



Moraga-Orinda Fire District

Board of Directors

REGULAR MEETING
October 5, 2016
7:00 p.m. OPEN SESSION

PLEASE NOTE NEW MEETING ADDRESS:

Sarge Littlehale Community Room
City of Orinda
22 Orinda Way
Orinda, CA 94563

1. OPENING CEREMONIES
 - 1.1. Call the meeting to Order
 - 1.2. Roll Call
 - 1.3. Pledge of Allegiance
 - 1.4. Core Values – Service, Honor, Integrity
2. PUBLIC COMMENT

The public is invited to speak on any matter not appearing on the agenda including Closed Session, and within the subject matter jurisdiction of the District. Comments should be limited to three minutes. Please state your name and address for the record.
3. CONSENT AGENDA
 - 3.1. **Meeting Minutes – September 21, 2016**
Staff Recommendation: Receive and File
 - 3.2. **Monthly Financial Report – August 2016**
Staff Recommendation: Receive and File
4. REGULAR CALENDAR
 - 4.1. **Public Hearing on Fire Code Adoption and Second Reading of Ordinance 16-02 Adopting the 2016 California Fire Code and the 2015 International Fire Code with Fire District Amendments; consideration of findings of fact pursuant to Section 18941.5 of the Health and Safety Code**

Staff will request that the Board waive the second reading and adopt Ordinance 16-02, Adopting the 2016 California Fire Code and the 2015 International Fire Code with Fire District Amendments; consideration of Findings of Fact pursuant to Section 18941.5 of the Health and Safety Code.
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adoption of Findings of Fact; 4) Waive the Second Reading and Adopt Ordinance 16-02
 - 4.2. **Strategic Plan**

Staff will present information to the Board regarding the Strategic Plan.
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Provide Direction to Staff
5. COMMITTEE REPORTS
 - 5.1. **Finance Committee (*Directors Barber & Weil*)**
6. ANNOUNCEMENTS
 - 6.1. **Brief information only reports related to meetings attended by a Director at District expense**
(Government Code Section 53232.3(d))
 - 6.2. **Questions and informational comments from Board members and Staff**

7. ADJOURNMENT

The Moraga-Orinda Fire Protection District ("District"), in complying with the Americans with Disabilities Act ("ADA"), requests individuals who require special accommodations to access, attend and/or participate in District Board meetings due to a disability, to please contact the District Chief's office, (925) 258-4599, at least one business day prior to the scheduled District Board meeting to ensure that we may assist you.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Moraga-Orinda Fire District to a majority of members of the Board of Directors less than 72 hours prior to that meeting are available for public inspections at 1280 Moraga Way, Moraga, during normal business hours.

I hereby certify that this agenda in its entirety was posted on September 30, 2016, at the Moraga and Orinda Fire Administration offices, Stations 41, 42, 43, 44, and 45. Agenda provided to the Moraga Town Office (Hacienda) and Orinda City Hall.



Grace Santos, District Clerk



Moraga-Orinda Fire Protection District

BOARD OF DIRECTORS REGULAR BOARD MEETING MINUTES

September 21, 2016

1. Opening Ceremonies

The Board of Directors convened in Open Session at 7:00 P.M. on September 21, 2016 at the Hacienda Mosaic Room, 2100 Donald Drive, Moraga, California. Director Barber was absent. President Anderson called the meeting to order.

Present were the following Directors and Staff:

President Anderson	Director Weil	Kathy Leonard, Fire Marshal
Director Evans	Stephen Healy, Fire Chief	Grace Santos, District Clerk
Director Famulener	Gloriann Sasser, Admin Services Director	

2. Public Comment

There were no comments from the public.

3. Consent Agenda

Motion by Director Evans and seconded by Director Famulener to receive and file all items – 3.1 Meeting Minutes, 3.2 Monthly Incident Report, 3.3 Monthly Check/Voucher Register, 3.4 Monthly Financial Report, 3.5 Quarterly Treasurer's Report, 3.6 Quarterly Ambulance Billing Report, 3.7 PARS Annual Account Report, and 3.8 Part-Time Fire Inspector/Plans Examiner Salary Range. Said motion carried a 3-0 roll-call vote (Ayes: Evans, Famulener and Weil; Abstain: Anderson; Absent: Barber).

4. Regular Calendar

4.1 Approval of Side Letters of Agreement with Local 1230, AFSCME Local 2700, and Moraga-Orinda Fire Chief Officers Association; Effective January 1, 2017

In 2014, the District negotiated new memorandums of understandings (MOU) with the three (3) MOFD bargaining groups: Local 1230, Local 2700, and MOFCOA. These MOU's resulted in capped medical premium amounts for active and retired employees. Retired employee medical premiums remain capped, which has lowered the District's post-retirement unfunded liabilities (OPEB).

In an effort to keep pace with other fire service agencies in the Bay Area (regional job market), the Board of Directors directed staff to negotiate side-letters of agreement with the bargaining units, who represent the active employees. The latest District salary survey data was used to determine what the average employer-paid premiums were.

Since 2014, the District's economic outlook has continued to improve. As directed, staff has negotiated a Side Letter of Agreement with Local 1230, Local 2700, and MOFCOA. The cost of these side-letters is approximately \$76,000 in FY 2016/17 and \$153,000 in FY 2017/18.

Mark DeWeese, Local 1230 representative, read a prepared statement and thanked the Board for the increase towards employee medical premiums.

Motion by Director Weil and seconded by Director Famulener to approve Side Letter of Agreement with Local 1230, Local 2700, and MOFCOA. Said motion carried a unanimous 4-0 roll-call vote (Ayes: Anderson, Evans, Famulener and Weil; Absent: Barber).

4.2 Resolution 16-14 , A Resolution of the Moraga-Orinda Fire Protection District of Contra Costa County, Amending the District Conflict of Interest Code

All local government agencies are required by statute to adopt a Conflict of Interest Code that include provisions designating the positions within the agency that will be required to report certain financial interests, the manner of reporting those financial interests, and standards for when the employees will be disqualified from participating in the making of certain decisions.

Conflict of Interest Codes must specifically list positions that make or participate in making decisions for or on behalf of the District. Typically, positions that involve voting on matters, negotiating contracts, or making recommendations on purchases without substantive review must be included in codes.

A primary purpose of the Code is to require disclosure of those types of investments, interests in real property, sources of income and business positions that designated positions may affect in their decision-making.

District Staff has conducted the required biennial review of the Conflict of Interest Code and has determined to delete one position and add three new positions and associated disclosure categories to the list of "Designated Positions" in the Code. In accordance, Section 2 of Resolution 16-14 Amending the District Conflict of Interest Code and the Conflict of Interest Code has been amended to delete "Fire Prevention Specialist", and add three new positions of "Administrative Services Director", "Fire Inspector/Plans Examiner" and "Human Resources Manager".

Motion by Director Famulener and seconded by Director Evans to adopt Resolution 16-14 – a Resolution of the Moraga-Orinda Fire District of Contra Costa County, Amending the District Conflict of Interest Code as amended. Said motion carried a unanimous 4-0 roll-call vote (Ayes: Anderson, Evans, Famulener and Weil; Absent: Barber).

4.3 Public Hearing on Fire Code Adoption - Public Hearing on Fire Code Adoption - Introduction and First Reading of Ordinance 16-02 adopting the 2016 California Fire Code and the 2015 International Fire Code with Fire District Amendments; consideration of findings of fact pursuant to Section 18941.5 of the Health and Safety Code

California adopts a new fire code every three years from the International Fire Code. The Fire Code as Adopted by the State of California is the minimum requirements for fire and life safety. A local Jurisdiction or District may adopt and add more restrictive requirements based on three conditions that would justify a more restrictive Code. These conditions are based on climatic, geological and geographical conditions that are unique to the local jurisdiction. Collectively, these are called a Findings of Fact and must be filed along with the proposed Ordinance with the State of California.

The Moraga-Orinda Fire District is unique with a climate of hot, dry and windy conditions, geographical and geological conditions that include an abundance of combustible vegetation, difficult access to structures with narrow steep roads and a water supply that, in certain areas, are substandard for effective firefighting. The District is also on the eastern side of where the Oakland fire storm of 1991 destroyed over 3000 homes.

Draft Ordinance 16-02 represents more restrictive fire codes in an effort to increase public safety, reduce property loss and minimize disruption to the community. This Ordinance was also based on several months' collaborative work between MOFD, the Contra Costa Building Department, Contra Costa Fire Department and San Ramon Valley Fire District. The goal was to have justifiable and reasonable code requirements that allowed for community growth, but ensured that the code requirements would provide for the highest level of public safety.

President Anderson opened the public hearing and pointed out two typos that need correction. Staff made note of the corrections and will update for the second reading on October 5, 2016. There were no comments from the public. President Anderson closed the public hearing.

Motion by Director Famulener and seconded by Director Weil to adopt findings and waive the first reading of the proposed amendments for the 2016 California Fire Code and the 2015 International Fire Code. Said motion carried a unanimous 4-0 roll-call vote (Ayes: Anderson, Evans, Famulener and Weil; Absent: Barber).

5. Committee Reports

5.1 Finance Committee (Directors Barber & Weil)

There was nothing to report.

6. Announcements

6.1 Brief information only reports related to meetings attended by a Director at District expense

(Government Code Section 53232.3(d))

There was nothing to report.

6.2 Questions and informational comments from Board members and Staff

Chief Healy informed the Board that there will be two meetings a month in October, November and December to review and comment on documents such as the District's CAFR, Standards of Cover, and the Strategic Plan.

President Anderson commented on an incident on Moraga Way where the paramedics from Station 44 responded to multiple injuries. A bystander commented on the paramedics' professionalism and hard work.

Director Evans left the meeting at 7:22 p.m.

Fire Marshal Leonard announced that MOFD would be holding the annual Moraga open house and pancake breakfast on Saturday, October 1, from 8am-12pm at Station 41. She invited everyone to attend.

6.3 District Updates

President Anderson asked who was involved in the Canyon mapping project. Chief Healy stated that Dennis Rein, Kathy Leonard and a GIS Specialist intern worked on the project. They mapped all the parcels, accurately identifying locations and streets. Dennis Rein worked with Contra Costa County to get addresses assigned to all the homes in Canyon, negotiated with them to reduce their fees and applied for a grant to cover the remaining balance. They are also applying for a grant to pay for street signs and addresses.

Richard Olsen, Moraga resident, asked if a demolition contract was awarded, and when the contract for rebuilding of Station 43 would be on the agenda. Chief Healy stated that the demolition contract was a two-part contract. The first part of the contract was to remove all the asbestos in the station, which was completed. The remainder of the demolition contract was awarded and will begin on September 26. Mr. Olsen asked if the Board had to approve contracts above a certain dollar amount. Chief Healy explained that the Board only approves contracts over \$100K and since this project is under that amount, it was not necessary.

7. Adjournment

At 7:40 P.M., President Anderson called for adjournment of the regular meeting.



Grace Santos
Secretary to the Board

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - Capital Projects Fund Actual to Budget-16/17
From 7/1/2016 Through 8/31/2016

		Current Period Actual	YTD Budget - Original	YTD Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Taxes					
Fire Flow Tax	4066	0.00	1,070,214.00	(1,070,214.00)	(100.00)%
Total Taxes		0.00	1,070,214.00	(1,070,214.00)	(100.00)%
Use of Money & Property					
Investment Earnings	4181	1,697.11	1,000.00	697.11	69.71%
Total Use of Money & Property		1,697.11	1,000.00	697.11	69.71%
Charges for Service					
Impact Mitigation Fees	4743	54,000.00	10,000.00	44,000.00	440.00%
Total Charges for Service		54,000.00	10,000.00	44,000.00	440.00%
Total Revenue		55,697.11	1,081,214.00	(1,025,516.89)	(94.85)%
Expenditures					
Other Expense					
Bank Fees	7510	60.00	100.00	40.00	40.00%
Fire Flow Tax Collection Fees	7531	750.00	11,500.00	10,750.00	93.48%
Capital Contingency-Facilities, ...	7700	0.00	150,000.00	150,000.00	100.00%
Fire Fighting Equip-Fixed Asset ...	7701	0.00	20,000.00	20,000.00	100.00%
Apparatus/Vehicles-Fixed Asset...	7703	30,000.00	144,700.00	114,700.00	79.27%
Buildings-Station #41-Fixed Ass...	7705	4,600.57	50,000.00	45,399.43	90.80%
Buildings-Station #43-Fixed Ass...	7706	127,020.69	4,477,000.00	4,349,979.31	97.16%
Misc. Equipment Expense	7709	0.00	179,770.00	179,770.00	100.00%
Total Other Expense		162,431.26	5,033,070.00	4,870,638.74	96.77%
Total Expenditures		162,431.26	5,033,070.00	4,870,638.74	96.77%
Excess of Revenues Over/ (Under) Expenditures		(106,734.15)	(3,951,856.00)	3,845,121.85	(97.30)%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 16/17
From 7/1/2016 Through 8/31/2016

