



Office of the City Manager

PUBLIC HEARING  
May 16, 2017

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Gil Dong, Fire Chief  
 Subject: Fire Permit and Inspection Fee Adjustment

#### RECOMMENDATION

Conduct a public hearing and upon conclusion, adopt a Resolution approving a revised Fire Department fee schedule which incorporates an increase in fire permitting and fire inspection fees from \$374.00 to \$392.00 per hour; adjusting the Indoor Entertainment Inspection fee from \$93.50 to \$196.00 per event; and establishing a reinspection fee of \$98.00 per subsequent quarter hour when the venue fails the initial inspection; and rescinding Resolution 67,744–N.S.

#### FISCAL IMPACTS OF RECOMMENDATION

The fee increase to \$392.00 per hour would provide an additional \$154,710 in revenues from permit fees and fire inspections. The adjustment to the Indoor Entertainment Fee would bring in an additional \$13,875 per fiscal year. The revenues collected will be deposited in these General Fund accounts: Fire Inspections 010-6403-342-2801, Fire Permit Fees 010-6403-328-2100, and Indoor Entertainment Inspection Fees 010-6403-328-2803.

The permit and inspection fee has not been increased in two years. The Consumer Price Index for the Bay Area has increased 6.2% since 2015. Staff proposed the proposed fee increase at 77% of the CPI (4.81%) to keep the fee increase reasonable.

In FY 2016, fire permit and fire inspection revenues to the City's General Fund totaled \$753,407 based on a billing rate of \$374 per hour for Fire Prevention staff services. The expenditures in FY 2016 for fire prevention and inspection programs was \$981,019. If the fee increase is approved, the Fire Prevention revenue and expenditure projections for FY 2018 are as follows:

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	<b>FY 2016 Actual</b>	<b>FY 2018 Projected</b>
<u>Revenues:</u>		
Fire Prevention Revenues	\$739,382	\$880,217
Indoor Entertainment Inspection Revenues	\$14,025	\$27,900
<b>Total</b>	<b>\$753,407</b>	<b>\$908,117</b>
<u>Expenditures:</u>		
Fire Prevention Expenditures	\$952,969	\$1,031,601
Indoor Entertainment Inspection Expenditures	\$28,050	\$27,900
<b>Total</b>	<b>\$981,019</b>	<b>\$1,059,501</b>

A detailed listing of the proposed Fire Department fee schedule changes is provided in Attachment 1. A detailed listing and comparison of the proposed fee changes in the various fire permit and inspections fees is listed in Attachment 2.

CURRENT SITUATION AND ITS EFFECTS

The permit and fire inspection fee is currently billed at a rate of \$374 per hour. These fees defray costs incurred to process, review and inspect permits which are required by the fire code, as well as costs associated with a wide range of fire prevention and inspection services. 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 15, 2016, Council approved the current Fire Department fee schedule by Resolution 67,744–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. 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 were last increased by Council on May 26, 2015 in Resolution No. 67,039–N.S.

The Fire Department processes approximately 150 indoor entertainment inspections on an annual basis. The current fee for the indoor entertainment inspections is \$93.50 per event. The fee was based on a quarter hour (15 minutes) inspection. A review of the time spent on indoor entertainment inspections average 30 minutes for each inspection, data entry, and application processing. The fee schedule will be amended to increase the indoor entertainment fee to \$196 for the initial inspection (30 minutes) and \$98.00 for re-inspections based on a quarter hour (15 minutes). The department does not currently charge for re-inspections. The revenue from the indoor entertainment fees is expected to increase from \$14,025 to \$27,900 based on 150 inspections annually excluding possible re-inspection charges.

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 code inspections that are initiated through a

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variety of mechanisms such as citizen inquiries or complaints, indoor entertainment inspections, and internal or external agency referrals.

ENVIRONMENTAL SUSTAINABILITY

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

RATIONALE FOR RECOMMENDATION

The rate adjustment allows the City to defray costs associated with the fire permit and inspection program and services. The efforts in coordinating, conducting and documenting Indoor Entertainment inspections far exceed the quarter hour anticipated when the indoor entertainment inspection program was revised in 2005.

ALTERNATIVE ACTIONS CONSIDERED

Maintain fire permit and fire inspection billing rates at their current levels and reduce the level of coordination and needed documentation required by the UC Risk Management, UC Lead Center, and other stake holders who desire to have safe indoor entertainment gatherings.

CONTACT PERSON

Tony Yuen - Fire Marshal, Fire Department, 981-5502

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

RESOLUTION NO. ~~##,###~~-N.S.

ESTABLISHING ANNUAL PERMIT FEES, INSPECTION AND BILLING RATES FOR INSPECTION OF PROPERTY SITES BY THE BERKELEY FIRE DEPARTMENT, AND RESCINDING RESOLUTION NO. 67,744-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, 5001.5), 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:

Code Section	Fee Description	Proposed Fee
<b>OPERATION PERMIT</b>		
Section 105.6.1	<b>Aerosol products.</b> An operational permit is required 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.	\$392.00
Section 105.6.2	<b>Amusement buildings.</b> An operational permit is required to operate a special amusement building.	\$392.00
Section 105.6.3	<b>Aviation facilities.</b> An operational permit is required 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.	\$392.00
Section 105.6.4	<b>Carbon dioxide systems used in beverage dispensing or other applications.</b> An operational permit is required for carbon dioxide systems used in beverage dispensing or other applications having more than 100 pounds of carbon dioxide.	\$392.00 minimum
Section 105.6.5	<b>Carnivals and fairs.</b> An operational permit is required to conduct a carnival or fair.	\$392.00
Section 105.6.6	<b>Cellulose nitrate film.</b> An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.	\$392.00

