

ORDINANCE NO. 24-01

AN ORDINANCE OF THE MORAGA-ORINDA FIRE PROTECTION DISTRICT OF CONTRA COSTA COUNTY REVISING A SCHEDULE OF FEES FOR DISTRICT SERVICES AND SUPERSEDING ORDINANCE NO. 23-02

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

SECTION 1. Authorization and Purpose.

The purpose of this ordinance is to establish fees, as defined in the California Constitution, that are no more than necessary to cover the reasonable costs of District governmental activities, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor’s burdens on, or benefits received from, the District’s governmental activities.

This ordinance and the fees for District Services established herein is adopted pursuant to the provisions of the 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 2024 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 Fee Schedule attached as Exhibit “A”. All legal requirements for adoption of this ordinance have been met.

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 and (b) enforcement of any regulation for which the District has responsibility.

The District Board finds that no fee included in the 2024 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 fees set

forth in Exhibit “A” and adopted by this ordinance are not a tax as defined by section 1(e) of Article XIII C of the California Constitution and are exempt from voter approval under that section. The fees are no more than necessary to cover the reasonable costs of the governmental activity, and the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor’s burdens on, or benefits received from, the governmental activity.

The District Board finds that, consistent with the provisions of Health and Safety Code section 13916(a), the 2024 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. Supersession

To the extent Ordinance # 23-02, and any other action, whether by resolution or ordinance, was adopted by the Board of Directors to set or impose a fee, and to the extent Ordinance # 23-02 and any other resolution or ordinance is inconsistent with the provisions of this ordinance, that portion of Ordinance # 23-02 and any other previous resolution or ordinance that is inconsistent with the terms of this ordinance are superseded by this ordinance. The adoption of this ordinance shall not amend or affect the remaining portions of Ordinance # 23-02 and any such previously adopted ordinance or resolution.

This ordinance is not intended to contain all fees that are or may be charged by the Fire District for services and supplies and to the extent that other fees are customarily charged or are established elsewhere and are not listed in Exhibit “A,” all such fees, charges, and rates shall remain in full force and effect.

SECTION 6. Severability

Should any fee herein established be held to be invalid or otherwise unenforceable, such determination shall not affect the validity of the remainder of this ordinance or the remaining fee provisions. The Board hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 7. Prior Fees

The adoption of this ordinance shall not in any manner affect any action or be construed as a waiver of any fee, charge, penalty or fine required by or resulting from any previous ordinance imposing a fee, charge, penalty or fine.

SECTION 8. Effective Date

This Ordinance and the Fee Schedule shall become effective on April 22, 2024, 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 March 20, 2024, by the following Vote:

PASSED, APPROVED and ADOPTED this 20th day of March at the regular meeting of the District Board of Directors held at 22 Orinda Way, Orinda, California 94563 on March 20, 2024, on a motion made by Director Jorgens, seconded by Director Danziger, and duly carried with the following roll call vote:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

ORDINANCE 24-01

ATTEST:

Michael Roemer
Michael Roemer (Mar 22, 2024 19:13 MDT)

Michael Roemer, 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, and that was passed and adopted by the Moraga-Orinda Fire Protection District on the date shown.

ATTEST:

Marcia Holbrook

Marcia Holbrook
District Secretary/District Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Jonathan V. Holtzman
Jonathan V. Holtzman (Mar 22, 2024 16:21 PDT)

Jonathan V. Holtzman
District Counsel

Dave Winnacker
Dave Winnacker (Mar 22, 2024 14:43 PDT)