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Taxes					
Property Tax-Current Secured	4010	16,289,748.55	17,556,871.00	(1,267,122.45)	(7.22)%
Property Tax-Supplemental	4011	0.00	300,000.00	(300,000.00)	(100.00)%
Property Tax-Unitary	4013	0.00	203,699.00	(203,699.00)	(100.00)%
Property Tax-Curr Unsecured	4020	0.00	605,000.00	(605,000.00)	(100.00)%
Prop Tax- Prior Secured	4030	0.00	(61,010.00)	61,010.00	(100.00)%
Prop Tax-Prior Supplement	4031	0.00	(25,262.00)	25,262.00	(100.00)%
Prop Tax Prior Unsecured	4035	0.00	(10,000.00)	10,000.00	(100.00)%
Total Taxes		<u>16,289,748.55</u>	<u>18,569,298.00</u>	<u>(2,279,549.45)</u>	<u>(12.28)%</u>
Intergovernmental Revenue					
Homeowners Relief Tax	4385	0.00	158,000.00	(158,000.00)	(100.00)%
CA FF JAC Training Funds	4440	0.00	25,091.00	(25,091.00)	(100.00)%
Other/In Lieu of Taxes	4580	0.00	902.00	(902.00)	(100.00)%
Measure H-Emerg Med Ser Subsid	4896	0.00	86,592.00	(86,592.00)	(100.00)%
Total Intergovernmental Revenue		<u>0.00</u>	<u>270,585.00</u>	<u>(270,585.00)</u>	<u>(100.00)%</u>
Charges for Service					
Permits	4740	307.00	2,364.00	(2,057.00)	(87.01)%
Plan Review	4741	95,341.00	170,000.00	(74,659.00)	(43.92)%
Inspection Fees	4742	0.00	24,000.00	(24,000.00)	(100.00)%
Weed Abatement Charges	4744	0.00	6,774.00	(6,774.00)	(100.00)%
CPR/First Aid Classes	4745	785.00	2,000.00	(1,215.00)	(60.75)%
Reports/ Photocopies	4746	54.00	350.00	(296.00)	(84.57)%
Other Charges for Service	4747	5,133.00	8,650.00	(3,517.00)	(40.66)%
Total Charges for Service		<u>101,620.00</u>	<u>214,138.00</u>	<u>(112,518.00)</u>	<u>(52.54)%</u>
Charges for Service - Ambulance					
Ambulance Service Fees	4898	79,886.25	1,048,120.00	(968,233.75)	(92.38)%
Ambulance Service Fee Reimbursements	4899	31.61	(67,980.00)	68,011.61	(100.05)%
Ambulance Collection Recovery Payments	4900	0.00	3,000.00	(3,000.00)	(100.00)%
Total Charges for Service - Ambulance		<u>79,917.86</u>	<u>983,140.00</u>	<u>(903,222.14)</u>	<u>(91.87)%</u>
Other Revenue					
Other Revenue-Strike Team Recovery	4971	0.00	332,718.00	(332,718.00)	(100.00)%
Other Revenue & Financing Sources	4972	0.00	46,174.00	(46,174.00)	(100.00)%
Other Revenue-Misc.	4974	115.00	1,000.00	(885.00)	(88.50)%
Misc Rebates & Refunds	4975	27.50	1,000.00	(972.50)	(97.25)%
Sale of Surplus Property	4980	0.00	1,000.00	(1,000.00)	(100.00)%
Total Other Revenue		<u>142.50</u>	<u>381,892.00</u>	<u>(381,749.50)</u>	<u>(99.96)%</u>
Total Revenue		<u>16,471,428.91</u>	<u>20,419,053.00</u>	<u>(3,947,624.09)</u>	<u>(19.33)%</u>
Expenditures					
Salaries & Benefits					
Permanent Salaries	5011	1,226,242.54	8,015,911.00	6,789,668.46	84.70%
Temporary Salaries	5013	28,035.18	174,950.00	146,914.82	83.98%
Overtime	5014	387,692.59	1,860,025.00	1,472,332.41	79.16%
Deferred Compensation	5015	21,142.88	105,887.00	84,744.12	80.03%
Overtime - Strike Team	5016	214,775.72	276,730.00	61,954.28	22.39%
Contract Services	5018	28,033.75	100,000.00	71,966.25	71.97%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 16/17
From 7/1/2016 Through 8/31/2016

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Worker's Compensation Recovery	5019	(13,541.16)	(40,000.00)	(26,458.84)	66.15%
Payroll Taxes -FICA,SUI	5042	29,676.75	166,110.00	136,433.25	82.13%
Payroll Processing Fees	5043	2,161.48	20,000.00	17,838.52	89.19%
Retirement Contributions	5044	689,877.21	4,440,332.00	3,750,454.79	84.46%
Life/Health Insurance-Permanent Employees	5060	166,410.20	1,107,452.00	941,041.80	84.97%
Employee's-Health Insurance Contribution	5061	(37,336.35)	(262,140.00)	(224,803.65)	85.76%
Retiree Health Insurance	5062	199,909.44	1,300,000.00	1,100,090.56	84.62%
Retiree-Health Insurance Contribution	5063	(58,507.42)	(430,000.00)	(371,492.58)	86.39%
Unemployment Insurance	5064	0.00	10,000.00	10,000.00	100.00%
Retiree-Health OPEB Contribution	5065	118,000.00	118,000.00	0.00	0.00%
Vision Insurance	5066	3,601.70	13,000.00	9,398.30	72.29%
Workers' Compensation Insurance	5070	176,564.00	706,005.00	529,441.00	74.99%
Total Salaries & Benefits		3,182,738.51	17,682,262.00	14,499,523.49	82.00%
Operating Expense					
Office Supplies	6100	2,319.92	18,150.00	15,830.08	87.22%
Postage	6101	1,185.98	8,500.00	7,314.02	86.05%
Books & Periodicals	6102	150.00	6,850.00	6,700.00	97.81%
Printer Ink Cartridges	6103	274.82	7,500.00	7,225.18	96.34%
Telephone/Communication	6110	8,123.43	45,000.00	36,876.57	81.95%
Dispatch/Comm Center Services w/ AVL MDT	6111	0.00	170,000.00	170,000.00	100.00%
Utilities- Sewer	6120	0.00	3,800.00	3,800.00	100.00%
Utilities-Garbage	6121	2,528.58	14,870.00	12,341.42	83.00%
Utilities-PG&E	6122	5,607.65	67,040.00	61,432.35	91.64%
Utilities-Water	6123	998.13	15,120.00	14,121.87	93.40%
Utilities-Medical Waste	6124	474.00	2,150.00	1,676.00	77.95%
Small Tools & Instruments	6130	392.27	21,250.00	20,857.73	98.15%
Minor Equipment/Furniture	6131	0.00	2,000.00	2,000.00	100.00%
Computer Equipment & Supplies	6132	900.49	10,000.00	9,099.51	91.00%
Gas Power Chain Saw/Other Equipmen	6133	0.00	12,000.00	12,000.00	100.00%
Fire Trail Grading	6135	0.00	20,500.00	20,500.00	100.00%
Fire Fighting Equipment & Supplies	6137	(29.99)	12,300.00	12,329.99	100.24%
Fire Fighting Equipment-Hoses & Nozzles	6138	0.00	16,500.00	16,500.00	100.00%
Fire Fighting Equipment-Class A Foam	6139	0.00	1,500.00	1,500.00	100.00%
Medical & Lab Supplies	6140	15,178.51	110,000.00	94,821.49	86.20%
Food Supplies	6150	408.24	8,500.00	8,091.76	95.20%
Safety Clothing & Personal Supplies	6160	3,516.50	65,000.00	61,483.50	94.59%
Non-Safety Clothing & Personal Supplies	6161	250.00	2,000.00	1,750.00	87.50%
Household Expense	6170	1,778.33	22,825.00	21,046.67	92.21%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 16/17
From 7/1/2016 Through 8/31/2016

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Household Expense-Linen	6171	2,654.10	15,330.00	12,675.90	82.69%
Public & Legal Notices	6190	0.00	4,750.00	4,750.00	100.00%
Dues, Memberships & Professional Fees	6200	1,111.50	19,790.00	18,678.50	94.38%
EMT/Paramedic Licensure Fees	6201	200.00	5,500.00	5,300.00	96.36%
Rent & Leases (Equipment)	6250	10,273.10	42,950.00	32,676.90	76.08%
Computer Software & Maintenance	6251	29,061.22	78,875.00	49,813.78	63.16%
Website Development & Maintenance	6252	1,620.00	1,700.00	80.00	4.71%
EPA ID# Verification Fee	6264	0.00	200.00	200.00	100.00%
CCC HazMat Plan (CUPA)	6265	2,519.00	3,000.00	481.00	16.03%
BAAQMD & Environmental Health Fees	6266	617.00	750.00	133.00	17.73%
Air Monitor Maintenance & Replacement	6269	0.00	2,000.00	2,000.00	100.00%
Maintenance -- Equipment	6270	3,058.21	67,975.00	64,916.79	95.50%
Central Garage Repairs	6271	5,722.12	160,000.00	154,277.88	96.42%
Central Garage Gasoline & Oil	6272	5,494.37	80,000.00	74,505.63	93.13%
Central Garage Tires	6273	135.00	15,000.00	14,865.00	99.10%
Service/Repair Fuel System Dispensers	6274	0.00	4,500.00	4,500.00	100.00%
Aerial Ladder & Pump Testing	6275	0.00	800.00	800.00	100.00%
Smog Inspections	6276	0.00	500.00	500.00	100.00%
Air Compressor Quarterly Service	6278	1,922.29	1,500.00	(422.29)	(28.15)%
Hydro Test SCBA & Oxy Cylinder	6279	0.00	2,000.00	2,000.00	100.00%
Tank Testing	6280	0.00	3,000.00	3,000.00	100.00%
Maintenance -- Building	6281	10,969.88	64,660.00	53,690.12	83.03%
Maintenance -- Grounds	6282	57.80	12,650.00	12,592.20	99.54%
Meetings & Travel Expenses	6303	3,347.42	34,200.00	30,852.58	90.21%
Employee Assistance Program	6309	1,084.45	4,300.00	3,215.55	74.78%
Medical - Pre-Emp Processing and Annual Exams	6311	0.00	43,000.00	43,000.00	100.00%
Ambulance Billing Administration Fees	6312	5,109.05	60,000.00	54,890.95	91.48%
Outside Attorney Fees	6313	5,006.29	96,000.00	90,993.71	94.79%
Outside CPR Instructors	6314	640.00	3,500.00	2,860.00	81.71%
CCC County Tax Administration Fee	6316	0.00	175,000.00	175,000.00	100.00%
Professional Services	6317	745.00	41,773.00	41,028.00	98.22%
Professional Services - Labor Negotiator	6318	0.00	10,000.00	10,000.00	100.00%
Professional Services - Technology	6319	14,016.00	262,000.00	247,984.00	94.65%
Professional Services - Pre-Employment Investigations	6320	3,991.25	15,000.00	11,008.75	73.39%
Professional Services - Promotional Exams & Recruitment	6321	250.00	29,000.00	28,750.00	99.14%
Professional Services-OPEB Actuarial Valuation	6322	0.00	13,000.00	13,000.00	100.00%

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - General Fund Actual to Budget 16/17
From 7/1/2016 Through 8/31/2016

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Exterior Hazard Removal	6323	1,260.00	12,000.00	10,740.00	89.50%
Professional Services-Prop Tax Audit & Forecasting	6326	3,150.00	12,600.00	9,450.00	75.00%
Professional Services	6327	2.29	10,000.00	9,997.71	99.98%
Burn Trailer Grant Maintenance	6352	0.00	3,000.00	3,000.00	100.00%
Testing Materials & Training Props	6354	335.62	10,000.00	9,664.38	96.64%
Career Development Classes	6357	2,040.00	26,000.00	23,960.00	92.15%
Target Safety Online Training	6359	0.00	6,195.00	6,195.00	100.00%
Training & Education Classes-Paramedic & EMT CE	6360	20.00	10,000.00	9,980.00	99.80%
District Sponsored Training-Mandated	6361	0.00	60,000.00	60,000.00	100.00%
Educational Courses/Conferences Board	6377	0.00	2,200.00	2,200.00	100.00%
Election Expense	6465	0.00	18,000.00	18,000.00	100.00%
Recruiting Costs	6470	0.00	30,000.00	30,000.00	100.00%
Strike Team Supplies	6474	5,635.05	12,550.00	6,914.95	55.10%
Community Emergency Response Team	6475	0.00	11,000.00	11,000.00	100.00%
Exercise Supplies/Maint.	6476	3,357.36	9,100.00	5,742.64	63.11%
Recognition Supplies	6478	28.95	16,300.00	16,271.05	99.82%
Other Special Departmental Exp	6479	1,945.96	72,000.00	70,054.04	97.30%
Public Education Supplies	6480	2,527.39	9,500.00	6,972.61	73.40%
CPR Supplies	6481	0.00	3,000.00	3,000.00	100.00%
LAFCO	6482	9,743.86	10,500.00	756.14	7.20%
Emergency Preparedness Expense	6484	984.68	8,500.00	7,515.32	88.42%
Misc. Services & Supplies	6490	8,370.00	38,700.00	30,330.00	78.37%
Property & Liability Insurance	6540	41,620.92	53,000.00	11,379.08	21.47%
Total Operating Expense		<u>234,683.99</u>	<u>2,481,703.00</u>	<u>2,247,019.01</u>	<u>90.54%</u>
Other Expense					
Bank Fees	7510	272.93	5,000.00	4,727.07	94.54%
Interest on County Teeter Account	7520	0.00	100.00	100.00	100.00%
County Tax Collection Fees	7530	0.00	300.00	300.00	100.00%
Total Other Expense		<u>272.93</u>	<u>5,400.00</u>	<u>5,127.07</u>	<u>94.95%</u>
Total Expenditures		<u>3,417,695.43</u>	<u>20,169,365.00</u>	<u>16,751,669.57</u>	<u>83.06%</u>
Excess of Revenues Over/ (Under) Expenditures		<u>13,053,733.48</u>	<u>249,688.00</u>	<u>12,804,045.48</u>	<u>5,128.02%</u>