Code Section	Fee Description	Proposed Fee
Section 105.6.7	<p><b>Combustible dust-producing operations.</b> An operational permit is required 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 2.</p>	\$392.00
Section 105.6.8	<p><b>Combustible fibers.</b> An operational permit is required to store or handle combustible fibers in quantities in excess of 100 cubic feet (2.8m<sup>3</sup>).</p> <p><b>Exception:</b> A permit is not required for agricultural storage</p>	\$392.00
Section 105.6.9	<p><b>Compressed gases.</b> An operational permit is required to store, use or handle at normal temperatures and pressure (NTP) of compressed gases in excess of the amounts listed in Table 105.6.9.</p> <p><b>Exception:</b> Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle</p>	\$392.00 minimum
Section 105.6.10	<p><b>Covered and open mall buildings.</b> An operational permit is required for:</p> <ol style="list-style-type: none"> <li>1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.</li> <li>2. The display of liquid- or gas-fired equipment in the mall.</li> <li>3. The use of open-flame or flame-producing equipment in the mall.</li> </ol>	\$392.00 minimum
Section 105.6.11	<p><b>Cryogenic fluids.</b> An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.11</p> <p><b>Exception:</b> Permits are not required for vehicles equipped for and using cryogenic fluids as fuel for propelling the vehicle or for refrigerating the lading.</p>	\$392.00 minimum
Section 105.6.12	<p><b>Cutting and welding.</b> An operational permit is required to conduct cutting or welding operations within the jurisdiction.</p>	\$196.00
Section 105.6.50	<p><b>Christmas tree sales lot.</b> An operational permit is required to operate a Christmas tree sales lot.</p>	\$392.00

Code Section	Fee Description	Proposed Fee
Section 105.6.13	<b>Dry cleaning plants.</b> An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.	\$392.00
Section 105.6.49	<b>Additional permits (entertainment industry).</b> In addition to the permits required by Section 105.6, the following permits shall be obtained from the Fire Prevention Division prior to engaging in the following activities, operations, practices or functions: <ol style="list-style-type: none"> <li>1. Production facilities. To change use or occupancy or allow the attendance of a live audience, or for wrap parties.</li> <li>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.</li> <li>3. Live audiences. To install seating arrangements for live audiences in approved production facilities, production studios and sound stages. See Chapter 48.</li> </ol>	\$392.00
Section 105.6.51	<b>Escort convoy service.</b> Police and/or Fire Department convoy service for vehicle transportation of extremely hazardous materials.	\$392.00 minimum
Section 105.6.14	<b>Exhibits and trade shows.</b> An operational permit is required to operate exhibits and trade shows.	\$392.00
Section 105.6.15	<b>Explosives.</b> An operational permit is required 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 style="margin-left: 40px;"><b>Exception:</b> 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>	\$588.00        \$1176.00 minimum  \$196.00

Code Section	Fee Description	Proposed Fee
Section 105.6.16	<p><b>Fire hydrants and valves.</b> An operational permit is required 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><b>Exception:</b> 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>	\$196.00
Section 105.6.17	<p><b>Flammable or combustible liquids.</b> An operational permit is required:</p> <ol style="list-style-type: none"> <li>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. ....</li> <li>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: .....               <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol> </li> <li>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. ....</li> <li>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.....</li> <li>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.....</li> </ol>	<p>\$392.00 minimum</p> <p>\$392.00</p> <p>\$392.00</p> <p>\$196.00</p> <p>\$196.00</p>

Code Section	Fee Description	Proposed Fee
	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. ....	\$196.00
	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.....	\$196.00
	8. To manufacture, process, blend or refine flammable or combustible liquids.....	\$392.00
	9. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments. ....	\$392.00
	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	\$392.00
	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 105.6.18	<b>Floor finishing.</b> An operational permit is required to conduct floor finishing or surfacing operations exceeding 350 square feet (33 m2) using Class I or Class II liquids.	\$392.00
Section 105.6.19	<b>Fruit and crop ripening.</b> An operational permit is required to operate a fruit- or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.	\$392.00
Section 105.6.20	<b>Fumigation and thermal insecticidal fogging.</b> An operational permit is required 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 105.6.52	<b>General use permit.</b> 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.	\$392.00 minimum
Section 105.6.21	<b>Hazardous materials.</b> An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.21.	\$392.00 minimum
Section 105.6.22	<b>HPM Facilities.</b> An operational permit is required to store, handle or use hazardous production materials.	\$392.00



Code Section	Fee Description	Proposed Fee
Section 105.6.23	<b>High-piled storage.</b> An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m <sup>2</sup> )	\$392.00 minimum
Section 105.6.24	<p><b>Hot work operations.</b> An operational permit is required for hot work including, but not limited to:.....</p> <ol style="list-style-type: none"> <li>1. Public exhibitions and demonstrations where hot work is conducted.</li> <li>2. Use of portable hot-work equipment inside a structure.  <b>Exception:</b> Work that is conducted under a construction permit issued by the building official.</li> <li>3. Fixed-site hot-work equipment such as welding booths.</li> <li>4. Hot work conducted within a hazardous fire area.....</li> <li>5. Application of roof coverings with the use of an open-flame device .....</li> <li>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 35 in another applicable fire code chapters and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees for hot work operations under their supervision. ....</li> </ol>	<p>\$392.00 (unless otherwise noted)</p> <p>\$98.00</p>
Section 105.6.25	<b>Industrial ovens.</b> An operational permit is required to operate industrial ovens regulated by Chapter 30.	\$392.00
Section 105.6.26	<b>Lumber yards and woodworking plants.</b> An operational permit is required to store or process lumber in excess of 100,000 board feet (8,333 ft <sup>3</sup> )(236 m <sup>3</sup> ).	\$392.00
Section 105.6.27	<b>Liquid-or gas-fueled vehicles or equipment in assembly buildings.</b> An operational permit is required to display, operate or demonstrate liquid-or gas-fueled vehicles or equipment in assembly buildings.	\$392.00

