 minutes) established as both the billing rate and the billing unit for a given Fire Prevention inspection of a property. This is also the minimum charge that will be made for each property inspected (e.g. each property and/or business | \$85.00 | \$93.50 |

Proposed Fire Inspection and Fire Permit Fee Comparison Table

| | | |
|--|--|--|
| <p>address) with an additional charge for each additional quarter hour unit, or portion thereof.</p> <p><i>[Note: the following 'Exception' is being relocated from the 'RE-INSPECTION AND BILLING RATE' section of the current Fee Resolution: "Exception: Properties that have abated all fire code violations prior to the first re-inspection shall not be charged a fee for the re-inspection"]</i></p> | | |
|--|--|--|

| | | |
|--|----------------------------|-----------------------------|
| <p>DELINGUENCY CHARGE</p> | | |
| <p>That a delinquency charge of 20% may be imposed on each account that remains unpaid, sixty (60) days following the initial mailing of the bill.</p> | <p>Current Fee 20%</p> | <p>Proposed Fee 20%</p> |

| | | |
|---|----------------|----------------|
| <p>RE-INSPECTION AND BILLING RATE <i>[section to be deleted]</i></p> | | |
| <p><i>Note: Section to be deleted. The cost to the City for fire inspection and permitting services on a time-basis is identical whether personnel are conducting an initial inspection or re-inspection service. Fees for re-inspection services are to default to the billing rate/billing unit specified within the body of the Fee Resolution</i></p> | <p>\$75.00</p> | <p>\$93.50</p> |

**NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL
ADOPTION OF AMENDED FIRE PERMIT AND INSPECTION FEE
SCHEDULE**

Notice is hereby given by the City Council of the City of Berkeley that a public hearing will be conducted by said city council of the City of Berkeley at which time and place all persons may attend and be heard upon the following:

The Department of Fire and Emergency Services is proposing to.

1. Increase fire permitting and fire inspection fees
2. Create two new fees for service associated with two new permit types created within the fire code and adopted by the City on November 12, 2013.
 - a. A fee would be charged for the construction permit required to install or alter an emergency responder radio coverage systems and related equipment.
 - b. A fee would be charged for the operational permit required to remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area.
3. Incorporate changes and errata in the fee schedule language and eliminate redundant billing language.

| | <u>Current Fees</u> | <u>Proposed Fees</u> |
|---|---------------------|----------------------|
| A. Fire Permitting/Fire Inspection Services (Fire Prevention Division Personnel) | \$350.00/hr | \$374.00/hr |
| B. Fire Inspection Services (delivered by Fire Suppression Personnel) | \$340.00/hr | \$374.00/hr |

The hearing will be held on, MAY 26, 2015 at 7:00 p.m. in the City Council Chambers, 2134 Martin Luther King, Jr. Way.

For further information, please contact Acting Fire Marshal Steven Riggs (Department of Fire and Emergency Services) at (510) 981-5585

A copy of the agenda material for this hearing will be available on the City's website at www.CityofBerkeley.info as of **May 14, 2015**.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, in order to ensure delivery to all Council members and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not**

required, but if included in any communication to the City Council, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at 981-6900 or clerk@cityofberkeley.info for further information.

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available at the City Clerk Department and posted on the City of Berkeley webpage at least 12 days prior to the public hearing.

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Per Government Code 6062A

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way, as well as on the City's website, on May 14, 2015.

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Mark Numainville, City Clerk