Dave Winnacker
Fire Chief

**2024 MORAGA-ORINDA FIRE DISTRICT
FEE SCHEDULE**

EXHIBIT A

Fee No.	Fee Description	Unit	2023	2024
INSPECTION - SINGULAR PERMITTED ACTIVITIES				
T1	Special Events, Tents and Booths,			
T1.1	Tents between 400 and 5000 ft ² in size, and canopies in excess of 400 s.f.	per permit	\$386	\$405
T1.2	Tents greater than 5000 ft ² in size	per permit	\$482	\$506
T1.3	For use greater than 180 days reinspection is required	per permit	\$187	\$196
T2	Holiday tree lots	per permit	\$125	\$131
T3	Model rockets	per permit	\$125	\$131
T1.4	Additional tent inspections		\$125	\$131
SE1	Street Fairs, Carnivals, and Special Events/ Plan Review and Inspection	per permit (1)	\$390	\$410
E1	Explosives - any kind	per permit (3)	\$453	\$476
FW	Fireworks			
FW1.1	Fireworks Aerial	per permit (3)	\$903	\$948
FW1.2	Set Piece / Theatrical	per permit (3)	\$602	\$632
HM1	Hazardous Materials	per permit (3)	\$602	\$632
BP1	Burn Permit - Recreational- Open Flame	per permit	\$184	\$193
SP	Singular Permits - Other/ Inspection			
SP1.1	Change of Occupancy	per permit	\$368	\$386
SP1.2	Install/Maintain Acid Battery Systems > CFC Table 1206.2	per permit	\$376	\$395
SP1.3	Miscellaneous Permit (otherwise not listed above)	per permit	\$290	\$305
INSPECTION - ANNUAL OPERATING PERMITS/INSPECTION REQUIRED				
API	LPG Dispense	per permit	\$435	\$457
AP2	Welding or Hot Works	per permit	\$435	\$457
AP3	Spraying Flammable Finishes	per permit	\$435	\$457
AP4	Compressed Gas / Cryogenics	per permit		
AP4.1	Inert		\$435	\$457
AP4.2	Flammable		\$435	\$457
AP4.3	Cryogenics Portable Tanks		\$435	\$457
AP4.4	Cryogenics Portable Tanks Fixed System		\$435	\$457
AP5	Flammable / Combustible Liquids	per permit		
AP5.1	Flammable Liquid Storage Cabinet		\$435	\$457
AP5.2	Flammable Liquid Storeroom		\$435	\$457
AP5.3	Aboveground Storage Outside		\$453	\$476
AP5.4	Underground Storage Tank		\$453	\$476
AP6	Engine Repair Facilities	per permit		
AP6.1	1 - 4 Bays		\$435	\$457
AP6.2	5 - 8 Bays		\$435	\$457
AP6.3	9 + Bays		\$435	\$457
AP7	Group A Places Of Public Assembly	per permit		
AP7.1	Occupancy Load 50-100		\$360	\$378
AP7.2	Occupancy Load 101-200		\$435	\$457
AP7.3	Occupancy Load 201-299		\$577	\$606
AP7.4	Occupancy Load 300 +		\$577	\$606
AP8	Group E Occupancies- Schools (Permit includes first and second inspection)	per permit		
AP8.1	Private Schools			
AP8.1.1	E-2 Occupant Load ≤ 150		\$482	\$506
AP8.1.2	E-1 Occupant Load > 150		\$602	\$632
AP8.3	Public Schools			
AP8.3.1	E-2 Occupant Load ≤ 150		\$482	\$506
AP8.3.2	E-1 Occupant Load > 150		\$602	\$632

**2024 MORAGA-ORINDA FIRE DISTRICT
FEE SCHEDULE**

EXHIBIT A

Fee No.	Fee Description	Unit	2023	2024
AP9	Group I Institutional (I-2.1, I-4)	per permit		
AP9.1	Occupant Load 7-20		\$577	\$606
AP9.2	Occupant Load 21-99		\$652	\$685
AP9.3	Occupant Load 100 -249		\$652	\$685
AP9.4	Occupant Load 300 +		\$652	\$685
AP10	Group R-2 Occupancies Apartments	per permit		
AP10.1	Base Fee		\$174	\$183
AP10.1.1	3-12 units, per unit		\$174	\$183
AP10.1.2	13-30 units, per unit		\$3	\$3
AP10.1.3	31+ units, per unit		\$4	\$4
AP10A	Group R-2 Assisted Living Facilities			
AP10A.1	Base Fee		\$435	\$457
AP10A.1.2	per unit		\$4	\$4
AP11	Group R-3.1 Daycare-Residential	per permit		
AP11.1	R 3.1 Residential Day Care Occupant, Load 6 or Fewer			
AP12	Group R-4 Adult & Residential Care Facilities	per permit		
AP12.1	R 4 Adult Residential Day Care (Non-Medical), Client Load 7+, max of 6 non-ambulatory		\$505	\$530
AP12.2	Licensed Facilities (includes R-2.1,R-4)			
AP12.3	Occupant Load < 6		\$505	\$530
AP12.4	Occupant Load > 6		\$505	\$530
AP12.5	850 Form Fire Clearance Inspection		\$253	\$266
AP13	Group R-4 Day Care Facilities-Commercial	Per permit		
AP13.1	Occupant Load ≤ 50		\$481	\$505
AP13.2	Occupant Load > 50		\$541	\$568
AP14	Annual Operational Permits - Other			
AP14.1	Combustible Materials Storage	per permit	\$505	\$530
AP14.4	High Pile Stock/Rack Systems	per permit	\$577	\$606
PLAN REVIEWS				
PR1	Site Access Review: Preliminary Plan Review, Consulting, and Meetings			
PR1.1	Pre-project review	per project (3)	\$602	\$632
PR1.2	Design Review			
PR1.2.1	Residential	per project	\$359	\$377
PR2.1.2	Commercial	per project	\$602	\$632
PR1.3	Residential Addition/Remodel	per project	\$359	\$377
PR3	Site / Water/ Access Review	per project	\$482	\$506
PR4	Cell Tower / Antenna/ Land Use Review/ Solar	per project	\$435	\$457
PR5	Street Numbering / Address Review	per project	\$225	\$236
PR6	Residential and Building Construction - New Building			
PR6.1	Plan Review			
PR6.1.1	0 - 5,000 s.f.	per project	\$577	\$606
PR6.1.2	Greater than 5,000 s.f.	hourly	\$144	\$151
PR6.2	Inspection			
PR6.2.1	0 - 5,000 s.f.	per inspection	\$435	\$457
PR6.2.2	Greater than 5,000 s.f.	hourly	\$144	\$151
PR7	Building Construction - Tenant Improvement			
PR7.1	Plan Review			
PR7.1.1	0 - 5,000 s.f.	per project	\$723	\$759
PR7.2.2	Greater than 5,000 s.f. (per hour with \$100 deposit)	hourly	\$144	\$151
PR7.3	Inspection			
PR7.3.1	0 - 5,000 s.f.	per inspection	\$577	\$606
PR7.3.2	Greater than 5,000 s.f.	hourly	\$144	\$151

