

## ORDINANCE NO. 23-02

### AN ORDINANCE OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT OF CONTRA COSTA COUNTY REVISING A SCHEDULE OF FEES FOR DISTRICT SERVICES

The Board of Directors of the Moraga-Orinda Fire District of Contra Costa County (“District”) ordains as follows:

#### **SECTION 1. Authorization and Purpose.**

This ordinance and the fees for District Services established herein is adopted pursuant to the provisions of Fire Protection District Law of 1987 (Health and Safety Code sections 13800 et seq., the “Act”). Specifically, as authorized under Health and Safety Code section 13916, the District hereby establishes and adopts the schedule of fees, established for the purpose of recovering for the District the cost of providing services and enforcing regulations.

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

#### **SECTION 2. Fee Schedule**

The fees established and adopted by this ordinance are attached hereto as “Exhibit A” entitled 2023 District Fee Schedule.

#### **SECTION 3. Public Notice of Intent to Establish Fee Schedule**

Pursuant to the provisions of Health and Safety Code section 13916(b), the District gave public notice pursuant to Section 6066 of the Government Code, of its intent to establish and impose the fees contained in the 2Fee Schedule attached as Exhibit “A”.

#### **SECTION 4. Findings Regarding Costs of Services**

The District Board finds that it must charge fees to cover the costs of (a) services which the District provides or (b) enforcement of any regulation for which the District has responsibility.

The District Board finds that no fee included in the 2023 District Fee Schedule exceeds the costs reasonably incurred by the District in providing the service or enforcing the regulation for which the fee is charged in accordance with Health and Safety Code section 13916(a).

The District Board finds that, consistent with the provisions of Health and Safety Code section 13916(a), the 2023 District Fee Schedule does not include fees on new construction or development, for the construction of public improvements or facilities, or the acquisition of equipment.

**SECTION 5.           Repeal**

The following Ordinance previously adopted by the Board of Directors is hereby repealed:  
Ordinance #22-01 Moraga-Orinda Fire District of Contra Costa County Revising a Schedule of Fees for District Services.

**SECTION 6.           Effective Date**

This Ordinance and the Fee Schedule shall become effective on March 18, 2023, and within fifteen (15) days of passage, shall be published once with the names of the Directors voting for and against it, in the Contra Costa Times, a newspaper of general circulation in this District. Passed and Adopted on February 15, 2023 by the following Vote:

PASSED, APPROVED and ADOPTED this 15th day of February, 2023 at the regular meeting of the District Board of Directors held virtually on February 15, 2023, on a motion made by Director Danziger, seconded by Director Jorgens, and duly carried with the following roll call vote

**AYES:**           DIRECTORS DANZIGER, HASLER, JORGENS, AND ROEMER

**NOES:**           NONE

**ABSENT:**       DIRECTOR JEX

**ABSTAIN:**      NONE


**ORDINANCE 23-02**

ATTEST:

  
\_\_\_\_\_  
John Jex, President  
Board of Directors

I certify that this is a full, true, and correct copy of the original document which is on file in my office that was passed and adopted by the Moraga-Orinda Fire District on the date shown.

ATTEST:

  
\_\_\_\_\_  
Marcia Holbrook  
District Secretary/District Clerk

APPROVED AS TO FORM:

  
Jonathan Holtzman (Feb 28, 2023 12:54 PST)  
\_\_\_\_\_  
Jonathan V. Holtzman  
District Counsel






# 23-02 Ordinance Schedule of Fees MM (first reading second reading) (adopted 2.15.23)

Final Audit Report

2023-02-28

Created:	2023-02-28
By:	Moraga-Orinda Fire District (info@mofd.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA5jEjHr3uXWA0WdrOeQb_VK6x6Qua8v3f