Moraga-Orinda Fire District
Statement of Revenues and Expenditures - Debt Service Fund Actual to Budget-16/17
From 7/1/2016 Through 8/31/2016

		Current Period Actual	Total Budget \$ - Original	Total Budget \$ Variance - Original	Percent Total Budget Remaining - Original
Revenue					
Taxes					
Property Tax-Current Secured	4010	3,219,473.00	3,219,473.00	0.00	0.00%
Total Taxes		<u>3,219,473.00</u>	<u>3,219,473.00</u>	<u>0.00</u>	<u>0.00%</u>
Use of Money & Property					
Investment Earnings	4181	0.56	0.00	0.56	0.00%
Total Use of Money & Property		<u>0.56</u>	<u>0.00</u>	<u>0.56</u>	<u>0.00%</u>
Total Revenue		<u>3,219,473.56</u>	<u>3,219,473.00</u>	<u>0.56</u>	<u>0.00%</u>
Expenditures					
Other Expense					
Pension Obligation Bond Principal Payment	7900	2,100,000.00	2,100,000.00	0.00	0.00%
Pension Obligation Bond Interest Payment	7901	484,546.50	914,283.00	429,736.50	47.00%
Apparatus Lease Principal Payment	7902	0.00	83,359.00	83,359.00	100.00%
Apparatus Lease Interest Payment	7903	0.00	5,860.00	5,860.00	100.00%
Lease Agreement Station 43 Principal	7906	0.00	200,000.00	200,000.00	100.00%
Lease Agreement Station 43 Interest	7907	0.00	72,946.00	72,946.00	100.00%
Total Other Expense		<u>2,584,546.50</u>	<u>3,376,448.00</u>	<u>791,901.50</u>	<u>23.45%</u>
Total Expenditures		<u>2,584,546.50</u>	<u>3,376,448.00</u>	<u>791,901.50</u>	<u>23.45%</u>
Excess of Revenues Over/ (Under) Expenditures		<u>634,927.06</u>	<u>(156,975.00)</u>	<u>791,902.06</u>	<u>(504.48)%</u>



Moraga-Orinda Fire District

TO: The Board of Directors

FROM: Kathy Leonard, Fire Marshal

DATE: October 5, 2016

SUBJECT: Item 4.1 – Public Hearing on Fire Code Adoption and Second Reading of Ordinance 16-02 adopting the 2016 California Fire Code and the 2015 International Fire Code with Fire District Amendments; consideration of Findings of Fact pursuant to Section 18941.5 of the Health and Safety Code

BACKGROUND:

On September 21, 2016, the District Board of Directors held a public hearing, adopted the findings, introduced and passed for first reading the proposed amendments for the 2016 California Fire Code/2015 International Fire Code. Under state law, the District is required to hold a public hearing and second reading before the proposed ordinance is adopted (Government Code § 50022.3). The second reading of Ordinance # 16-02 and the associated public hearing is necessary for the Fire District's Fire Code with amendments and to have the code enforceable within the required time period (prior to January 1, 2017). Once the ordinance is adopted, copies of the signed document will be forwarded to the Town of Moraga, City of Orinda and Contra Costa County Board of Supervisors (for unincorporated areas). This submittal is required in order for each agency to ratify the document.

In accordance with Health and Safety Code section 13869.7, copies of the proposed Ordinance and Findings of Fact have been provided to the Town of Moraga, the City of Orinda and Contra Costa County for review and comment. No comments have been received at the time this staff report was prepared.

Attached are the proposed amendments for the 2016 California Fire Code/2015 International Fire Code. The Moraga-Orinda Fire District met with staff from the Town of Moraga, City of Orinda and Contra Costa County to develop and discuss the proposed amendments. The Moraga-Orinda Fire District also worked with other county fire districts in order to align our code with our neighboring jurisdictions as well as continue to provide the highest level of public safety through our code amendments.

RECOMMENDATION:

Conduct a public hearing, adopt findings, introduce and waive the second reading and adopt Ordinance 16-02.

ATTACHEMENTS

1. Attachment A – Ordinance 16-02
2. Attachment B – Findings of Fact

ORDINANCE NO. 16-02

AN ORDINANCE OF THE MORAGA-ORINDA FIRE DISTRICT OF CONTRA COSTA COUNTY, CALIFORNIA, ADOPTING, THE 2016 EDITION OF THE CALIFORNIA FIRE CODE (WITH CERTAIN AMENDMENTS) AND BY REFERENCE, THE INTERNATIONAL FIRE CODE, 2015 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.

The Board of Directors, as the governing Body of the Moraga-Orinda Fire District does ordain as follows:

Part 1 ADOPTION OF THE CALIFORNIA FIRE CODE.

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion or hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Moraga-Orinda Fire District are hereby referred to adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

The Moraga-Orinda Fire District does hereby adopt the California Fire Code, 2016 edition, including Appendices A, B, C, D, E, F, H, I and J and by reference, the International Fire Code as published by the International Code Council being particular the 2015 edition and thereof and whole thereof, save and except such portions as are hereinafter added, modified or amended by Part 2 of this ordinance is hereby adopted pursuant to Section 13869 of the California Health and Safety Code and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Moraga-Orinda Fire District, in the state of California, Repealing Ordinance No. 13-01 of the Moraga-Orinda Fire District; and all other Ordinances and parts of the Ordinances in conflict therewith.

SECTION 1. ADOPTION OF THE CALIFORNIA FIRE CODE.

~~That a certain document, three (3) copies of which are on file in the District, Fire Prevention Division offices 1280 Moraga Way, Moraga, CA, being marked and designated as the California Fire Code, 2013 edition, including Appendix Chapters A, B, C, E, F, G, H, I, J, and the International Fire Code, 2012 Edition, as published by the International Code Council,~~

~~be and is hereby adopted as the Fire Code of the Moraga-Orinda Fire District, in the State of California, regulating and governing the safeguards of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Moraga-Orinda Fire District are hereby referred to adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.~~

Part 2. AMENDMENTS TO THE CALIFORNIA FIRE CODE.

The 2016 California Fire Code is amended by the changes, additions and modifications set forth in this Section 2. Chapter and Section numbers used below are those of the 2016 International Fire Code.

Chapter 1 Administration:

Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Fire Code of the Moraga-Orinda Fire District, hereinafter referred to as “this code.” .

Section 102.1 is amended by adding item 5 to read:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

5. Where not otherwise limited by law, the provisions of this Code shall apply to vehicles, ships, boats, and mobile vehicles when fixed in a specific location within the boundaries of this jurisdiction.

Section 105.4.3 **Applicant Responsibility** has been amended to ~~add 105.4.3.1:~~ **read**

105.4.3.1 Responsibility of Permittee. **It shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and that the shop drawings are complete and in compliance with the applicable codes and standards.** Building Permits shall be presumed by the ~~city~~ **District** to incorporate all of the work that the applicant, the applicant's agent, employees and/or contractors shall carry out. Said proposed work shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No City, **Town or County** approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 105.6 is amended to read:

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections ~~105.6.48 through 105.6.53~~ **105.6.1 through 105.6.53**

Section ~~105.6.48~~ **105.6** is amended to add subsections ~~106.6.48 through 105.6.53:~~ **105.6.50 through 105.6.53:**

~~105.6.48~~ **105.6.50 Battery Systems.** A permit is required to operate stationary lead acid battery systems having a liquid capacity of more than 50 gallons (189L) pursuant to Section 608.

~~105.6.49~~ **105.6.51 Christmas tree sales.** A permit is required to use a property for the purpose of selling cut Christmas trees.

~~105.6.50 Firework aerial display.~~ A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 56 of this code.

~~105.6.51~~ **105.6.52 Model rockets.** A permit is required to sell or launch model rockets pursuant to California Code of Regulations Title 19, Division 1 Article 17.

~~105.6.52~~ **105.6.53 Temporary water supply.** A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section ~~33.24~~ **33.12.1**

Section 105.7 is amended to read:

105.7 Required construction permits. The fire code official is authorized to issue construction permits for operations set forth in Chapter 1, Sections 105.7.1 through ~~105.7.16~~ **105.7.23**

Section ~~105.7.3.1~~ **105.7.19** has been added to read:

~~105.7.3.1~~ **105.7.19 Medical gas systems.** A construction permit is required for the installation of or modification to a medical gas system pursuant to Section 5306.

Section ~~105.7.12~~ is amended to read:

~~105.7.12 Private water systems and fire hydrants.~~ A construction permit is required for the installation or modification of private fire water supply systems and fire hydrants

Section ~~105.7.17~~ **105.7.20** is amended to add: **has been added to read:**

~~105.7.17~~ **105.7.20 Access for fire apparatus.** A construction permit is required to install, improve, modify or remove public or private roadways, driveways, gates and bridges for required fire apparatus access.

Section ~~105.7.18~~ **105.7.21** **has been** is added to read:

~~105.7.18~~ **105.7.21 Construction, alteration, or renovation of a building for which a building permit is required.** A construction permit is required to construct, add to, alter, renovate, rebuild, or move into the jurisdiction a structure for which a building permit is required.

~~105.7.20 Security gates.~~ A construction permit is required to install a gate across a fire apparatus access road, see Section 503.

Section 105.7.19 ~~105.7.22~~ is added to add: **has been added to read:**

~~105.7.19~~ **105.7.22 Subdivision of land.** A construction permit is required for any subdivision of land within the District. Plans shall be submitted for all land developments and/or improvements proposed within the District.

Section 105.7.22 ~~105.7.23~~ has been added to read:

~~105.7.22~~ **105.7.23 Water supply for fire protection.** A construction permit is required for water supply for fire protection. Plans shall be submitted to determine adequate water supplies and

fire hydrants are provided for all facilities, buildings or portions of buildings either constructed or moved into the District pursuant to Section 501.3.

Section 108.1 is amended to read:

108.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there is hereby created a Board of Appeals. The Board of Appeals is comprised of the Board of Directors. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

~~Section 109.3 is amended to read:~~ **Section 109.4 is amended to read:**

109.4. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to the criminal sanctions set forth in Health and Safety Code section 13871. Each day that a violation continues after such due notice has been served shall be deemed a separate offense.

Section 111.4 is amended to read:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 500 dollars or not more than 5,000 dollars.

Chapter 2 Definitions

Section 202 is amended by adding the following definitions:

Administrator. ~~The~~ Fire Chief ~~or his/her designee.~~

All weather driving surface. A roadway designed to carry the imposed weight loads of fire apparatus with ~~an approved~~ minimum finish of one layer of asphalt, ~~or concrete~~ ~~or other approved surface.~~

Board of Directors. ~~Shall mean the~~ ~~The~~ governing body of the District.

Central business district. ~~Is a downtown area of a city or business parks having a cluster of buildings generally 3 or more stories in height.~~

Chief, ~~Shall mean the fire code official.~~

Cost of abatement. All expenses incurred by the jurisdiction in its work of abatement undertaken and administrative costs pursuant to Section 325.5.4 of this Ordinance.

Corporation counsel. Shall mean the ~~The~~ Attorney for the District.

District Board. Shall mean the ~~The~~ Board of Directors of the District.

Emergency Vehicle Access (EVA). Shall mean an approved access meeting the requirements for fire district apparatus use and shall be restricted for the use of emergency vehicles.

Firebreak. Shall mean a continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been abated or otherwise removed in order to prevent extension of fire from one area to another.

Firetrail. ~~Is a~~ A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Nuisance fire alarm. ~~The activation of any fire protection or alarm system which results in the response of the Fire District and is caused by malfunction, improper maintenance, negligence, or misuse, of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire or similar event.~~

Parcel. A portion of land of any size, the area which is determined in the records of the County Assessor (Reference Health and Safety Code 14883).

Person. Includes; individuals, firms, partnerships, and corporations

Public nuisance. A declaration by the fire code official that the presence of combustible materials on a parcel creates a fire hazard (Health and Safety Code 14875 and 14876).

Response Time. ~~The~~ elapsed time from receipt of call to the arrival of the first unit on scene.

Rubbish. ~~Waste~~ matter, litter, trash, refuse, debris and dirt on streets, or private property in the jurisdiction which is, or when dry, ~~is combustible and~~ may become a fire hazard.