**2024 MORAGA-ORINDA FIRE DISTRICT
FEE SCHEDULE**

EXHIBIT A

Fee No.	Fee Description	Unit	2023	2024
PR8	Fire Alarm and Communication System			
PR8.1	Plan Review/	per project		
PR8.1.1	First 25 Devices		\$577	\$606
PR8.1.2	each additional 25 devices, or portion thereof		\$217	\$228
PR8.2	Inspection Fire Alarm	per inspection		
PR8.2.1	First 25 Devices		\$435	\$457
PR8.2.2	each additional 25 devices, or portion thereof		\$217	\$228
PR8.3	Emergency responder radio communication (ERRCS) system Plan Review	per project	\$164	\$172
PR8.4	Inspection ERRCS	per inspection	\$116	\$122
PR8.5	Elevator Communication System Plan Review	per project	\$164	\$172
PR8.6	Inspection Elevator Communication System	per inspection	\$116	\$122
PR9	Fire Protection Systems - Residential - New or Modify			
PR9.1	Plan Review	per project		
PR9.1.1	First 25 Heads		\$435	\$457
PR9.1.2	each additional 25 heads, or portion thereof		\$217	\$228
PR9.2	Inspections (Rough and Final)	per inspection		
PR9.2.1	First 25 Heads		\$435	\$457
PR9.2.2	each additional 25 heads, or portion thereof		\$217	\$228
PR10	Fire Protection Systems - Commercial New			
PR10.1	Plan Review	per project		
PR10.1.1	First 25 Heads		\$577	\$606
PR10.1.2	each additional 25 heads, or portion thereof		\$217	\$228
PR10.2.2	Inspection	per inspection		
PR10.2.2.1	First 25 Heads		\$577	\$606
PR10.2.2.2	each additional 25 heads, or portion thereof		\$217	\$228
PR10.2.2.3	Per additional Riser	per riser	\$144	\$151
PR11	Fire Protection Systems - Commercial - Tenant Improvement			
PR11.1	Plan Review	per project		
PR11.1.2	First 25 Heads		\$577	\$606
PR11.1.3	each additional 25 heads, or portion thereof		\$217	\$228
PR11.2	Inspection	per inspection		
PR11.2.1	First 25 Heads		\$482	\$506
PR11.2.2	each additional 25 heads, or portion thereof		\$217	\$228
PR12	Fire Protection Systems - Miscellaneous/ Plan Review and Inspection			
PR12.1	Additional Overhead Hydro Test	per test	\$577	\$606
PR12.2	Spray Booths Including Fire Protection System (New Install)	per permit	\$505	\$530
PR12.3	Fire Pumps & Related Equipment - Install or Modify (Non-Residential Applications)	per permit	\$505	\$530
PR12.4	Standpipe System/ AFES Underground	per permit	\$577	\$606
PR12.5	Pre-Action Fire Protection System	per permit	\$577	\$606
PR12.6	Hood and Duct Fire Protection system	per permit	\$577	\$606
PR12.7	Clean Agent Fire Protection System	per permit	\$652	\$685
PR12.8	Nitrous Oxide/Medical Gas System	per permit	\$652	\$685
PR12.9	Smoke Management System	per permit	\$652	\$685
PR12.10	Fire Hydrant Plan Review	per permit	\$505	\$530
PR12.11	Water Flow Field Test for Sprinkler Systems	per test	\$505	\$530
PR12.12	Inspection	per inspection	\$577	\$606
PR12.13	Hydrant/Fire Service Form	per form		\$47
PR13	Tanks / Piping			
PR13.1	Install/Remove Underground	per permit		
PR13.1.1	Plan Review		\$577	\$606
PR13.1.2	Inspection	per inspection	\$577	\$606
PR13.2	Install/ Remove Aboveground Tank with Lines	per permit		
PR13.2.1	Plan Review		\$577	\$606
PR13.2.2	Inspection	per inspection	\$577	\$606
PR13.3	Temporary Construction Tank (Install and Use per Location/ Site)	per permit		
PR13.3.1	Plan Review		\$577	\$606
PR13.3.2	Inspection	per inspection	\$577	\$606
PR14	Special Hazard - Hazardous Material			
PR14.1	Hazardous Materials Approval for Use & Compliance	per project	\$723	\$759
PR14.2	Compressed Gas & Cryogenics (Initial plan review and install)	per project	\$723	\$759