## "23-02 Ordinance Schedule of Fees MM (first reading second reading) (adopted 2.15.23)" History

-  Document created by Moraga-Orinda Fire District (info@mofd.org)  
2023-02-28 - 7:09:51 PM GMT - IP address: 76.133.68.3
-  Document emailed to Jonathan Holtzman (jholtzman@publiclawgroup.com) for signature  
2023-02-28 - 7:10:13 PM GMT
-  Email viewed by Jonathan Holtzman (jholtzman@publiclawgroup.com)  
2023-02-28 - 8:54:05 PM GMT - IP address: 104.28.76.93
-  Document e-signed by Jonathan Holtzman (jholtzman@publiclawgroup.com)  
Signature Date: 2023-02-28 - 8:54:44 PM GMT - Time Source: server- IP address: 104.28.111.66
-  Agreement completed.  
2023-02-28 - 8:54:44 PM GMT

**MORAGA-ORINDA FIRE DISTRICT FEE SCHEDULE**

Effective March 18, 2023

EXHIBIT A

Fee No.	Fee Description	Unit	2022	2023
<b>INSPECTION - SINGULAR PERMITTED ACTIVITIES</b>				
<b>T1</b>	<b>Special Events, Tents and Booths,</b>			
<b>T1.1</b>	Tents between 400 and 5000 ft <sup>2</sup> in size, and canopies in excess of 400 s.f.	per permit	\$364	\$386
<b>T1.2</b>	Tents greater than 5000 ft <sup>2</sup> in size	per permit	\$455	\$482
<b>T1.3</b>	For use greater than 180 days reinspection is required	per permit	\$176	\$187
<b>T2</b>	Holiday tree lots	per permit	\$118	\$125
<b>T3</b>	Model rockets	per permit	\$118	\$125
<b>T1.4</b>	Additional tent inspections		\$118	\$125
<b>SE1</b>	Street Fairs, Carnivals, and Special Events/ Plan Review and Inspection	per permit (1)	\$368	\$390
<b>E1</b>	<b>Explosives - any kind</b>	per permit (3)	\$427	\$453
<b>FW</b>	<b>Fireworks</b>			
<b>FW1.1</b>	Fireworks Aerial	per permit (3)	\$852	\$903
<b>FW1.2</b>	Set Piece / Theatrical	per permit (3)	\$568	\$602
<b>HM1</b>	<b>Hazardous Materials</b>	per permit (3)	\$568	\$602
<b>BP1</b>	<b>Burn Permit - Recreational- Open Flame</b>	per permit	\$174	\$184
<b>SP</b>	<b>Singular Permits - Other/ Inspection</b>			
<b>SP1.1</b>	Change of Occupancy	per permit	\$347	\$368
<b>SP1.2</b>	Install/Maintain Acid Battery Systems > CFC Table 1206.2	per permit	\$355	\$376
<b>SP1.3</b>	Miscellaneous Permit (otherwise not listed above)	per permit	\$274	\$290
<b>INSPECTION</b>	<b>Annual Operating Permits/ Inspection Required</b>			
<b>API</b>	<b>LPG Dispense</b>	per permit	\$410	\$435
<b>AP2</b>	<b>Welding or Hot Works</b>	per permit	\$410	\$435
<b>AP3</b>	<b>Spraying Flammable Finishes</b>	per permit	\$410	\$435
<b>AP4</b>	<b>Compressed Gas / Cryogenics</b>	per permit		
<b>AP4.1</b>	Inert		\$410	\$435
<b>AP4.2</b>	Flammable		\$410	\$435
<b>AP4.3</b>	Cryogenics Portable Tanks		\$410	\$435
<b>AP4.4</b>	Cryogenics Portable Tanks Fixed System		\$410	\$435
<b>AP5</b>	<b>Flammable / Combustible Liquids</b>	per permit		
<b>AP5.1</b>	Flammable Liquid Storage Cabinet		\$410	\$435
<b>AP5.2</b>	Flammable Liquid Storeroom		\$410	\$435
<b>AP5.3</b>	Aboveground Storage Outside		\$427	\$453
<b>AP5.4</b>	Underground Storage Tank		\$427	\$453
<b>AP6</b>	<b>Engine Repair Facilities</b>	per permit		
<b>AP6.1</b>	1 - 4 Bays		\$410	\$435
<b>AP6.2</b>	5 - 8 Bays		\$410	\$435
<b>AP6.3</b>	9 + Bays		\$410	\$435
<b>AP7</b>	<b>Group A Places Of Public Assembly</b>	per permit		
<b>AP7.1</b>	Occupancy Load 50-100		\$340	\$360
<b>AP7.2</b>	Occupancy Load 101-200		\$410	\$435
<b>AP7.3</b>	Occupancy Load 201-299		\$544	\$577
<b>AP7.4</b>	Occupancy Load 300 +		\$544	\$577
<b>AP8</b>	<b>Group E Occupancies- Schools (Permit includes first and second inspection)</b>	per permit		
<b>AP8.1</b>	Private Schools			
<b>AP8.1.1</b>	E-2 Occupant Load ≤ 150		\$455	\$482