Code Section	Fee Description	Proposed Fee
Section 105.6.28	<p><b>LP-gas.</b> An operational permit is required:</p> <ol style="list-style-type: none"> <li>To store or use LP-gas.  <b>Exception:</b> 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.</li> <li>To operate cargo tankers that transport LP-gas.</li> </ol>	\$392.00 minimum
Section 105.6.29	<p><b>Magnesium.</b> An operational permit is required to melt, cast, heat, treat or grind more than 10 pounds (4.54 kg) of magnesium.</p>	\$392.00
Section 105.6.30	<p><b>Miscellaneous combustible storage.</b> An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m<sup>3</sup>) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork, or other similar combustible material.</p>	\$392.00
Section 105.6.31	<p><b>Motor fuel-dispensing facilities.</b> An operational permit is required for the operation of automotive, marine, and fleet motor fuel-dispensing facilities, or for mobile fueling operations using flammable liquids and which are conducted at facilities or locations which are not permanent, permitted motor fuel dispensing facilities.   <b>Exception:</b> Transfer of not more than 5 gallons flammable or combustible liquids using Listed or approved portable fuel container of less than five gallons capacity.</p>	\$392.00 minimum
Section 105.6.32	<p><b>Open burning.</b> An operational permit is required 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   <b>Exception:</b> Recreational fires</p>	\$196.00
Section 105.6.33	<p><b>Open flames and torches.</b> 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.</p>	\$196.00
Section 105.6.34	<p><b>Open flames and Candles.</b> An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.</p>	\$196.00
Section 105.6.35	<p><b>Organic coatings.</b> An operational permit is required to manufacture more than 1 gallon (4 L) of organic coatings in a working day.</p>	\$392.00

Code Section	Fee Description	Proposed Fee
Section 105.6.53	<p><b>Parking facility, special events.</b> An operational permit is required to use buildings or structures for vehicle parking, including parking for special events (i.e. football games, etc.)</p> <p>A. Less than 15 parking spaces.....</p> <p>B. 15 or more parking spaces .....</p>	<p>\$196.00</p> <p>\$392.00</p>
Section 105.6.36	<p><b>Places of assembly.</b> An operational permit is required to operate a place of assembly.</p> <p>A. Occupant load less than 300 .....</p> <p>B. Occupant load 300 or more .....</p>	<p>\$392.00</p> <p>\$588.00</p>
Section 105.6.37	<p><b>Private fire hydrants.</b> An operational permit is required to use, operate or remove from service private fire hydrants.</p> <p><b>Exception:</b> 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.</p>	\$196.00
Section 105.6.38	<p><b>Pyrotechnical special effects material.</b> An operational permit is required to use or handle pyrotechnic special effects material.</p>	\$392.00
Section 105.6.39	<p><b>Pyroxylin plastics.</b> An operational permit is required 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.</p>	\$392.00
Section 105.6.40	<p><b>Refrigeration equipment.</b> An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.</p>	\$392.00 minimum
Section 105.6.41	<p><b>Repair garages and motor fuel-dispensing facilities.</b> An operational permit is required to operate repair garages.</p>	\$392.00 minimum
Section 105.6.42	<p><b>Rooftop heliports.</b> An operational permit is required to operate a rooftop heliport.</p>	\$392.00
Section 105.6.43	<p><b>Spraying or dipping.</b> An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 24.</p>	\$392.00
Section 105.6.44	<p><b>Storage of scrap tires and tire byproducts.</b> An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m<sup>3</sup>) of total volume of scrap tires and for indoor storage of tires and tire byproducts.</p>	\$392.00

Code Section	Fee Description	Proposed Fee
Section 5001.7	<b>Tank vehicles.</b> An operational permit is required to operate a tank vehicle (other than flammable and combustible liquids tank vehicles as listed and regulated in 105.6.17, item 6) including those hazardous materials transportation vehicles defined in Section 5001.7 of the Berkeley Fire Code, for the transportation of hazardous liquids or materials.	\$392.00 annually
Section 105.6.45	<b>Temporary membrane structures, tents, and canopies.</b> An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (37 m <sup>2</sup> ) <b>Exceptions:</b> 1. Tents used exclusively for recreational camping purposes. 2. Tents open on all sides which comply with all of the following: 2.1 Individual tents having a maximum size of 700 square feet (65 m <sup>2</sup> ). 2.2 The aggregate area of multiple tents 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 <sup>2</sup> ) total. 2.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.	\$392.00
Section 105.6.46	<b>Tire-rebuilding plants.</b> An operational permit is required for operation and maintenance of a tire-rebuilding plant.	\$392.00
Section 105.6.47	<b>Waste handling.</b> An operational permit is required to operate wrecking yards, junk yards and waste material handling facilities.	\$392.00
Section 105.6.48	<b>Wood products.</b> An operational permit is required to store wood chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m <sup>3</sup> ).	\$392.00
Section 105.6.54	<b>Fire Fighter Air Replenishment System (FARS).</b> An <u>annual</u> operational permit is required to maintain a FARS system in accordance with Appendix L.	\$196.00