Rural area. An area generally designated for agricultural or open space uses with parcels over 10 acres (4.046873ha) in size.

Rural residential area. An area generally designated for single family residential use with parcels between 3 (1.2140619ha) and 10 (4.046873ha) acres in size.

Running time. ~~The~~ calculated time difference between leaving the first-due station and arriving on the emergency scene.

Sky Lantern. ~~Is an untethered device with a fuel source that incorporates open flame in order to make the device airborne.~~

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private roads, trails, easements, and fire trails.

Substantial addition or expansion. An addition, expansion, remodel, or renovation of any structure where the new fire area exceeds fifty percent of the existing fire area.

~~**Suburban area.** An area generally designated for single family residential use with residential and non-residential uses generally less than 3 stories in height, and parcels up to 3 acres (1.2140619ha) in size.~~

Temporary fire department access road for construction. An approved temporary roadway for emergency vehicle use during construction. ~~of a residential subdivision projects.~~

Temporary water supply. A water source stored for firefighting purposes in an approved aboveground tank during combustible construction.

Tree litter. Any limbs, bark, branches and/or leaves in contact with other vegetation or left to gather on the ground.

~~**Urban area.** A commercial or residential area having clusters of buildings generally 1 to 3 stories in height including primarily commercial areas of cities and clusters of apartment buildings or condominiums, and commercial corridors along major arterials.~~

Weeds. All weeds growing upon streets or private property in this jurisdiction and includes any of the following:

1. Weeds, which bear seeds of a fluffy nature or are subject to flight.
2. Sagebrush, chaparral, and any other brush or weeds which, attains such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds which are otherwise noxious or dangerous.
4. Poison oak and poison sumac when the conditions of growth are such as to constitute a menace to public health.
5. Dry grass, stubble, brush, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

Wildland-Urban interface area. A geographical area where structures and other human development meet or intermingle with wildland or vegetative fuels.

Chapter 3 General Precautions Against Fire

~~Section 304.1.2 is amended to read:~~ Section 304.1. is amended to add:

304.1(h) Vegetation. Weeds, grass, vines, diseased or dead trees, ~~or other combustible growth, debris or rubbish~~ capable of being ignited and endangering property shall be cut down by the owner or occupant of the premises. ~~Vegetation Clearance of combustibles~~ upon default of the owner or occupant shall be in accordance with Section 325 .

~~Section 308 is adopted~~

Section 308.1.6.3 is added to read:

308.1.6.3 Sky Lanterns. No person shall release or cause to be released an untethered sky lantern.

311.2 Safeguarding vacant premises. Section 311.2.2 is amended by deleting exception number 1.

Chapter 3 is amended to add Section 325 as follows:

325 Exterior Fire Hazard Control.

325.1 Scope This section provides provisions intended to identify hazard areas and mitigate the risk of life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate fires from spreading to wildland fuels that may threaten to destroy life, overwhelm fire suppression capabilities, or result in large property loss.

325.1.2 Purpose. The purpose of this section is to establish minimum requirements in wildland-urban interface areas that will increase the ability of a building to resist the intrusion of flame or burning embers by a vegetation fire, including the identification of hazardous fire areas that require applicable defensible space provisions as set forth within and enforced by the fire code official and applicable state and local fire resistive building standards that are enforced by the local building official.

325.1.3 Jurisdictional authority. The Board of Directors as the supervising, legislative and executive authority of this jurisdiction has the authority to act pursuant to Part 5 (commencing with Section §14875), Division 12, of the State of California Health and Safety Code, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public the safety by creating a fire hazard. Such fire hazard abatement shall be conducted in accordance with the provisions of said Part 5 and/or this Ordinance. In the application of the provisions of said Part 5 to fire hazard abatement proceeding under this Ordinance and the Fire Protection District Law of 1961, the terms “Board of Directors” or “Board” when used in Part 5, shall mean the Board of Directors of this jurisdiction under this article; and the officer designated in Section §14890 of Part 5 shall mean the Fire Chief or his/her designee

325.1.4 Contract for services. This Board of Directors reserves and retains the power to award a contract for such fire hazard abatement work where the employees of this jurisdiction are not used to perform such abatement work.

Section 325.2 has been amended to read:

325.2 Definitions.

The following definitions are defined in Chapter 2

All weather driving surface.

Cost of abatement.

Parcel

Person.

Public nuisance.

Rubbish.

Streets.

Tree litter

Weeds.

Wildland-Urban interface area

325.3 Public nuisance. The Board of Directors, **Fire Chief or his/her designee** may declare that all hazardous fire areas, including any combustible materials and dead trees, upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

325.3.1 Weeds and rubbish. The Board hereby declares that all dead trees or weeds growing upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

3.25.3.2 Seasonal and recurrent nuisance. If the nuisance is seasonal and recurrent, the Board of Directors shall so declare. Thereafter, such seasonable and recurring weeds shall be abated every year without any further hearing.

325.4 Unlawful Disposal. Every person who places, deposits or dumps combustible material on a parcel whether or not he/she owns such parcel, ~~or whether or not he/she so places or dumps on such parcel with the consent of the owner, thereof,~~ is subject to the criminal sanctions set forth in Health and Safety Code Section 13871.

325.5 Abatement of hazard.

325.5.1 Weeds, dead trees and rubbish to be destroyed or removed. **Parcels are to be maintained free of hazardous vegetation and rubbish.**

325.5.2 Prohibition. No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous rubbish or weeds, trees, or other vegetation, which constitutes a fire hazard.

325.6 General abatement requirements. The provisions of this section shall govern the abatement of combustible material creating a fire hazard upon premises (reference Government Code 51175-51189 and Public Resources Code 4291). The District shall develop minimum abatement standards for land in residential, business, industrial areas, or land which is unused or vacant, in rural or rural residential areas, or regardless of the area in which the property is located. Such standards shall be approved by the Board of Directors and may be modified periodically as circumstances dictate.

325.6.1 Clearance of brush or vegetative growth from street. The fire code official is authorized to required areas within 3 feet on each side and ~~13 feet, 6 inches~~ **15 feet** in height of fire apparatus roads and driveways to be abated of flammable vegetation and other combustible growth.

Exception: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy succulents or similar plants used a ground cover, provided

that they do not form a means of readily transmitting fire and not lower than ~~13 feet, 6 inches~~ **15 feet** vertical clearance in height from the roadway surface.

325.6.2 Clearance of brush, vegetative growth and combustible material from parcels.

All parcels declared a public nuisance by the Board of Directors shall be cleared entirely of combustible material. If the fire code official determines this impractical, the provisions of **325.6.2** may be used.

325.6.2.1 Remove from parcel all dead trees **vegetative growth and rubbish that are** deemed a fire hazard.

325.6.2.2 Parcels one acre or less (43,530 square feet) shall require abatement of the entire parcel.

325.6.2.3 Parcels over one acre (43,560 square feet) may be required to comply with the following requirements:

1. Parcels shall provide 30-foot fuel breaks along the perimeter of the property line.
2. Parcels 10 acres or more shall provide a 30-foot cross break to divide the parcel into approximately 5-acre sections.

325.6.3 Clearance of brush or vegetative growth from structures. Any person owning, leasing, controlling, operating or maintaining any building in, upon, or adjoining any hazardous fire area shall at all times maintain defensible space around and adjacent to such building by removing and clearing away all combustible material for a distance not less than 100 feet from all portions of the structure. Distances may be increased or decreased by the fire code official based on site specific analysis of local conditions.

Exception: Single specimens of trees ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy succulents or similar plants used a ground cover, provided that they do not form a means of readily transmitting fire.

325.6.3.1 Remove that portion of any tree that extends within 10 feet of the outlet of any chimney or stovepipe.

325.6.3.2 Maintain any tree, shrub, or other plant adjacent to or overhanging any building free of dead limbs, branches or other combustible material.

325.6.3.3 Maintain the roof of any structure and roof gutters free of leaves, needle, or other combustible materials.

325.6.3.4 Maintain trees within 100 feet of any building or structure or within 10 feet of any portion of any highway, street, ally, or driveway which is improved or used for vehicle travel or other vehicular purposes, so that leafy foliage, twigs or branches are within 5 feet of the ground.

325.6.3.5 Maintain 5 feet of vertical clearance between roof surfaces and portions of trees overhanging any building or structure.

325.7 Fire Management Plan. A **Fire Management Plan** shall be prepared by the applicant when required by the fire code official.

325.8 Cost The cost of the **Fire Management Plan** preparation and review shall be the responsibility of the applicant.

325.9 Abatement procedures.

325.9.1 Abatement order. The fire code official of this jurisdiction may order the abatement of weeds, trees, and rubbish as described in Sections ~~304.1-2~~ **304.1** and **325.2**. On making the order, the fire code official of this jurisdiction shall mail a copy of a notice to the owner of the affected property as he/she and his/her address appear upon the current and last county equalized assessment roll as of January 1 of each calendar year, or as his/her address is known to this jurisdiction. As an alternative to mailing, the notice may be posted upon the affected property and published in this jurisdiction, not less than ten (10) days prior to the date of the abatement hearing. Copies of the notice shall be headed with the words "Notice to Abate Weeds and Rubbish" in letters at least one inch high. The notice shall be in substantially the following form:

NOTICE TO ABATE WEEDS, DEAD TREES AND RUBBISH

You are hereby notified that weeds, dead trees, and rubbish constitute a fire hazard on the following described property owned by you:

(Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map).

You are hereby notified to remove the weeds, dead trees and rubbish within ten (10) days from the date of this notice. If you fail to do so, the Moraga-Orinda Fire District will remove it and the cost of the abatement, including administrative costs, will be collected as property taxes and will be a lien on your property until paid. The lien may prevent the sale of the property and it shall be the responsibility of the property owner upon payment of the property taxes to have the lien removed. Contact the Fire District for a release of lien that must be filed by the property owner at the County Recorder's Office.

You are hereby further notified that the Board of Directors has declared that such weeds, dead trees and rubbish constitute a public nuisance and that such weeds also constitute a seasonal and recurring nuisance.

You may appear before the Board of Directors of this jurisdiction on (time and date) at (place-room, street, address, and city) to show cause why this order should not be enforced. (Signed):
(Name of fire code official of name of jurisdiction)

325.9.2 Notice for seasonal and recurring nuisance. In the case of weeds, **dead vegetation or rubbish**, which have previously been declared to constitute a seasonable and recurring nuisance, a fire code official will mail a post card notice to the owner(s) of the property at the address as it appears on the current assessment roll. The notice will state that dangerous **weeds vegetation or rubbish** of a seasonal and recurrent nature are growing on, **collecting on**, or in front of the property and that they constitute a public nuisance that must be abated by removal. If the nuisance is not removed, it will be abated by the Moraga-Orinda Fire District, in which case the costs of removal, **plus an administrative fee** will be assessed from the land upon which or in front of which the weeds were removed. The cost will constitute a lien upon the property until paid. No hearing will take place.

325.9.3 Immediate hazard. When, in the opinion of the fire code official, the Fire Chief, or the Board of Directors, an extreme fire hazard exists which constitutes an immediate threat to public health, safety, and welfare, and it is deemed necessary to abate such hazard as promptly as possible, said fire hazard shall be removed or abated within five (5) days of the posting of the Notice to Abate on the affected parcel or within five (5) days of receiving by mail the Notice to Abate. Nothing herein shall authorize the entry upon private property not otherwise open to the public, without the owner's consent or possession of an abatement or inspection warrant unless

it is determined that there is an immediate and eminent threat of injury or death to any person if immediate action is not taken.

325.9.4 Hearing date. A date for hearing on the notice shall be set at least ten (10) days after the date of this notice. The date of the notice is the date on which the notice is placed in the United States mail or the date on which it is posted on the property. At the hearing, the property owner or his agent may appear to show cause why the order shall not be enforced. For good cause shown, the Board of Directors may extend the time for compliance with the order or may rescind the order.

325.9.5 Contract award. If the owner fails to comply with the order, the fire code official of this jurisdiction may have the weeds and rubbish abated either by employees of this jurisdiction or by contract. If a contract is awarded, it shall be by public bid, awarded to the lowest responsible bidder. A contract may include work on more than one parcel. **An administrative fee will be attached to the cost of the contracted work to the violator.**

325.9.6 Abatement report of costs. The fire code official or his or her designee abating the nuisance shall keep an account of the cost of abatement in front of or on each separate parcel of land and shall render an itemized report in writing to the Board of Directors showing the cost of removing the weeds, dead trees and rubbish on or in front of each separate lot or parcel of land, or both. Before the report is submitted to the Board of Directors, a copy of it shall be posted for at least three days on or near the chamber door of the Board with a notice of the time and when the report will be submitted to the Board for confirmation. Said report and notice shall also be posted for the said three days in two other public places in the District. At the time fixed for receiving and considering the report, the Board of Directors shall hear it and any objections of any of the property owners liable to be assessed for the work of abatement. Thereupon, the Board of Directors may make such modifications in the report, as it deems necessary, after which by order of resolution, the report shall be confirmed. The amounts of the cost, including administrative costs, for abating the nuisance in front of or upon the various parcels of the land mentioned in the report as confirmed shall constitute special assessment against the respective parcels of land, and are a lien on the property for the amount of the respective assessments. Such lien attaches upon recordation in the office of the County Recorder of the County in which the property is situated of a certified copy of the Resolution of Confirmation.