Ordinance 23-01/Exhibit A

First Reading: January 18, 2023

Second Reading/Adopted: February 15, 2023

AP8.1.2	E-1 Occupant Load > 150		\$568	\$602
AP8.3	Public Schools			
AP8.3.1	E-2 Occupant Load ≤ 150		\$455	\$482
AP8.3.2	E-1 Occupant Load > 150		\$568	\$602
AP9	<b>Group I Institutional (I-2.1, I-4)</b>	per permit		
AP9.1	Occupant Load 7-20		\$544	\$577
AP9.2	Occupant Load 21-99		\$615	\$652
AP9.3	Occupant Load 100 -249		\$615	\$652
AP9.4	Occupant Load 300 +		\$615	\$652
AP10	<b>Group R-2 Occupancies Apartments</b>	per permit		
AP10.1	Base Fee		\$164	\$174
AP10.1.1	3-12 units, per unit		\$164	\$174
AP10.1.2	13-30 units, per unit		\$3	\$3
AP10.1.3	31+ units, per unit		\$4	\$4
AP10A	<b>Group R-2 Assisted Living Facilities</b>			
AP10A.1	Base Fee		\$410	\$435
AP10A.1.2	per unit		\$4	\$4
AP11	<b>Group R-3.1 Daycare-Residential</b>	per permit		
AP11.1	R 3.1 Residential Day Care Occupant, Load 6 or Fewer			
AP12	<b>Group R-4 Adult &amp; Residential Care Facilities</b>	per permit		
AP12.1	R 4 Adult Residential Day Care (Non-Medical), Client Load 7+, max of 6 non-ambulatory		\$476	\$505
AP12.2	Licensed Facilities (includes R-2.1,R-4 )			
AP12.3	Occupant Load < 6		\$476	\$505
AP12.4	Occupant Load > 6		\$476	\$505
AP12.5	850 Form Fire Clearance Inspection		\$239	\$253
AP13	<b>Group R-4 Day Care Facilities-Commercial</b>	Per permit		
AP13.1	Occupant Load ≤ 50		\$454	\$481
AP13.2	Occupant Load > 50		\$510	\$541
AP14	<b>Annual Operational Permits - Other</b>			
AP14.1	Combustible Materials Storage	per permit	\$476	\$505
AP14.4	High Pile Stock/Rack Systems	per permit	\$544	\$577
<b>PLAN REVIEW</b>				
PR1	<b>Site Access Review: Preliminary Plan Review, Consulting, and Meetings</b>			
PR1.1	Pre-project review	per project (3)	\$568	\$602
PR1.2	Design Review			
PR1.2.1	Residential	per project	\$339	\$359
PR1.2.2	Commercial	per project	\$568	\$602
PR1.3	Residential Addition/Remodel	per project	\$339	\$359
PR3	Site / Water/ Access Review	per project	\$455	\$482
PR4	Cell Tower / Antenna/ Land Use Review/ Solar	per project	\$410	\$435
PR5	Street Numbering / Address Review	per project	\$212	\$225
PR6	<b>Residential and Building Construction - New Building</b>			
PR6.1	Plan Review			
PR6.1.1	0 - 5,000 s.f.	per project	\$544	\$577
PR6.1.2	Greater than 5,000 s.f.	hourly	\$136	\$144
PR6.2	Inspection			
PR6.2.1	0 - 5,000 s.f.	per inspection	\$410	\$435
PR6.2.2	Greater than 5,000 s.f.	hourly	\$136	\$144
PR7	<b>Building Construction - Tenant Improvement</b>			
PR7.1	Plan Review			
PR7.1.1	0 - 5,000 s.f.	per project	\$682	\$723