Code Section	Fee Description	Proposed Fee
<b>CONSTRUCTION PERMIT</b>		
Section 105.7.1	<p><b>Automatic fire extinguishing system(s).</b> A construction permit is required 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>A. Range Hood System.....</p> <p>B. Chemical Suppression System.....</p> <p>C. Automatic Sprinkler .....</p> <p>D. Automatic Sprinkler (small alteration or repairs to an existing system with 20 heads or less .....</p> <p>E. Underground.....</p> <p>    All others.....</p> <p>Field Inspection .....</p>	<p>\$392.00*</p> <p>\$392.00*</p> <p>\$392.00</p> <p>\$196.00*</p> <p>\$392.00*</p> <p>\$392.00*</p> <p>\$98/qtr hour*</p> <p>*minimum</p>
Section 105.7.2	<p><b>Battery system.</b> A construction permit is required to install a stationary lead-acid battery system having a liquid capacity of more than 100 gallons (189 L).</p>	<p>\$392.00</p>
Section 105.7.3	<p><b>Compressed gases.</b> A construction permit is required 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><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>1. Routine maintenance.</li> <li>2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.</li> </ol>	<p>\$392.00</p>
Section 105.7.4	<p><b>Cryogenic fluids.</b> 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 105.6.11. Maintenance performed in accordance with this code is not considered an alteration and does not require a construction permit. (construction permit)</p>	<p>\$392.00 minimum</p>

Code Section	Fee Description	Proposed Fee
Section 105.7.5	<b>Emergency responder radio coverage system.</b> 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.	\$392.00 minimum
Section 105.7.6	<b>Fire alarm and detection system/s and related equipment installation.</b> A construction permit is required 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. A. Under 12 devices..... B. 12-30 devices ..... C. 31-49 devices..... D. 50 or more devices..... E. Water flow alarms ..... F. Field Inspection .....	\$392.00* \$588.00* \$980.00* \$1176.00* \$196.00 \$98 /qtr. hr.*  *minimum
Section 105.7.7	<b>Fire pumps and related equipment.</b> A construction permit is required 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.	\$392.00
Section 105.7.8	<b>Flammable and combustible liquids.</b> A construction permit is required: 1. To repair or modify a pipeline for the transportation of flammable or combustible liquids. 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. 3. To install, alter, remove or otherwise dispose of an above-ground flammable or combustible liquid tank..... 4. To remove an underground tanks (per tank) ..... 5. To abandon (fill in place) underground tank (per tank).....	\$392.00 minimum   \$196.00 \$196.00 \$392.00 \$392.00

Code Section	Fee Description	Proposed Fee
Section 105.7.9	<p><b>Gates and barricades across fire apparatus access roads.</b> A construction permit is required for the installation of or modification to a gate or barricade across a fire apparatus access road</p>	\$392.00
Section 105.7.10	<p><b>Hazardous materials.</b> 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 50 when the hazardous materials in use or storage exceed the amounts listed in Table 105.6.21.</p> <p><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>1. Routine maintenance.</li> <li>2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.</li> </ol>	\$392.00 minimum
Section 105.7.11	<p><b>Industrial ovens.</b> A construction permit is required for installation of industrial ovens covered by Chapter 30.</p> <p><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>1. Routine maintenance.</li> <li>2. For repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.</li> </ol>	\$392.00
Section 105.7.12	<p><b>LP-gas.</b> A construction permit is required for installation of or modification to an LP-gas system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.</p>	\$392.00
Section 105.7.13	<p><b>Private fire hydrants.</b> A construction permit is required to install or modify private fire hydrants. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.</p> <p>Hydrant(s) or hydrant groups.....</p> <p>Field Inspection .....</p>	<p>\$392.00</p> <p>\$98 / qtr. hour*</p> <p>*minimum</p>
Section 105.7.14	<p><b>Smoke control or smoke exhaust systems.</b> A construction permit is required for installation of or alteration to smoke control or smoke exhaust systems. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a permit.</p>	\$392.00 minimum

Code Section	Fee Description	Proposed Fee
Section 105.7.15	<b>Solar photovoltaic power systems.</b> A construction permit is required to install or modify solar photovoltaic power systems. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a permit.	Std. Bldg. Dept. fees apply
Section 105.7.16	<b>Spraying or dipping.</b> A construction permit is required to install or modify a spray room, dip tank or booth.	\$392.00
Section 105.7.17	<p><b>Standpipe Systems.</b> A construction permit is required 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.</p> <p>A. Standpipe, Class I, II and III combined .....</p> <p>B. Underground .....</p> <p>Field Inspection .....</p>	<p>\$392.00</p> <p>\$392.00</p> <p>\$98/qr. hour*</p> <p>*minimum</p>
Section 105.7.18	<p><b>Temporary membrane structures, tents, and canopies.</b> A construction permit is required to erect an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet (19 m<sup>2</sup>), or a canopy in excess of 400 square feet (37 m<sup>2</sup>)</p> <p><b>Exceptions:</b></p> <p>1. Tents used exclusively for recreational camping purposes.</p> <p>2. 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 m<sup>2</sup>).</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 m<sup>2</sup>) total.</p> <p>2.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.</p>	\$392.00
Section 105.7.19	<b>Window bars.</b> A construction permit is required to install window bars on exterior doors or windows of any sleeping rooms below the fourth floor in apartment houses, hotels, and motels.	\$196.00
105.7.20	<b>Fire Fighter Air Replenishment System (FARS).</b> A construction permit is required for installation of or modification to a FARS system in accordance with Appendix L.	\$392.00 minimum