NEW

**2024 MORAGA-ORINDA FIRE DISTRICT
FEE SCHEDULE**

EXHIBIT A

Fee No.	Fee Description	Unit	2023	2024	
PR15	Solar and Energy Systems				
PR15.1	Energy Storage Systems				
PR15.1.1	Plan Review	per permit		\$577	*NEW*
PR15.1.2	Inspection	per inspection		\$97	*NEW*
PR15.2	Solar Photovoltaic Power Systems				
PR15.2.1	Plan Review	per permit		\$577	*NEW*
PR15.2.2	Inspection	per inspection		\$97	*NEW*
PR15.3	UL 9540A Modification	per project		\$203	*NEW*
ENVIRONMENTAL REVIEW					
ER1	Senior Technical Specialist	Hourly [6]		\$261	*NEW*
ER2	Senior Biologist	Hourly [6]		\$194	*NEW*
ER3	Staff Biologist/Botanist	Hourly [6]		\$140	*NEW*
ER4	Senior Botanist	Hourly [6]		\$212	*NEW*
ER5	Senior GIS Specialist	Hourly [6]		\$207	*NEW*
MISCELLANEOUS					
ALT1	Alternative Means and Methods	per project (3)	\$753	\$791	
ASP1	Additional Inspections	per inspection	\$290	\$305	
ASP1.1	Fire Marshal	Hourly	\$106	\$111	
ASP1.2	Senior Inspector	Hourly	\$116	\$122	
ASP1.3	Fire Inspector	Hourly	\$91	\$96	
ASP1.4	Insurance Property Compliance Inspection	per inspection		\$170	*NEW*
PR1	Additional Plan Review/Permit Renewal/Resubmittal Fee	per submittal	\$290	\$305	
SB1	After hours Inspections (2 Hour Minimum)	per project	\$435	\$457	
MS1	Photocopies (per Page) Letter or legal Size	per copy	\$0.10	\$0.10	
RS1	Research Fee	hourly (4)	\$144	\$151	
IR1	Incident Report Request	per request	\$6	\$6	
CP1	Instructional Services (CPR)	per student	\$101	\$106	
MR1	Medical Records Request	per request	\$15	\$15	
FA1	Repeated False or Nuisance Alarm Responses (first 3 responses free in 30 consec. days)	per response	no charge	no charge	
FA2	Repeated False or Nuisance Alarm Responses (4-6 responses in 30 consec. days)	per response	\$200	\$210	
FA3	Repeated False or Nuisance Alarm Responses (7-9 responses in 30 consec. days)	per response	\$400	\$420	
FA4	Repeated False or Nuisance Alarm Responses (10-12 response in 30 consec. days)	per response	\$600	\$630	
FA5	Repeated False or Nuisance Alarm Responses (13 or more responses in 30 consec. days)	per response	\$800	\$840	
WA1	Weld Inspections	per instance	\$435	\$457	
DP1	Deposit processing fee	per project	\$73	\$77	
SA1	Subpoena Fee	per employee per day [5]	\$275	\$275	
RC1	Returned Check Charge	per check	\$33	\$35	
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	\$165	\$173	
PT3	Property Sale or Transfer On Site Re-Inspection Fee	per parcel	\$220	\$231	
PT4	Seller or Buyer Phone or Over the Counter Compliance Check Fee	per parcel	\$22	\$23	
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.
- [6] Hours beyond 8 hours per day are charged at an overtime rate of 1.5 times our standard hourly rates for qualifying personnel. To comply with California Labor Code 512 and California Code of Regulations 11040, if onsite conditions prohibit personnel from taking required breaks, one additional hour of time will be billed per day for qualifying staff covered under the regulations.












ORDINANCE NO

Final Audit Report

2024-03-23


Created:	2024-03-22
By:	Marcia Holbrook (mholbrook@mofd.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMc-g6II3grWdNkSU9zdcynYZAspESwnY

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-  Document created by Marcia Holbrook (mholbrook@mofd.org)
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Signature Date: 2024-03-23 - 1:13:13 AM GMT - Time Source: server- IP address: 199.19.114.104

 Agreement completed.

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