PR7.2.2	Greater than 5,000 s.f. (per hour with \$100 deposit)	hourly	\$136	\$144
PR7.3	Inspection			
PR7.3.1	0 - 5,000 s.f.	per inspection	\$544	\$577
PR7.3.2	Greater than 5,000 s.f.	hourly	\$136	\$144
<b>PR8</b>	<b>Fire Alarm and Communication System</b>			
PR8.1	Plan Review/	per project		
PR8.1.1	First 25 Devices		\$544	\$577
PR8.1.2	each additional 25 devices, or portion thereof		\$205	\$217
PR8.2	Inspection Fire Alarm	per inspection		
PR8.2.1	First 25 Devices		\$410	\$435
PR8.2.2	each additional 25 devices, or portion thereof		\$205	\$217
PR8.3	Emergency responder radio communication (ERRCS) system Plan Review	per project	\$155	\$164
PR8.4	Inspection ERRCS	per inspection	\$109	\$116
PR8.5	Elevator Communication System Plan Review	per project	\$155	\$164
PR8.6	Inspection Elevator Communication System	per inspection	\$109	\$116
<b>PR9</b>	<b>Fire Protection Systems - Residential - New or Modify</b>			
PR9.1	Plan Review	per project		
PR9.1.1	First 25 Heads		\$410	\$435
PR9.1.2	each additional 25 heads, or portion thereof		\$205	\$217
PR9.2	Inspections (Rough and Final)	per inspection		
PR9.2.1	First 25 Heads		\$410	\$435
PR9.2.2	each additional 25 heads, or portion thereof		\$205	\$217
<b>PR10</b>	<b>Fire Protection Systems - Commercial New</b>			
PR10.1	Plan Review	per project		
PR10.1.1	First 25 Heads		\$544	\$577
PR10.1.2	each additional 25 heads, or portion thereof		\$205	\$217
PR10.2.2	Inspection	per inspection		
PR10.2.2.1	First 25 Heads		\$544	\$577
PR10.2.2.2	each additional 25 heads, or portion thereof		\$205	\$217
PR10.2.2.3	Per additional Riser	per riser	\$136	\$144
<b>PR11</b>	<b>Fire Protection Systems - Commercial - Tenant Improvement</b>			
PR11.1	Plan Review	per project		
PR11.1.2	First 25 Heads		\$544	\$577
PR11.1.3	each additional 25 heads, or portion thereof		\$205	\$217
PR11.2	Inspection	per inspection		
PR11.2.1	First 25 Heads		\$455	\$482
PR11.2.2	each additional 25 heads, or portion thereof		\$205	\$217
<b>PR12</b>	<b>Fire Protection Systems - Miscellaneous/ Plan Review and Inspection</b>			
PR12.1	Additional Overhead Hydro Test	per test	\$544	\$577
PR12.2	Spray Booths Including Fire Protection System (New Install)	per permit	\$476	\$505
PR12.3	Fire Pumps & Related Equipment - Install or Modify (Non-Residential Applications)	per permit	\$476	\$505
PR12.4	Standpipe System/ AFES Underground	per permit	\$544	\$577
PR12.5	Pre-Action Fire Protection System	per permit	\$544	\$577
PR12.6	Hood and Duct Fire Protection system	per permit	\$544	\$577
PR12.7	Clean Agent Fire Protection System	per permit	\$615	\$652
PR12.8	Nitrous Oxide/Medical Gas System	per permit	\$615	\$652
PR12.9	Smoke Management System	per permit	\$615	\$652
PR12.10	Fire Hydrant Plan Review	per permit	\$476	\$505
PR12.11	Water Flow Field Test for Sprinkler Systems	per test	\$476	\$505
PR12.12	Inspection	Per inspection	\$544	\$577
<b>PR13</b>	<b>Tanks / Piping</b>			
PR13.1	Install/Remove Underground	per permit		
PR13.1.1	Plan Review		\$544	\$577
PR13.1.2	Inspection	Per inspection	\$544	\$577
PR13.2	Install/ Remove Aboveground Tank with Lines	per permit		
PR13.2.1	Plan Review		\$544	\$577