**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:

<b>Group Homes</b> , 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).	\$392.00
<b>Convalescent Hospitals</b> , 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).	\$392.00
<b>Convalescent Hospitals</b> , nursing homes, and homes for the aged (each accommodating 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)..	\$ 588.00
<b>Convalescent Hospitals</b> , nursing homes, and homes for the aged (each accommodating 100 or more persons, not including employees or relatives.	\$ 784.00
<b>Hospitals</b>	\$392.00 per hour
<b>Community Care Facilities</b> as defined in the Calif. Health & Safety Code (H&SC) section 1502, <b>Residential Care Facility for the Elderly</b> as defined in H&SC 1569.2, and <b>Child Day Care Facilities</b> (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 Review, Consultation, Inspection & Permit Clearances \$98/ qtr. hr.
- C. General inspection and investigation fees
1. Fees for services rendered by the Fire Department for inspections of fire protection systems, re-inspections of citizen complaints with violations, nuisance inspections research, report preparation and file review services (except for subpoena documents, city records, publications and meeting tapes.) ..... \$98 / qtr. hr.
  2. Fire code consultation services for building development, construction and modifications and pre-permit application..... \$392.00 per hour
  3. Overtime fire & life safety inspection ..... \$392.00 per hour (2hr. min.)
  4. After-hours call-back for fire & life safety inspection ..... \$392.00 per hour (4hr. min.)
  5. Accelerated plan review services (as-available, billed at 1.5x the standard hourly rate \$392.00) ..... \$588.00 per hour
- D. Fire and Life Safety Investigations or Stand-by Services ..... \$392.00 minimum
- E. 1. Indoor Entertainment Inspection Fee..... \$196.00
2. Indoor Entertainment Re-inspection..... \$98.00 / qtr. hr.

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 \$98 per quarter hour.

Section 4. INSPECTION AND BILLING RATE.

That a rate of \$98.00 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 \$98.00 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.

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.

NOW THEREFORE BE IT RESOLVED that this Resolution shall be in full force and in effect on and after July 1, 2017.

BE IT FURTHER RESOLVED that Resolution No. 67,744–N.S. and all resolutions amendatory thereof are hereby rescinded effective July 1, 2017.

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.1	<b>Aerosol products.</b> 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	\$392.00
Section 105.6.2	<b>Amusement buildings.</b> To operate a special amusement building.	\$374.00	\$392.00
Section 105.6.3	<b>Aviation facilities.</b> 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	\$392.00
Section 105.7.2	<b>Battery system.</b> To install a stationary lead-acid battery system having a liquid capacity of more than 100 gallons (189 L).	\$374.00	\$392.00
Section 105.6.4	<b>Carbon dioxide systems used in beverage dispensing or other applications.</b> An operational permit is required for carbon dioxide systems used in beverage dispensing or other applications having more than 100 pounds of carbon dioxide.	N/A	\$392.00 minimum
Section 105.6.5	<b>Carnivals and fairs.</b> To conduct a carnival or fair.	\$374.00	\$392.00
Section 105.6.6	<b>Cellulose nitrate film.</b> To store, handle or use cellulose nitrate film in a Group A occupancy.	\$374.00	\$392.00
Section 105.6.7	<b>Combustible dust-producing operations.</b> 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	\$392.00
Section 105.6.8	<b>Combustible fibers.</b> To store or handle combustible fibers in quantities in excess of 100 cubic feet (2.8m <sup>3</sup> ). <b>Exception:</b> A permit is not required for agricultural storage	\$374.00	\$392.00

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.9	<p><b>Compressed gases (operational permits).</b> To store, use or handle at normal temperatures and pressure compressed gases in excess of the amounts listed in Table 105.6.8.</p> <p><b>Exception:</b> Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle</p>	\$374.00 minimum	\$392.00 minimum
Section 105.7.3	<p><b>Compressed gases (construction permits).</b> 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><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>3. Routine maintenance.</li> <li>4. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.</li> </ol>	\$374.00	\$392.00
Section 105.6.9	<p><b>Covered and open mall buildings.</b> A fire permit is required for:</p> <ol style="list-style-type: none"> <li>1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.</li> <li>2. The display of liquid- or gas-fired equipment in the mall.</li> <li>3. The use of open-flame or flame-producing equipment in the mall.</li> </ol>	\$374.00 minimum	\$392.00 minimum
Section 105.6.11	<p><b>Cryogenic fluids.</b> To produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.11</p> <p><b>Exception:</b> 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	\$392.00 minimum

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.7.4	<b>Cryogenic fluids.</b> 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)	\$374.00 minimum	\$392.00 minimum
Section 105.6.12	<b>Cutting and welding.</b> To conduct cutting or welding operations within the jurisdiction.	\$ 175.00	\$196.00
Section 105.6.50	<b>Christmas tree sales lot.</b> To operate a Christmas tree sales lot.	\$374.00	\$392.00
Section 105.6.13	<b>Dry cleaning plants.</b> To engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.	\$374.00	\$392.00
Section 105.6.49	<b>Additional permits (entertainment industry).</b> 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:  4. Production facilities. To change use or occupancy or allow the attendance of a live audience, or for wrap parties.  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.  6. Live audiences. To install seating arrangements for live audiences in approved production facilities, production studios and sound stages. See Chapter 46.	\$374.00	\$392.00
Section 105.7.5	<b>Emergency responder radio coverage system.</b> 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.	\$374.00 minimum	\$392.00 minimum