325.9.7 Cost assessments. Upon confirmation of the report of cost by the Board of Directors of this jurisdiction and the recordation of the Resolution of Confirmation by the administrator, a copy of the report of cost shall be sent to the County Auditor, who shall enter the amount of the assessments against the parcels. Thereafter the amount of the assessments shall be collected at the same time and in the same way as County taxes are collected. The owners are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to these assessment taxes.

325.9.8 Alternate mitigation.

325.9.9 Firebreaks/fuelbreaks. In lieu of ordering abatement as provided in Section 325.9.1, the fire code official of this jurisdiction may order the preparation of firebreaks/fuelbreaks around parcels of property where combustible weeds, crops, or brush are present. In determining the proper width for firebreaks/fuelbreaks, the fire code official shall consider the height of the growth, weather condition, topography, and the accessibility to the property of fire protection

equipment. The procedure set forth in Section 325.9.1 for the abatement of weeds and rubbish shall apply to the preparation of firebreaks/fuelbreaks.

325.9.10 Fire Management Plans. In lieu of vegetation abatement the property owner shall submit a Fire Management Plan for the property. The plan shall be specific to the property and shall describe ways to minimize, mitigate and/or eliminate potential for loss from wildfire exposure. The plan shall be developed and approved by the Fire District and the property shall be verified as compliant with the plan throughout the year. Verification of compliance shall be completed by a third party individual or firm knowledgeable in such matters and approved by the Fire District each year.

325.11 Subsurface fire, penalties therefore.

325.11.1 Peat fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire in or a fire involving combustible vegetable materials under the surface of the natural ground to remain upon his property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at his own cost and expense.

325.12 Fire suppression costs. If there exists upon the lands of any person as herein defined a subsurface fire involving the burning or combustion of peat or vegetable matter and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, this jurisdiction may, in addition to its regular duties to extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire District in fighting the fire and for the cost of proving rescue or emergency medical services shall be a charge against said person. The charge shall constitute a debt of that person and is collectable by the Fire District incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See State of California Health & Safety Code §13009)

Chapter 4 Emergency Planning and Preparedness.

Section 401.5 is amended to add:

401.5.1 False/nuisance alarm fee. A fee may be charged for false/negligent alarms according to the adopted fee schedule of the District.

~~**Chapter 4 is modified by deleting the following sections;**~~

~~**Section 404** deleted in its entirety.~~

~~**Section 405** deleted in its entirety.~~

~~**Section 406** deleted in its entirety.~~

~~**Section 408** deleted in its entirety.~~

Chapter 5 Fire Service Features

Section 502 is amended to add the following definition. The following term is defined in Chapter 2:

All weather driving surface

Section 503 Fire Apparatus Access Roads is adopted

Section 503.1.1 Buildings and facilities.

~~Section 503.1.2 is amended add exception 4:~~

~~Section 503.1.1 is amended add exceptions 1.4 and 1.5:~~

Exception 1.4. The decision to modify, and the extent of any such modification shall be in accordance with minimum standards established by the fire code official.

Exception 1.5 Buildings or portions of buildings exceeding 35 feet (10668 mm) in height above the lowest level of fire department access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

~~Section 503.1.2 is amended to add subsections 503.2.1.1, 503.2.1.2, and 503.2.1.3 as follows:~~

503.1.2 Additional access. ~~Section 503.1.2 is amended to add Sections 503.1.2.1, and 503.1.2.2 as follows:~~

Section 503.1.2 is amended to add:

503.1.2.1 Required additional access roads for residential developments. The minimum number of access roads serving residential development(s) shall be based upon the number of dwelling units served as follows:

- 1-25 units, one public or private access road
- 26-150 units, one public or private access road and one emergency access road
- 151+ units, a minimum of two public or private access roads

503.1.2.2 Access to open spaces. When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development of any kind, the developer shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access must be approved by the fire code official.

Section 503.2.1 is amended to add:

Section 503.2.1 **Dimensions** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than **15 feet (4572mm)**.

Section 503.2.1.1 is added to read:

503.2.1.3 503.2.1.1 Road widths for fire department access roads serving 1 or 2 dwelling units. A fire department access road serving less than three dwelling units may be a minimum of 16 feet (4877 mm) in width if no parking is permitted on the roadway.

Section 503.2.1.2 is added to read:

503.2.1.2 Outsets. A fire department access road designed to be a minimum 20 feet (6096 mm) in width shall be provided with outsets adjacent to and in front of fire hydrants providing a 28 foot (8535 mm) wide roadway for at least 20 feet (6096 mm) in both directions measured from centerline of the fire hydrant.

Section 503 is amended to add:

~~**503.2.1 Width.** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 35 feet (10 668 mm) in height.~~

Section 503.2.1.3 building height is added to read:

503.2.1.3 Building height. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 35 feet (10 668 mm) in height.

Section 503.2.1.4 Proximity to building is added to read:

~~**503.2.1.4 503.2.1.4 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 20 feet (6096 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.~~
Exception: Access routes serving structures greater than 75 feet (22 860 mm) in height and designed to high-rise standards.

~~**503.2.1.2 Parking of vehicles on fire apparatus access roads.** For the parking of vehicles on a fire apparatus access road, roadway widths shall be increased to accommodate the parking of vehicles as follows:~~

- ~~1. Roadways 20 feet (6096 mm) in width, no parking permitted,~~
- ~~2. Roadways 28 feet (8534 mm) in width, parking permitted on one side only. Parking is permitted on the side of the street absent fire hydrants, and~~
- ~~3. Roadways 36 feet (10 973 mm) in width when parking is not restricted.~~

~~**Exception:** The fire code official is authorized to decrease the dimension of 20 feet where there are no more than two Group R-3 occupancies or any group U occupancies and there is no parking on the required access.~~

503.2 Specifications.

Section 502.3 is amended to read:

~~**503.2.3 Surface.** When required by the fire code official, fire apparatus roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access surface shall be designed, installed and maintained to support a minimum load of 40,000 pounds, and in accordance with Cal Trans Design Standard H-20.~~

Section 502.3 is amended to read:

503.2.4 Minimum turning radius. A fire department access road shall have a minimum standard turning radius of 28 feet (6096 mm) inside and a 48 foot (12 192 mm) outside diameter.

~~**503.2.5 Dead ends.** Dead end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.~~

Section 503.2.7 is amended to read:

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus. A Fire department access road having a grade of 16% and 20% shall be designed to have a finished surface of grooved concrete to hold 40,000 ~~75,000~~ pounds (18,144 kg) ~~(34019kg)~~ (H-20 Cal-Trans Design Standard). Design for grooved concrete shall be ½ inch (6mm) by ½ inch (6mm) and 1-1/2 inch (38mm) on center. Grades exceeding 20 percent and cross slopes of greater than 8 percent are not permitted unless authorized in writing by the fire code official.

Exception: Other approved all weather surfaces may be used if the skid resistance is equivalent to or greater than grooved concrete as certified by a registered engineer, in accordance with ASTM E274 and approved by the fire code official.

~~Section 503.2. is amended to modify Section 503.2.8 and add Section 503.2.9 to read:~~

Section 503.2.8 is amended to read:

503.2.8 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed 10 percent at 10 feet of the grade break.

505 Premises Identification.

Section 505 is amended by adding Section ~~505.3.1.4~~ **505.1.2** to read:

505.1.2 Street names and addressing. Street names and addressing shall be submitted for review and approval to the District, approval not to be unreasonably withheld.

~~Section 507.2 is amended to read: amended by adding Sub-Section 507.2.3 to read:~~

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing fire flow. Swimming pools and ponds and underground cisterns which would require a drafting operation for purposes of Section 507.1 Design criteria for water supply delivery shall be approved by the Fire District.

Chapter 6 Building Services and Systems

603.6 Chimneys.

Section 603.6 is amended by adding subsection ~~603.2.4~~ **603.6.6.** to read:

~~**603.2.4**~~ **603.6.6 Sparks from chimneys.** Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used shall be maintained with a spark arrester as required for incinerators by the Mechanical Code.

Chapter 9 Fire Protections Systems

Section 902.1 is amended to add:

The following definition is defined in chapter 2:

Substantial addition or expansion

Section 903.1 is amended to read:

903.1. General. Automatic sprinkler systems shall comply with this section. For the purposes of this section, fire walls shall not be considered as creating separate buildings.

Section 903.2 is amended to read:

903.2 Where required. Approved automatic sprinkler systems shall be installed in new buildings with a gross floor area that exceeds 5000 square feet and in the locations set forth in section 903.4.

Exceptions:

1. Systems which are required to mitigate deficiencies shall be installed in accordance with requirements as deemed necessary by the fire code official.

Section 903.2.8 Group R is amended to add exception 5.

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exceptions:

1. See California Fire Code
2. See California Fire Code.
3. See California Fire Code.
4. See California Fire Code.
5. Detached Group U private garages accessory to a Group R-3 occupancy.

Section 903.3.1.2.3 is added to read:

903.3.1.2.3 Undeclared use and tenant space. In buildings of undeclared use or with tenant space areas; the fire sprinkler system may be required to conform to the design density of the most hazardous occupancy use allowed within the building.

Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner/and or tenant occupant to upgrade the system.

903.3.5 Water supplies.

Section 903.3.5 is amended to add subsection 903.3.5.3 to read:

903.3.5.3 Non-permissible water supply storage. Swimming pools, ponds, and underground cisterns shall not be considered water storage for the purposes of Section 903.3.5.

Exception: Secondary water supplies for fire pumps in commercial buildings where the primary water supply is provided by a municipal water purveyor.

Section ~~903.3.8~~ **903.3.10** is added to read:

903.3.3.19 System Risers. The location of system risers shall be approved by the fire code official. System risers shall be located in common area of the protected premises with regards to firefighter access. System risers located inside buildings shall either be located in stairways or in riser closets accessible from common areas.

903.6 Where required in existing buildings and structures.

Section 903.6.1 has been added to read:

903.6.1 Substantial Remodel In an existing building, if a substantial remodel occurs, the entire building shall be protected by an automatic sprinkler system in accordance with section 903 and **Chapter 11**

Section 903.6.2 is added to read:

903.6.2 Substantial Remodel or Expansion Group R-3. An automatic sprinkler system shall be provided throughout all existing R-3 dwellings where a substantial remodel or expansion occurs **and** the new total fire area of the structure exceeds 3600 feet.

Section 903.6.3 is added to read:

903.6.1 Change in occupancy classification. Existing non-residential buildings which undergo a change in occupancy classification to higher hazard occupancy shall require the entire building be protected by an automatic sprinkler system installed in accordance with Section 903.3. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category.

Chapter 10 Means of Egress

Section **1028.5** is amended to add:

1028.5.1 Exit discharge surface. Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather and terminate at a public way as defined in the *California Building Code*.

Chapter 33 Fire Safety During Construction and Demolition

Section 3301.3 is added to read:

3301.3 Construction documents. Construction documents and schedule for demolition must be submitted to the fire code official when required by the building code official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved by the fire code official.

Section 3301.4 Permits is added to read:

Section 3301.3 Permits

3301.3 Temporary fire department access road for construction. A permit is required to utilize a temporary fire department access road for construction regulated by Section 3301.4 **2** see Section 105.7

Section 3301.4 is added to read:

3301.4 Temporary fire department access road for construction of one (1) residential (Group R-3) unit. A permit is required to utilize a temporary fire department access road for construction regulated by Section 3301.2, see Section 105.7

Section 3301.5 is added to read:

3301.5 Temporary water supply. A permit is required to utilize a temporary water supply for construction of residential projects or subdivisions regulated by Section 3312.1, see Section 105.7.

~~**3310.1 Required access.** Approved emergency vehicle access for fire and other emergencies shall be provided to all construction or demolition sites in accordance with this section.~~

Section 3310.2 is added to read:

~~**3310.1.1**~~ **3310.2 Permit.** A permit is required for a temporary fire department access road, see Section 105.7.12.

Section ~~**3310.1.2**~~ **3310.3** is added to read:

~~**3310.1.2**~~ **3310.3 Temporary fire department access road for construction.** The use of a temporary roadway in lieu of permanent roadways is limited to April 15th through October 15th. Timelines may be modified by the fire code official depending on inclement weather conditions.

Section ~~**3310.3**~~ **3310.4** is added to read:

3310.4 Obstructions to access roads. Staging of building materials, placement of equipment or parking of worker vehicles shall not take place within the required width of a fire department access road.

Section ~~**3310.3.2**~~ **3310.5** is added to read:

3310.5 Construction site locks. Site security gates shall be provided with a District padlock. Application for a District padlock is made through the Fire Prevention Office.

3312 Water supply for fire protection.

Section 3312 is amended to add: Sections 3312.1.1 and 3312.1.2 to read:

3312.1.1 Permit. A permit is required for temporary water supplies, see Section 105.7.12.

3312.1.2 Temporary water supply for subdivisions. For construction of residential projects or subdivisions temporary water supplies are permitted only for construction of model units.