Ordinance 23-01/Exhibit A  
First Reading: January 18, 2023

Second Reading/Adopted: February 15, 2023



PR13.2.2	Inspection	Per inspection	\$544	\$577
PR13.3	Temporary Construction Tank (Install and Use per Location/ Site)	per permit		
PR13.3.1	Plan Review		\$544	\$577
PR13.3.2	Inspection	Per inspection	\$544	\$577
PR14	<b>Special Hazard - Hazardous Material</b>			
PR14.1	Hazardous Materials Approval for Use & Compliance	per project	\$682	\$723
PR14.2	Compressed Gas & Cryogenics (Initial plan review and install)	per project	\$682	\$723
<b>MISCELLANEOUS</b>				
ALT1	Alternative Means and Methods	per project (3)	\$710	\$753
ASP1	Additional Inspections	per inspection	\$274	\$290
ASP1.1	Fire Marshal	Hourly	\$100	\$106
ASP1.2	Senior Inspector	Hourly	\$109	\$116
ASP1.3	Fire Inspector	Hourly	\$86	\$91
PR1	Additional Plan Review/Permit Renewal/Resubmittal Fee	per submittal	\$274	\$290
SB1	After hours Inspections (2 Hour Minimum)	per project	\$410	\$435
MS1	Photocopies (per Page) Letter or legal Size	per copy	\$0.10	\$0.10
RS1	Research Fee	hourly (4)	\$136	\$144
IR1	Incident Report Request	per request	\$6	\$6
CP1	Instructional Services (CPR)	per student	\$95	\$101
MR1	Medical Records Request	per request	\$15	\$15
FA1	Repeated False Alarm Responses (first 3 responses free in 30 consec. days )	per response	\$0	\$0
FA2 (new)	Repeated False Alarm Responses (4-6 responses in 30 consec. days)	per response	\$187	\$200
FA3 (new)	Repeated False Alarm Responses ( 7-9 responses in 30 consec. days)	per response	\$187	\$400
FA4 (new)	Repeated False Alarm Responses (10-12 response in 30 consec. days)	per response	\$187	\$600
FA5 (new)	Repeated False Alarm Responses (13 or more responses in 30 consec. days)	per response	\$187	\$800
WA1	Weld Inspections	per instance	\$410	\$435
DP1	Deposit processing fee	per project	\$69	\$73
SA1	Subpoena Fee	per employee per day (5)	\$275	\$275
RC1	Returned Check Charge	per check	\$31	\$33
WA2	Weed Abatement	per parcel	Cost + 50%	Cost + 50%
MF1	One-time Mitigation fee - Wilder Development	per parcel	\$2,000	\$2,000
PT1	Property Sale or Transfer Online Self Check	per parcel	no charge	no charge
PT2	Property Sale or Transfer On Site First Inspection Fee	per parcel	\$156	\$165
PT3	Property Sale or Transfer On Site Re-Inspection Fee	per parcel	\$208	\$220
PT4	Seller or Buyer Phone or Over the Counter Compliance Check Fee	per parcel	\$21	\$22
OP1	Online payment Debit and Credit Card User Fee - 2.45% of gross volume	per transaction	2.45%	2.45%
OP2	Online payment ACH/eCheck User Fee - \$1	per transaction	\$1	\$1

**[Notes]**

- [1] Does not include standby time. Separate fee would apply.
- [2] Actual Cost of photos not included. Separate fee would apply.
- [3] Minimum fee includes time shown. For service required in excess of standard, hourly rate would apply.
- [4] Fee for retrieval & formatting of records information above and beyond basic retrieval and copy of a public record.
- [5] A deposit of \$275 for each day that a specified employee is required to remain in attendance pursuant to the subpoena. The District shall then be reimbursed for traveling expenses and the full cost to the District of paying the employee. If the actual expenses should later prove to be less than \$275 per day tendered, the excess of the amount shall be refunded. If the actual expenses should later prove to be more than the amount deposited, the District may collect the balance from the party at whose request the subpoena is issued. California Government Code 68097.2.