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.51	<b>Escort convoy service.</b> Police and/or Fire Department convoy service for vehicle transportation of extremely hazardous materials.	\$374.00 minimum	\$392.00 minimum
Section 105.6.14	<b>Exhibits and trade shows.</b> To operate exhibits and trade shows.	\$374.00	\$392.00
Section 105.6.15	<b>Explosives or blasting agents.</b> 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.  <b>Exception:</b> 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.  To conduct a public fireworks display ..... To continue the use of a public fireworks display permit...	\$ 525.00   \$1050.00 \$ 175.00	\$588.00   \$1175.00 \$196.00
Section 105.7.6	<b>Fire alarm and detection system/s and related equipment installation (construction permit).</b> 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. A. Under 12 devices..... B. 12-30 devices ..... C. 31-49 devices..... D. 50 or more devices..... E. Water flow alarms ..... F. Field Inspection .....	   \$374.00 \$525.00 \$875.00 \$962.50* \$ 175.00 \$ 93.50 /qtr. hr.* *minimum	   \$392.00* \$588.00* \$980.00* \$1176.00* 196.00 \$98 /qtr hr.* *minimum

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.7.1	<p><b>Automatic fire extinguishing system/s (construction permit).</b> 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>A. Range Hood System ..... \$374.00 \$392.00*</p> <p>B. Chemical Suppression System ..... \$374.00 \$392.00*</p> <p>C. Automatic Sprinkler ..... \$374.00 \$392.00</p> <p>D. Automatic Sprinkler (small alteration or repairs to an existing system with 20 heads or less ..... \$374.00* \$196.00*</p> <p>E. Underground..... \$374.00 \$392.00*</p> <p>All others..... \$93.50 \$98.00</p> <p>Field Inspection ..... qtr. hour* qtr. hour*</p> <p>*minimum *minimum</p>		
Section 105.6.54	<b>Fire Fighter Air Replenishment System (FARS).</b> An <u>annual</u> operational permit is required to maintain a FARS system in accordance with Appendix L.	N/A	\$196.00
Section 105.6.16	<p><b>Fire hydrants and valves.</b> 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><b>Exception:</b> 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>	\$ 175.00	\$196.00
Section 105.7.7	<b>Fire pumps and related equipment (construction permit).</b> 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.	\$374.00	\$392.00



Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.17	<b>Flammable or combustible liquids (operational permits).</b>		
	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. ....	\$374.00 minimum	\$392.00 minimum
	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:.....	\$374.00	\$392.00
	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.		
	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.		
	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. ....	\$374.00	\$392.00
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	\$196.00	
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	\$196.00	
6. To place temporarily out of service (for more than 90			

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
<b>Code Section</b>	<b>Fee Description</b>	<b>Current Fee</b>	<b>Proposed Fee</b>
	days) an underground, protected above-ground or above-ground flammable or combustible liquid tank.....	\$175.00	\$196.00
	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	\$196.00
	8. To manufacture, process, blend or refine flammable or combustible liquids.....	\$374.00	\$392.00
	9. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments. ....	\$374.00	\$392.00
	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. ....	\$374.00	\$392.00
	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

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.7.8	<p><b>Flammable and combustible liquids (construction permits).</b></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>\$ 175.00</p> <p>\$ 175.00</p> <p>\$ 374.00</p> <p>\$374.00</p>	<p>\$392.00 minimum</p> <p>\$196.00</p> <p>\$196.00</p> <p>\$392.00</p> <p>\$392.00</p>
Section 105.6.18	<b>Floor finishing.</b> To conduct floor finishing or surfacing operations exceeding 350 square feet (33 m2) using Class I or Class II liquids.	\$374.00	\$392.00
Section 105.6.19	<b>Fruit and crop ripening.</b> To operate a fruit- or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.	\$ 326.00	\$392.00
Section 105.6.20	<b>Fumigation and thermal insecticidal fogging.</b> 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 105.6.52	<b>General use permit.</b> 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	\$392.00 minimum
Section 105.6.21	<b>Hazardous materials (operational permits).</b> To store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.21.	\$374.00 minimum	\$392.00 minimum

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.7.9	<p><b>Hazardous materials (construction permits).</b> 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><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>1. Routine maintenance.</li> <li>2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.</li> </ol>	\$ 374.00 minimum	\$392.00 minimum
Section 105.6.22	<b>HPM Facilities.</b> To store, handle or use hazardous production materials.	\$374.00	\$392.00
Section 105.6.23	<b>High-piled storage.</b> To use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m <sup>2</sup> )	\$374.00 minimum	\$392.00 minimum

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.24	<p><b>Hot work operations.</b> For hot work including, but not limited to:.....</p> <ol style="list-style-type: none"> <li>1. Public exhibitions and demonstrations where hot work is conducted.</li> <li>2. Use of portable hot-work equipment inside a structure.</li> </ol> <p><b>Exception:</b> Work that is conducted under a construction permit issued by the building official.</p> <ol style="list-style-type: none"> <li>3. Fixed-site hot-work equipment such as welding booths.</li> <li>4. Hot work conducted within a hazardous fire area.</li> <li>5. Application of roof coverings with the use of an open-flame device.....</li> <li>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.</li> </ol>	<p>\$ 374.00 (unless otherwise noted)</p> <p>\$ 93.50</p>	<p>\$392.00 (unless otherwise noted)</p> <p>\$98</p>
Section 105.6.25	<b>Industrial ovens (operational permits).</b> To operate industrial ovens regulated by Chapter 30.	\$ 374.00	\$392.00
Section 105.7.10	<p><b>Industrial ovens (construction permits).</b> For installation of industrial ovens covered by Chapter 30.</p> <p><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>1. Routine maintenance.</li> <li>2. For repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.</li> </ol>	\$374.00	\$392.00