Chapter 33 is amended to add Section ~~3318~~3308.3.3 to read:

Section ~~3318~~ 3308.3 Demolition of structures

3318.4 ~~3308.3~~ Construction documents. Construction documents and schedule for demolition must be submitted to the fire code official when required by the building code official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved by the fire code official.

Chapter 50 Hazardous Materials-General Provisions

Section 5001.5 is amended to add Section 5001.5.3 to read:—

Section 5001.5.3 is added to read:

5001.5.3 Emergency response support information. Floor plan, material safety data sheets, Hazardous Materials Inventory Statements (HMIS), Hazardous Materials Management Plan, (HMMP) and other information must be stored at a readily accessible location, as determined by the fire code official. This location may be stored in cabinets outside of facilities or buildings. Information may be required in a specific electronic media format to facilitate computer aided dispatching.

Chapter 56 Explosives and Fireworks

Section 5601 is amended to add Sections 5601.2, 5601.3, 5601.3.1, 5601.4, and 5601.5 to read:

Section 5601.3 is amended to read:

56.01-2 5601.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the jurisdiction of the District are prohibited.

Exceptions:

1. Firework storage within the jurisdiction of the District is limited to aerial fireworks in conjunction with an approved and permitted aerial display, in accordance with California Code of Regulations, Title 19, Chapter 6.
2. Snap Caps and Party Poppers as classified by the Office of the State Fire Marshal as pyrotechnic devices.

Section 5601.3 is added to read:

5601.2.4 5601.3.2 Prohibited and Limited Acts. The storage of explosive materials is prohibited in any central business district and in all zoning districts except districts zoned of industrial or agricultural uses. In districts where storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with International Fire Code Sections 5601.8.1 and 5601.8.11.

Section 5601.2.3 **5601.3 is added to read:**

5601.3.3 Permit restrictions: The storage of explosive materials is prohibited in any central business district and in all zoning districts except districts zoned of industrial or agricultural uses. In districts where storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with International Fire Code Sections 5601.8.1 and 5601.8.1.1.

Section 5601.2.4 is amended to read:

5601.2.4 Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

Section 5601.2.4.3 is added to read:

5601.2.4.3 Rocketry. The storage, handling and use of model and high-power rockets shall comply with the requirements of *California Code of Regulations, Title 19, Article 17* and when appropriate NFPA 1122, NFPA 1125, and NFPA 1127.

5601.3.1 Ammonium nitrate. The storage and handling of ammonium nitrate shall comply with the requirements of Chapter 40 and NFPA 490.

Exception: Storage of ammonium nitrate in magazines with blasting agents shall comply with the requirements of NFPA 495.

5601.4 Residential uses. No person shall keep or store, nor shall any permit be issued to keep or store, any explosives, fireworks or pyrotechnic material at any place of habitation, or within 100 feet (30 480mm) thereof.

Exception: Storage of smokeless propellant, black powder, and small arms primers for personal use and not for resale in accordance with International Fire Code Section 5606.

5601.5 Sale and retail display. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the jurisdiction of the District is prohibited.

Exception: Snap Caps and Party Poppers as classified by the Office of the State Fire Marshal as pyrotechnic devices.

5608 Fireworks display. Section 5608 is amended by adding Sections 5608.2, 5608.2.1, and 5608.3 to read:

5608.2 Permit required. Permits to conduct an aerial display shall be required as set forth in Section 105.6.47 and regulated in accordance with California Code of Regulations, Title 19, Chapter 6 and this section.

5608.2.1 Prohibited and Limited Acts. Storage of explosive materials is prohibited within the limits established by law as the limits of districts in which such storage is prohibited, see Section 7. In districts where the storage of explosive materials is permitted the quantities of explosives and distances shall be in accordance with International Fire Code Sections 5601.8.1 and 5601.8.1.1.

Chapter 57 Flammable and Combustible Liquids

Section 5704.2.9.5.1 is amended to add an exception to read:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited, see Section 3.

Exception: Protected aboveground tanks constructed in accordance with UL 2085 standards, for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, central business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size not to exceed 500 gallons (1892 L) of either Class I or II liquids or 1,000 gallons (3785 L) for Class III liquids.

SECTION 3. That the geographic limits referred to in certain sections of the 2016 California Fire Code are hereby established as follows:

3.1 The limits referred to in Section 5704.2.9.6.1 of the California Fire Code in which storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited, are hereby

~~established as follows: Any area which is zoned for other than commercial, industrial, or agricultural use.~~

~~**3.2** The limits referred to in Section 5706.2.4.4 of the California Fire Code in which storage of Class I and II liquids in above-ground tanks is prohibited, are hereby established as follows: Any area which is zoned for other than commercial, industrial, or agricultural use.~~

~~**3.3** The limits referred to in Section 5506.2 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited is hereby established as follows: Any area which is zoned for other than industrial use.~~

~~**3.4** The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows: Any central business district area as defined by this code, any area which is zoned for other than commercial, industrial, rural, or agricultural use.~~

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

13.1 Repeal. The following Ordinance previously adopted by the Board of Directors is hereby repealed: Ordinance #**13-01**, Moraga-Orinda Fire District **with amendments from** the California Fire Code (**2013** Edition).

SECTION 5. VALIDITY.

14.1 Validity. The Board of Directors of the District hereby declares that should any section, paragraph, sentence or work of this Ordinance **16-02** or of the California Fire Code, **2013 2016** Edition and the International Fire Code, **2012 2015** Edition as adopted and amended herein be declared for any reason to be invalid, it is the intent of the Board of Directors of the District that it would have passed all other portions or provisions of this Ordinance independent of the elimination here from any such portion or provision as may be declared invalid.

SECTION 6. MORE RESTRICTIVE REQUIREMENTS.

15.1 More restrictive requirements. In the event the City of Orinda, Town of Moraga, or Contra Costa County, adopt more restrictive requirements, or amend those provisions contained herein, those more restrictive or amended requirements shall only apply within the jurisdiction adopting such requirements.

SECTION 7. DATE OF EFFECT.

16.1 Date of effect. This Ordinance shall become effective on January 1, **2017** 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, APPROVED and ADOPTED this 5th day of October, 2016 at the regular meeting of the District Board of Directors held on October 5, 2016 at 2100 Donald Drive, Moraga, California, 94556, on a motion made by Director _____ seconded by Director _____, and duly carried with the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stephen L. Anderson, President
Board of Directors

ATTEST:

APPROVED AS TO FORM:

Grace Santos, District Clerk

John Bakker, District Counsel

Attachment A

ORDINANCE NO. 16-02

AN ORDINANCE OF THE MORAGA-ORINDA FIRE DISTRICT OF CONTRA COSTA COUNTY, CALIFORNIA, ADOPTING, THE 2016 EDITION OF THE CALIFORNIA FIRE CODE (WITH CERTAIN AMENDMENTS) AND BY REFERENCE, THE INTERNATIONAL FIRE CODE, 2015 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.

The Board of Directors, as the governing Body of the Moraga-Orinda Fire District does ordain as follows:

Part 1 ADOPTION OF THE CALIFORNIA FIRE CODE.

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion or hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Moraga-Orinda Fire District are hereby referred to adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

The Moraga-Orinda Fire District does hereby adopt the California Fire Code, 2016 edition, including Appendices A, C, D, and by reference, the International Fire Code as published by the International Code Council being particular the 2015 edition and thereof and whole thereof, save and except such portions as are hereinafter added, modified or amended by Part 2 of this ordinance is hereby adopted pursuant to Section 13869 of the California Health and Safety Code and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Moraga-Orinda Fire District, in the state of California,

Repealing Ordinance No. 13-01 of the Moraga-Orinda Fire District; and all other Ordinances and parts of the Ordinances in conflict therewith.

Part 2. AMENDMENTS TO THE CALIFORNIA FIRE CODE.

The 2016 California Fire Code is amended by the changes, additions and modifications set forth in this Section 2. Chapter and Section numbers used below are those of the 2016 International Fire Code.

Chapter 1 Administration:

Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Fire Code of the Moraga-Orinda Fire District, hereinafter referred to as “this code.” .

Section 102.1 is amended by adding item 5 to read:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

5. Where not otherwise limited by law, the provisions of this Code shall apply to vehicles, ships, boats, and mobile vehicles when fixed in a specific location within the boundaries of this jurisdiction.

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Section 105.4.3 Applicant Responsibility has been amended to read:

105.4.3.1 Responsibility of Permittee. It shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and that the shop drawings are complete and in compliance with the applicable codes and standards. Building Permits shall be presumed by the city District to incorporate all of the work that the applicant, the applicant's agent, employees and/or contractors shall carry out. Said proposed work shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No City, Town or County approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 105.6 is amended to read:

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in 105.6.1 through 105.6.53

Section 105.6 is amended to add subsections:105.6.50 through 105.6.53:

105.6.50 Battery Systems. A permit is required to operate stationary lead acid battery systems having a liquid capacity of more than 50 gallons (189L) pursuant to Section 608.

105.6.51 Christmas tree sales. A permit is required to use a property for the purpose of selling cut Christmas trees.

105.6.52 Model rockets. A permit is required to sell or launch model rockets pursuant to California Code of Regulations Title 19, Division 1 Article 17.

105.6.53 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section 33.12.1

Section 105.7 is amended to read:

105.7 Required construction permits. The fire code official is authorized to issue construction permits for operations set forth in Chapter 1, Sections 105.7.1 through 105.7.23

Section 105.7.19 has been added to read:

105.7.19 Medical gas systems. A construction permit is required for the installation of or modification to a medical gas system pursuant to Section 5306.

Section 105.7.20 has been added to read:

105.7.17 105.7.20 Access for fire apparatus. A construction permit is required to install, improve, modify or remove public or private roadways, driveways, gates and bridges for required fire apparatus access.

Section 105.7.21 has been added to read:

105.7.21 Construction, alteration, or renovation of a building for which a building permit is required. A construction permit is required to construct, add to, alter, renovate, rebuild, or move into the jurisdiction a structure for which a building permit is required.

Section 105.7.19 105.7.22 has been added to read:

105.7.22 Subdivision of land. A construction permit is required for any subdivision of land within the District. Plans shall be submitted for all land developments and/or improvements proposed within the District.

Section 105.7.22 105.7.23 has been added to read:

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105.7.23 Water supply for fire protection. A construction permit is required for water supply for fire protection. Plans shall be submitted to determine adequate water supplies and fire hydrants are provided for all facilities, buildings or portions of buildings either constructed or moved into the District pursuant to Section 501.3.

Section 108.1 is amended to read:

108.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there is hereby created a Board of Appeals. The Board of Appeals is comprised of the Board of Directors. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 109.4 is amended to read:

109.4. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to the criminal sanctions set forth in Health and Safety Code section 13871. Each day that a violation continues after such due notice has been served shall be deemed a separate offense.

Section 111.4 is amended to read:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 500 dollars or not more than 5,000 dollars.

Chapter 2 Definitions

Section 202 is amended by adding the following definitions:

Administrator. The Fire Chief or his/her designee.

All weather driving surface. A roadway designed to carry the imposed weight loads of fire apparatus with an approved minimum finish of one layer of asphalt, ~~or~~ concrete or other approved surface.

Board of Directors. The governing body of the District.

Cost of abatement. All expenses incurred by the jurisdiction in its work of abatement undertaken and administrative costs pursuant to Section 325.5.4 of this Ordinance.

Corporation counsel. The Attorney for the District.

District Board. The Board of Directors of the District.

Emergency Vehicle Access (EVA). Shall mean an approved access meeting the requirements for fire district apparatus use and shall be restricted for the use of emergency vehicles.

Firebreak. Shall mean a continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been abated or otherwise removed in order to prevent extension of fire from one area to another.

Firetrail. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

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Parcel. A portion of land of any size, the area which is determined in the records of the County Assessor (Reference Health and Safety Code 14883).

Person. Includes; individuals, firms, partnerships, and corporations

Public nuisance. A declaration by the fire code official that the presence of combustible materials on a parcel creates a fire hazard (Health and Safety Code 14875 and 14876).

Response Time. The elapsed time from receipt of call to the arrival of the first unit on scene.

Rubbish. Waste matter, litter, trash, refuse, debris and dirt on streets, or private property in the jurisdiction which is, or when dry, is combustible and may become a fire hazard.

Rural area. An area generally designated for agricultural or open space uses with parcels over 10 acres (4.046873ha) in size.

Rural residential area. An area generally designated for single family residential use with parcels between 3 (1.2140619ha) and 10 (4.046873ha) acres in size.

Running time. The calculated time difference between leaving the first-due station and arriving on the emergency scene.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private roads, trails, easements, and fire trails.

Substantial addition of expansion. An addition, expansion, remodel, or renovation of any structure where the new fire area exceeds fifty percent of the existing fire area.

Temporary fire department access road for construction. An approved temporary roadway for emergency vehicle use during construction.

Temporary water supply. A water source stored for firefighting purposes in an approved aboveground tank during combustible construction.

Tree litter. Any limbs, bark, branches and/or leaves in contact with other vegetation or left to gather on the ground.

Weeds. All weeds growing upon streets or private property in this jurisdiction and includes any of the following:

1. Weeds, which bear seeds of a fluffy nature or are subject to flight.
2. Sagebrush, chaparral, and any other brush or weeds which, attains such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds which are otherwise noxious or dangerous.
4. Poison oak and poison sumac when the conditions of growth are such as to constitute a menace to public health.
5. Dry grass, stubble, brush, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

Wildland-Urban interface area. A geographical area where structures and other human development meet or intermingle with wildland or vegetative fuels.

Chapter 3 General Precautions Against Fire

Section 304.1. is amended to add:

304.1(h) Vegetation. Weeds, grass, vines, diseased or dead trees, combustible growth, debris or rubbish capable of being ignited and endangering property shall be cut down by the owner or

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occupant of the premises. Clearance of combustibles upon default of the owner or occupant shall be in accordance with Section 325 .

Section 308 is adopted

Chapter 3 is amended to add Section 325 as follows:

325 Exterior Fire Hazard Control.

325.1 Scope This section provides provisions intended to identify hazard areas and mitigate the risk of life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate fires from spreading to wildland fuels that may threaten to destroy life, overwhelm fire suppression capabilities, or result in large property loss.

325.1.2 Purpose. The purpose of this section is to establish minimum requirements in wildland-urban interface areas that will increase the ability of a building to resist the intrusion of flame or burning embers by a vegetation fire, including the identification of hazardous fire areas that require applicable defensible space provisions as set forth within and enforced by the fire code official and applicable state and local fire resistive building standards that are enforced by the local building official.

325.1.3 Jurisdictional authority. The Board of Directors as the supervising, legislative and executive authority of this jurisdiction has the authority to act pursuant to Part 5 (commencing with Section §14875), Division 12, of the State of California Health and Safety Code, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public the safety by creating a fire hazard. Such fire hazard abatement shall be conducted in accordance with the provisions of said Part 5 and/or this Ordinance. In the application of the provisions of said Part 5 to fire hazard abatement proceeding under this Ordinance and the Fire Protection District Law of 1961, the terms "Board of Directors" or "Board" when used in Part 5, shall mean the Board of Directors of this jurisdiction under this article; and the officer designated in Section §14890 of Part 5 shall mean the Fire Chief or his/her designee

325.1.4 Contract for services. This Board of Directors reserves and retains the power to award a contract for such fire hazard abatement work where the employees of this jurisdiction are not used to perform such abatement work.

Section 325.2 has been amended to read:

325.2 Definitions.

The following definitions are defined in Chapter 2

All weather driving surface

Cost of abatement

Parcel

Person

Public nuisance

Rubbish

Streets

Tree litter

Weeds

Wildland-Urban interface area

325.3 Public nuisance. The Board of Directors, Fire Chief or his/her designee may declare that all hazardous fire areas, including any combustible materials and dead trees, upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

325.3.1 Weeds and rubbish. The Board hereby declares that all dead trees or weeds growing upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

3.25.3.2 Seasonal and recurrent nuisance. If the nuisance is seasonal and recurrent, the Board of Directors shall so declare. Thereafter, such seasonable and recurring weeds shall be abated every year without any further hearing.

325.4 Unlawful Disposal. Every person who places, deposits or dumps combustible material on a parcel whether or not he/she owns such parcel, is subject to the criminal sanctions set forth in Health and Safety Code Section 13871.

325.5 Abatement of hazard.

325.5.1 Weeds, dead trees and rubbish to be destroyed or removed. Parcels are to be maintained free of hazardous vegetation and rubbish.

325.5.2 Prohibition. No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous rubbish or weeds, trees, or other vegetation, which constitutes a fire hazard.

325.6 General abatement requirements. The provisions of this section shall govern the abatement of combustible material creating a fire hazard upon premises (reference Government Code 51175-51189 and Public Resources Code 4291). The District shall develop minimum abatement standards for land in residential, business, industrial areas, or land which is unused or vacant, in rural or rural residential areas, or regardless of the area in which the property is located. Such standards shall be approved by the Board of Directors and may be modified periodically as circumstances dictate.

325.6.1 Clearance of brush or vegetative growth from street. The fire code official is authorized to required areas within 3 feet on each side and ~~13 feet, 6 inches~~ 15 feet in height of fire apparatus roads and driveways to be abated of flammable vegetation and other combustible growth.

Exception: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy succulents or similar plants used a ground cover, provided that they do not form a means of readily transmitting fire and not lower than ~~13 feet, 6 inches~~ 15 feet vertical clearance in height from the roadway surface.

325.6.2 Clearance of brush, vegetative growth and combustible material from parcels. All parcels declared a public nuisance by the Board of Directors shall be cleared entirely of combustible material. If the fire code official determines this impractical, the provisions of 325.6.2 may be used.

325.6.2.1 Remove from parcel all dead trees vegetative growth and rubbish that are deemed a fire hazard.

325.6.2.2 Parcels one acre or less (43,530 square feet) shall require abatement of the entire parcel.

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325.6.2.3 Parcels over one acre (43,560 square feet) may be required to comply with the following requirements:

1. Parcels shall provide 30-foot fuel breaks along the perimeter of the property line.
2. Parcels 10 acres or more shall provide a 30-foot cross break to divide the parcel into approximately 5-acre sections.

325.6.3 Clearance of brush or vegetative growth from structures. Any person owning, leasing, controlling, operating or maintaining any building in, upon, or adjoining any hazardous fire area shall at all times maintain defensible space around and adjacent to such building by removing and clearing away all combustible material for a distance not less than 100 feet from all portions of the structure. Distances may be increased or decreased by the fire code official based on site specific analysis of local conditions.

Exception: Single specimens of trees ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy succulents or similar plants used a ground cover, provided that they do not form a means of readily transmitting fire.

325.6.3.1 Remove that portion of any tree that extends within 10 feet of the outlet of any chimney or stovepipe.

325.6.3.2 Maintain any tree, shrub, or other plant adjacent to or overhanging any building free of dead limbs, branches or other combustible material.

325.6.3.3 Maintain the roof of any structure and roof gutters free of leaves, needle, or other combustible materials.

325.6.3.4 Maintain trees within 100 feet of any building or structure or within 10 feet of any portion of any highway, street, ally, or driveway which is improved or used for vehicle travel or other vehicular purposes, so that leafy foliage, twigs or branches are within 5 feet of the ground.

325.6.3.5 Maintain 5 feet of vertical clearance between roof surfaces and portions of trees overhanging any building or structure.

325.7 Fire Management Plan. A Fire Management Plan shall be prepared by the applicant when required by the fire code official.

325.8 Cost The cost of the Fire Management Plan preparation and review shall be the responsibility of the applicant.

325.9 Abatement procedures.

325.9.1 Abatement order. The fire code official of this jurisdiction may order the abatement of weeds, trees, and rubbish as described in Sections 304.1.2 304.1 and 325.2. On making the order, the fire code official of this jurisdiction shall mail a copy of a notice to the owner of the affected property as he/she and his/her address appear upon the current and last county equalized assessment roll as of January 1 of each calendar year, or as his/her address is known to this jurisdiction. As an alternative to mailing, the notice may be posted upon the affected property and published in this jurisdiction, not less than ten (10) days prior to the date of the abatement hearing. Copies of the notice shall be headed with the words "Notice to Abate Weeds and Rubbish" in letters at least one inch high. The notice shall be in substantially the following form:

NOTICE TO ABATE WEEDS, DEAD TREES AND RUBBISH

You are hereby notified that weeds, dead trees, and rubbish constitute a fire hazard on the following described property owned by you:

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(Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map).

You are hereby notified to remove the weeds, dead trees and rubbish within ten (10) days from the date of this notice. If you fail to do so, the Moraga-Orinda Fire District will remove it and the cost of the abatement, including administrative costs, will be collected as property taxes and will be a lien on your property until paid. The lien may prevent the sale of the property and it shall be the responsibility of the property owner upon payment of the property taxes to have the lien removed. Contact the Fire District for a release of lien that must be filed by the property owner at the County Recorder's Office.

You are hereby further notified that the Board of Directors has declared that such weeds, dead trees and rubbish constitute a public nuisance and that such weeds also constitute a seasonal and recurring nuisance.

You may appear before the Board of Directors of this jurisdiction on (time and date) at (place-room, street, address, and city) to show cause why this order should not be enforced. (Signed):
(Name of fire code official of name of jurisdiction)

325.9.2 Notice for seasonal and recurring nuisance. In the case of weeds, dead vegetation or rubbish, which have previously been declared to constitute a seasonable and recurring nuisance, a fire code official will mail a post card notice to the owner(s) of the property at the address as it appears on the current assessment roll. The notice will state that dangerous ~~weeds~~ vegetation or rubbish of a seasonal and recurrent nature are growing on, collecting on, or in front of the property and that they constitute a public nuisance that must be abated by removal. If the nuisance is not removed, it will be abated by the Moraga-Orinda Fire District, in which case the costs of removal, plus an administrative fee will be assessed from the land upon which or in front of which the weeds were removed. The cost will constitute a lien upon the property until paid. No hearing will take place.

325.9.3 Immediate hazard. When, in the opinion of the fire code official, the Fire Chief, or the Board of Directors, an extreme fire hazard exists which constitutes an immediate threat to public health, safety, and welfare, and it is deemed necessary to abate such hazard as promptly as possible, said fire hazard shall be removed or abated within five (5) days of the posting of the Notice to Abate on the affected parcel or within five (5) days of receiving by mail the Notice to Abate. Nothing herein shall authorize the entry upon private property not otherwise open to the public, without the owner's consent or possession of an abatement or inspection warrant unless it is determined that there is an immediate and eminent threat of injury or death to any person if immediate action is not taken.

325.9.4 Hearing date. A date for hearing on the notice shall be set at least ten (10) days after the date of this notice. The date of the notice is the date on which the notice is placed in the United States mail or the date on which it is posted on the property. At the hearing, the property owner or his agent may appear to show cause why the order shall not be enforced. For good cause shown, the Board of Directors may extend the time for compliance with the order or may rescind the order.

325.9.5 Contract award. If the owner fails to comply with the order, the fire code official of this jurisdiction may have the weeds and rubbish abated either by employees of this jurisdiction or by contract. If a contract is awarded, it shall be by public bid, awarded to the lowest responsible bidder. A contract may include work on more than one parcel. An administrative fee will be attached to the cost of the contracted work to the violator.

325.9.6 Abatement report of costs. The fire code official or his or her designee abating the nuisance shall keep an account of the cost of abatement in front of or on each separate parcel of land and shall render an itemized report in writing the Board of Directors showing the cost of

removing the weeds, dead trees and rubbish on or in front of each separate lot or parcel of land, or both. Before the report is submitted to the Board of Directors, a copy of it shall be posted for at least three days on or near the chamber door of the Board with a notice of the time and when the report will be submitted to the Board for confirmation. Said report and notice shall also be posted for the said three days in two other public places in the District. At the time fixed for receiving and considering the report, the Board of Directors shall hear it and any objections of any of the property owners liable to be assessed for the work of abatement. Thereupon, the Board of Directors may make such modifications in the report, as it deems necessary, after which by order of resolution, the report shall be confirmed. The amounts of the cost, including administrative costs, for abating the nuisance in front of or upon the various parcels of the land mentioned in the report as confirmed shall constitute special assessment against the respective parcels of land, and are a lien on the property for the amount of the respective assessments. Such lien attaches upon recordation in the office of the County Recorder of the County in which the property is situated of a certified copy of the Resolution of Confirmation.

325.9.7 Cost assessments. Upon confirmation of the report of cost by the Board of Directors of this jurisdiction and the recordation of the Resolution of Confirmation by the administrator, a copy of the report of cost shall be sent to the County Auditor, who shall enter the amount of the assessments against the parcels. Thereafter the amount of the assessments shall be collected at the same time and in the same way as County taxes are collected. The owners are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to these assessment taxes.

325.9.8 Alternate mitigation.

325.9.9 Firebreaks/fuelbreaks. In lieu of ordering abatement as provided in Section 325.9.1, the fire code official of this jurisdiction may order the preparation of firebreaks/fuelbreaks around parcels of property where combustible weeds, crops, or brush are present. In determining the proper width for firebreaks/fuelbreaks, the fire code official shall consider the height of the growth, weather condition, topography, and the accessibility to the property of fire protection equipment. The procedure set forth in Section 325.9.1 for the abatement of weeds and rubbish shall apply to the preparation of firebreaks/fuelbreaks.

325.9.10 Fire Management Plans. In lieu of vegetation abatement the property owner shall submit a Fire Management Plan for the property. The plan shall be specific to the property and shall describe ways to minimize, mitigate and/or eliminate potential for loss from wildfire exposure. The plan shall be developed and approved by the Fire District and the property shall be verified as compliant with the plan throughout the year. Verification of compliance shall be completed by a third party individual or firm knowledgeable in such matters and approved by the Fire District each year.

325.11 Subsurface fire, penalties therefore.

325.11.1 Peat fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire in or a fire involving combustible vegetable materials under the surface of the natural ground to remain upon his property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at his own cost and expense.