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.26	<b>Lumber yards and woodworking plants.</b> To store or process lumber in excess of 100,000 board feet (8,333 ft <sup>3</sup> )(236 m <sup>3</sup> ).	\$374.00	\$392.00
Section 105.6.27	<b>Liquid-or gas-fueled vehicles or equipment in assembly buildings.</b> To display, operate or demonstrate liquid-or gas-fueled vehicles or equipment in assembly buildings.	\$374.00	\$392.00
Section 105.6.28	<b>LP-gas (operational permits).</b> 1.To store or use LP-gas. <b>Exception:</b> 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	\$392.00 minimum
Section 105.7.11	<b>LP-gas (construction permits).</b> To install or modify an LP-gas system.	\$374.00	\$392.00
Section 105.6.29	<b>Magnesium.</b> To melt, cast, heat, treat or grind more than 10 pounds (4.54 kg) of magnesium.	\$374.00	\$392.00
Section 105.6.30	<b>Miscellaneous combustible storage.</b> To store in any building or upon any premises in excess of 2,500 cubic feet (71 m <sup>3</sup> ) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork, or other similar combustible material.	\$374.00	\$392.00
Section 105.6.30	<b>Open burning.</b> 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 <b>Exception:</b> Recreational fires	\$ 175.00	\$196.00

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.31	<p><b>Motor fuel-dispensing facilities.</b> An operational permit is required for the operation of automotive, marine, and fleet motor fuel-dispensing facilities, or for mobile fueling operations using flammable liquids and which are conducted at facilities or locations which are not permanent, permitted motor fuel dispensing facilities.</p> <p><b>Exception:</b> Transfer of not more than 5 gallons flammable or combustible liquids using Listed or approved portable fuel container of less than five gallons capacity.</p>	N/A	\$392.00 minimum
Section 105.6.32	<p><b>Open burning.</b> An operational permit is required 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</p> <p><b>Exception:</b> Recreational fires</p>	N/A	\$196.00
Section 105.6.33	<p><b>Open flames and torches.</b> 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.</p>	N/A	\$196.00
Section 105.6.34	<p><b>Open flames and Candles.</b> To use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.</p>	N/A	\$196.00
Section 105.6.35	<p><b>Organic coatings.</b> To manufacture more than 1 gallon (4 L) of organic coatings in a working day.</p>	\$374.00	\$392.00
Section 105.6.53	<p><b>Parking facility, special events.</b> To use buildings or structures for vehicle parking, including parking for special events (i.e. football games, etc.)</p> <p>A. Less than 15 parking spaces .....</p> <p>B. 15 or more parking spaces .....</p>	\$175.00 \$374.00	\$196.00 \$392.00
Section 105.6.36	<p><b>Places of assembly.</b> To operate a place of assembly. See Article 25.</p> <p>A. Occupant load less than 300 .....</p> <p>B. Occupant load 300 or more .....</p>	\$374.00 \$ 525.00	\$392.00 \$588.00

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.37	<b>Private fire hydrants (operational permits).</b> To use, operate or remove from service private fire hydrants. <b>Exception:</b> 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	\$196.00
Section 105.7.12	<b>Private fire hydrants (construction permits).</b> To install or modify private fire hydrants. Hydrant(s) or hydrant groups..... Field Inspection .....	\$374.00 \$93.50 qtr. hour* *min.	\$392.00 \$98 qtr. hour* *minimum
Section 105.6.38	<b>Pyrotechnical special effects material.</b> To use or handle pyrotechnic special effects material.	\$374.00	\$392.00
Section 105.6.39	<b>Pyroxylin plastics.</b> 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	\$392.00
Section 105.6.40	<b>Refrigeration equipment.</b> To operate a mechanical refrigeration unit or system regulated by Chapter 6.	\$374.00 minimum	\$392.00 minimum
Section 105.6.41	<b>Repair garages and motor fuel-dispensing facilities.</b> To operate repair garages and automotive, marine and fleet motor fuel dispensing facilities.	\$374.00	\$392.00
Section 105.6.42	<b>Rooftop heliports.</b> To operate a rooftop heliport.	\$374.00	\$392.00
Section 105.7.14	<b>Smoke control or smoke exhaust systems.</b> Construction permits are required for installation of or alteration to smoke control or smoke exhaust systems. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a permit.	N/A	\$392.00 minimum
Section 105.7.13	<b>Solar photovoltaic power systems.</b> A construction permit is required to install or modify solar photovoltaic power systems	Std. Bldg. Dept. fees apply	Std. Bldg. Dept. fees apply



Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.43	<b>Spraying or dipping (operational permits).</b> To conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 24.	\$374.00	\$392.00
Section 105.7.14	<b>Spraying or dipping (construction permits).</b> To install or modify a spray room, dip tank or booth.	\$374.00	\$392.00
Section 105.7.15	<b>Standpipe Systems (construction permits).</b> 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 .....	\$ 374.00 \$ 374.00 \$93.5/qtr hour* *minimum	\$ 392.00 \$ 392.00 \$98/qtr hour* *minimum
Section 105.6.42 4	<b>Storage of scrap tires and tire byproducts.</b> To establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m <sup>3</sup> ) of total volume of scrap tires and for indoor storage of tires and tire byproducts.	\$374.00	\$392.00
Section 5001.7	<b>Tank vehicles.</b> To operate a tank vehicle (other than flammable and combustible liquids tank vehicles as listed and regulated in 105.6.17, item 6) 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	\$392.00 annually

Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.45	<p><b>Temporary membrane structures, tents, and canopies (operational permits).</b> To operate an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (37 m<sup>2</sup>)</p> <p><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>1. Tents used exclusively for recreational camping purposes.</li> <li>2. Fabric canopies open on all sides which comply with all of the following:               <ol style="list-style-type: none"> <li>2.1 Individual canopies having a maximum size of 700 square feet (65 m<sup>2</sup>).</li> <li>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<sup>2</sup>) total.</li> <li>2.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.</li> </ol> </li> </ol>	\$374.00	\$392.00
Section 105.7.18	<p><b>Temporary membrane structures, tents, and canopies (construction permits).</b> To erect an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet (19 m<sup>2</sup>), or a canopy in excess of 400 square feet (37 m<sup>2</sup>)</p> <p><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>3. Tents used exclusively for recreational camping purposes.</li> <li>4. Fabric canopies open on all sides which comply with all of the following:               <ol style="list-style-type: none"> <li>2.1 Individual canopies having a maximum size of 700 square feet (65 m<sup>2</sup>).</li> <li>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<sup>2</sup>) total.</li> <li>2.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.</li> </ol> </li> </ol>	\$374.00	\$392.00
Section 105.6.46	<p><b>Tire-rebuilding plants.</b> For operation and maintenance of a tire-rebuilding plant.</p>	\$374.00	\$392.00

## Proposed Fire Inspection and Fire Permit Fee Comparison Table

<b>PERMIT FEES</b>			
Code Section	Fee Description	Current Fee	Proposed Fee
Section 105.6.47	<b>Waste handling.</b> To operate wrecking yards, junk yards and waste material handling facilities.	\$374.00	\$392.00
Section 105.7.19	<b>Window bars.</b> A construction permit is required Tto install window bars on exterior doors or windows of any sleeping rooms below the fourth floor in apartment houses, hotels, and motels.	\$ 175.00	\$196.00
Section 105.6.48	<b>Wood products.</b> To store wood chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m <sup>3</sup> ).	\$ 374.00	\$392.00

<b>ANNUAL FIRE CLEARANCE</b>		
Description	Current Fee	Proposed Fee
<b>Group Homes</b> , 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	\$392.00
<b>Convalescent Hospitals</b> , 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	\$392.00
<b>Convalescent Hospitals</b> , nursing homes, and homes for the aged (each accommodating 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	\$588.00
<b>Convalescent Hospitals</b> , nursing homes, and homes for the aged (each accommodating 100 or more persons, not including employees or relatives).	\$700.00	\$784.00
<b>Hospitals</b> , less than 100 beds.	\$374.00	\$392.00
<b>Hospitals</b> , 100 beds or more.	\$700.00	\$784.00

## Proposed Fire Inspection and Fire Permit Fee Comparison Table

ANNUAL FIRE CLEARANCE		
Description	Current Fee	Proposed Fee
<b>Community Care Facilities</b> as defined in the Calif. Health & Safety Code (H&SC) section 1502, <b>Residential Care Facility for the Elderly</b> as defined in H&SC 1569.2, and <b>Child Day Care Facilities</b> (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 /page	\$0.10 /page
B. State Requested Fire & Life Safety Inspection & Permit Clearances	\$93.50 per qtr hr	\$98 per qtr hr
C. General inspection and investigation fees (Berkeley Fire Code, Section 106.2). 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	\$98 per quarter hour
D. Fire and Life Safety Investigations or Stand-by Services	\$374.00 minimum	\$392.00 minimum
E. Indoor Entertainment Inspection	\$93.50	\$196.00
1. Indoor Entertainment Inspection	N/A	\$98.00/ qtr. hour.
2. Indoor Entertainment Re-inspection		

## Proposed Fire Inspection and Fire Permit Fee Comparison Table

MISCELLANEOUS FEES		
Description	Current Fee	Proposed Fee

INSPECTION AND BILLING RATE		
Description	Current Fee	Proposed Fee
<p>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 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>	\$93.50	\$98

DELINQUENCY CHARGE		
Description	Current Fee	Proposed Fee
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.	20%	20%

RE-INSPECTION AND BILLING RATE <i>[section to be deleted]</i>		
<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>	\$93.50	\$98

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 revise the Fire Department fee schedule which incorporates an increase in fire permitting and fire inspection fees from \$374.00 to \$392.00 per hour; adjusting the Indoor Entertainment Inspection fee from \$93.50 to \$196.00 per event; and establishing a reinspection fee of \$98.00 per subsequent quarter hour when the venue fails the initial inspection.

The hearing will be held on, MAY 16, 2017 at 7:00 p.m. in the City Council Chambers, 2134 Martin Luther King, Jr. Way.

For further information, please contact Fire Marshal Tony Yuen (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](http://www.CityofBerkeley.info) as of May 4, 2017.

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](mailto: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.

**Published:** May 5 and May 12, 2017 – The Berkeley Voice  
Per Government Code 6062A



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 4, 2017.

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Mark Numainville, City Clerk