325.12 Fire suppression costs. If there exists upon the lands of any person as herein defined a subsurface fire involving the burning or combustion of peat or vegetable matter and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, this jurisdiction may, in addition to its regular duties to

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extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire District in fighting the fire and for the cost of providing rescue or emergency medical services shall be a charge against said person. The charge shall constitute a debt of that person and is collectable by the Fire District incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See State of California Health & Safety Code §13009)

Chapter 4 Emergency Planning and Preparedness.

Section 401.5 is amended to add:

401.5.1 False/nuisance alarm fee. A fee may be charged for false/negligent alarms according to the adopted fee schedule of the District.

Chapter 5 Fire Service Features

Section 502 is amended to add the following definition. The following term is defined in Chapter 2:

All weather driving surface

Section 503 Fire Apparatus Access Roads is adopted

Section 503.1.1 Buildings and facilities.

Section 503.1.1 is amended add exceptions 1.4 and 1.5:

Exception 1.4. The decision to modify, and the extent of any such modification shall be in accordance with minimum standards established by the fire code official.

Exception 1.5 Buildings or portions of buildings exceeding 35 feet (10668 mm) in height above the lowest level of fire department access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

503.1.2 Additional access. Section 503.1.2 is amended to add Sections 503.1.2.1, and 503.1.2.2 as follows:

Section 503.1.2 is amended to add:

503.1.2.1 Required additional access roads for residential developments. The minimum number of access roads serving residential development(s) shall be based upon the number of dwelling units served as follows:

- 1-25 units, one public or private access road
- 26-150 units, one public or private access road and one emergency access road
- 151+ units, a minimum of two public or private access roads

503.1.2.2 Access to open spaces. When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development of any kind, the developer shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access must be approved by the fire code official.

Section 503.2.1 is amended to add:

Section 503.2.1 **Dimensions** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572mm).

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Section 503.2.1.1 is added to read:

503.2.1.1 Road widths for fire department access roads serving 1 or 2 dwelling units. A fire department access road serving less than three dwelling units may be a minimum of 16 feet (4877 mm) in width if no parking is permitted on the roadway.

Section 503.2.1.2 is added to read:

503.2.1.2 Outsets. A fire department access road designed to be a minimum 20 feet (6096 mm) in width shall be provided with outsets adjacent to and in front of fire hydrants providing a 28 foot (8535 mm) wide roadway for at least 20 feet (6096 mm) in both directions measured from centerline of the fire hydrant.

Section 503.2.1.3 building height is added to read:

503.2.1.3 Building height. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 35 feet (10 668 mm) in height.

Section 503.2.1.4 Proximity to building is added to read:

503.2.1.4 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 20 feet (6096 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

Exception: Access routes serving structures greater than 75 feet (22 860 mm) in height and designed to high-rise standards.

503.2 Specifications.

Section 502.3 is amended to read:

503.2.4 Minimum turning radius. A fire department access road shall have a minimum standard turning radius of 28 feet (6096 mm) inside and a 48 foot (12 192 mm) outside diameter.

Section 503.2.7 is amended to read:

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus. A Fire department access road having a grade of 16% and 20% shall be designed to have a finished surface of grooved concrete to hold 75,000 pounds (34019kg) (H-20 Cal-Trans Design Standard). Design for grooved concrete shall be ½ inch (6mm) by ½ inch (6mm) and 1-1/2 inch (38mm) on center. Grades exceeding 20 percent and cross slopes of greater than 8 percent are not permitted unless authorized in writing by the fire code official.

Exception: Other approved all weather surfaces may be used if the skid resistance is equivalent to or greater than grooved concrete as certified by a registered engineer, in accordance with ASTM E274 and approved by the fire code official.

Section 503.2.8 is amended to read:

503.2.8 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed 10 percent at 10 feet of the grade break.

505 Premises Identification.

Section 505 is amended by adding Section 505.1.2 to read:

505.1.2 Street names and addressing. Street names and addressing shall be submitted for review and approval to the District, approval not to be unreasonably withheld.

Section 507.2 is amended to read:

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507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing fire flow. Swimming pools and ponds and underground cisterns which would require a drafting operation for purposes of Section 507.1 Design criteria for water supply delivery shall be approved by the Fire District.

Chapter 6 Building Services and Systems

603.6 Chimneys.

Section 603.6 is amended by adding subsection ~~603.2.4~~ 603.6.6. to read:

603.6.6 Sparks from chimneys. Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used shall be maintained with a spark arrester as required for incinerators by the Mechanical Code.

Chapter 9 Fire Protections Systems

Section 902.1 is amended to add:

The following definition is defined in chapter 2:

Substantial addition or expansion

Section 903.1 is amended to read:

903.1. General. Automatic sprinkler systems shall comply with this section. For the purposes of this section, fire walls shall not be considered as creating separate buildings.

Section 903.2 is amended to read:

903.2 Where required. Approved automatic sprinkler systems shall be installed in new buildings with a gross floor area that exceeds 5000 square feet and in the locations set forth in section 903.4.

Exceptions:

1. Systems which are required to mitigate deficiencies shall be installed in accordance with requirements as deemed necessary by the fire code official.

Section 903.2.8 Group R is amended to add exception 5.

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exceptions:

1. See California Fire Code
2. See California Fire Code.
3. See California Fire Code.
4. See California Fire Code.
5. Detached Group U private garages accessory to a Group R-3 occupancy.

Section 903.3.1.2.3 is added to read:

903.3.1.2.3 Undeclared use and tenant space. In buildings of undeclared use or with tenant space areas; the fire sprinkler system may be required to conform to the design density of the most hazardous occupancy use allowed within the building.

Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner/and or tenant occupant to upgrade the system.

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903.3.5 Water supplies.

Section 903.3.5 is amended to add subsection 903.3.5.3 to read:

903.3.5.3 Non-permissible water supply storage. Swimming pools, ponds, and underground cisterns shall not be considered water storage for the purposes of Section 903.3.5.

Exception: Secondary water supplies for fire pumps in commercial buildings where the primary water supply is provided by a municipal water purveyor.

Section 903.3.10 is added to read:

903.3.3.19 System Risers. The location of system risers shall be approved by the fire code official. System risers shall be located in common area of the protected premises with regards to firefighter access. System risers located inside buildings shall either be located in stairways or in riser closets accessible from common areas.

903.6 Where required in existing buildings and structures.

Section 903.6.1 has been added to read:

903.6.1 Substantial Remodel In an existing building, if a substantial remodel occurs, the entire building shall be protected by an automatic sprinkler system in accordance with section 903 and Chapter 11

Section 903.6.2 is added to read:

903.6.2 Substantial Remodel or Expansion Group R-3. An automatic sprinkler system shall be provided throughout all existing R-3 dwellings where a substantial remodel or expansion occurs **and** the new total fire area of the structure exceeds 3600 feet.

Section 903.6.3 is added to read:

903.6.1 Change in occupancy classification. Existing non-residential buildings which undergo a change in occupancy classification to higher hazard occupancy shall require the entire building be protected by an automatic sprinkler system installed in accordance with Section 903.3. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category.

Chapter 10 Means of Egress

Section 1028.5 is amended to add:

1028.5.1 Exit discharge surface. Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather and terminate at a public way as defined in the *California Building Code*.

Chapter 33 Fire Safety During Construction and Demolition

Section 3301.3 is added to read:

3301.3 Construction documents. Construction documents and schedule for demolition must be submitted to the fire code official when required by the building code official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved by the fire code official.

Section 3301.4 Permits is added to read:

Section 3301.3 Permits

Attachment A

3301.3 Temporary fire department access road for construction. A permit is required to utilize a temporary fire department access road for construction regulated by Section 3301.4 2 see Section 105.7

Section 3301.4 is added to read:

3301.4 Temporary fire department access road for construction of one (1) residential (Group R-3) unit. A permit is required to utilize a temporary fire department access road for construction regulated by Section 3301.2, see Section 105.7

Section 3301.5 is added to read:

3301.5 Temporary water supply. A permit is required to utilize a temporary water supply for construction of residential projects or subdivisions regulated by Section 3312.1, see Section 105.7.

Section 3310.2 is added to read:

3310.2 Permit. A permit is required for a temporary fire department access road, see Section 105.7.12.

Section **3310.3** is added to read:

3310.3 Temporary fire department access road for construction. The use of a temporary roadway in lieu of permanent roadways is limited to April 15th through October 15th. Timelines may be modified by the fire code official depending on inclement weather conditions.

Section **3310.4** is added to read:

3310.4 Obstructions to access roads. Staging of building materials, placement of equipment or parking of worker vehicles shall not take place within the required width of a fire department access road.

Section **3310.5** is added to read:

3310.5 Construction site locks. Site security gates shall be provided with a District padlock. Application for a District padlock is made through the Fire Prevention Office.

3312 Water supply for fire protection.

Section 3312 is amended to add: Sections 3312.1.1 and 3312.1.2 to read:

3312.1.1 Permit. A permit is required for temporary water supplies, see Section 105.7.12.

3312.1.2 Temporary water supply for subdivisions. For construction of residential projects or subdivisions temporary water supplies are permitted only for construction of model units.

Chapter 33 is amended to add Section 3308.3.3 to read:

Section 3308.3 Demolition of structures

3308.3 Construction documents. Construction documents and schedule for demolition must be submitted to the fire code official when required by the building code official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved by the fire code official.

Chapter 50 Hazardous Materials-General Provisions

Section 5001.5.3 is added to read:

5001.5.3 Emergency response support information. Floor plan, material safety data sheets, Hazardous Materials Inventory Statements (HMIS), Hazardous Materials Management Plan,

Attachment A

(HMMP) and other information must be stored at a readily accessible location, as determined by the fire code official. This location may be stored in cabinets outside of facilities or buildings. Information may be required in a specific electronic media format to facilitate computer aided dispatching.

Chapter 56 Explosives and Fireworks

Section 5601.3 is amended to read:

5601.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the jurisdiction of the District are prohibited.

Exceptions:

1. Firework storage within the jurisdiction of the District is limited to aerial fireworks in conjunction with an approved and permitted aerial display, in accordance with California Code of Regulations, Title 19, Chapter 6.
2. Snap Caps and Party Poppers as classified by the Office of the State Fire Marshal as pyrotechnic devices.

Section 5601.3 is added to read:

5601.3.2 Prohibited and Limited Acts. The storage of explosive materials is prohibited in any central business district and in all zoning districts except districts zoned of industrial or agricultural uses. In districts where storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with International Fire Code Sections 5601.8.1 and 5601.8.11.

Section **5601.3** is added to read:

5601.3.3 Permit restrictions: The storage of explosive materials is prohibited in any central business district and in all zoning districts except districts zoned of industrial or agricultural uses. In districts where storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with International Fire Code Sections 5601.8.1 and 5601.8.1.1.

Section 5601.2.4 is amended to read:

5601.2.4 Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

13.1 Repeal. The following Ordinance previously adopted by the Board of Directors is hereby repealed: Ordinance #13-01, Moraga-Orinda Fire District with amendments from the California Fire Code (2013 Edition).

SECTION 5. VALIDITY.

14.1 Validity. The Board of Directors of the District hereby declares that should any section, paragraph, sentence or work of this Ordinance 16-02 or of the California Fire Code, ~~2013~~ 2016 Edition and the International Fire Code, ~~2012~~ 2015 Edition as adopted and amended herein be declared for any reason to be invalid, it is the intent of the Board of Directors of the District that it

Attachment A

would have passed all other portions or provisions of this Ordinance independent of the elimination here from any such portion or provision as may be declared invalid.

SECTION 6. MORE RESTRICTIVE REQUIREMENTS.

15.1 More restrictive requirements. In the event the City of Orinda, Town of Moraga, or Contra Costa County, adopt more restrictive requirements, or amend those provisions contained herein, those more restrictive or amended requirements shall only apply within the jurisdiction adopting such requirements.

SECTION 7. DATE OF EFFECT.

16.1 Date of effect. This Ordinance shall become effective on January 1, 2017 and within fifteen (15) days of adoption, a summary will 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, APPROVED and ADOPTED this 5th day of October, 2016 at the regular meeting of the District Board of Directors held on October 5, 2016 at 2100 Donald Drive, Moraga, California, 94556, on a motion made by Director _____ seconded by Director _____, and duly carried with the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attachment A

Stephen L. Anderson, President
Board of Directors

ATTEST:

APPROVED AS TO FORM:

Grace Santos, District Clerk

John Bakker, District Counsel

2016 MOFD Ordinance 16-02 Finding of Fact Marix

Section	Title	Added to CFC	Deleted From CFC	Amended From CFC	Justification (See Key Below)
102	Applicability	X		X	A,B,C,D
105	Permits	X		X	B,C,D
108	Board of Appeals			X	AB,C,D
109	Violation Penalties			X	B,C,D
111	Failure to Comply			X	A,D
325	Exterior Hazard Control	X			A,B,C,D
401	General	X			B,C,D
503	Additional access	X		X	B,C,D
503	Specifications	X		X	B,C,D
505	Premise Identification	X			B,C,D
606	Chimneys			X	B,C,D
903	General			X	A,B,C,D
903	Where required	X		X	A,B,C,D
903	Group R	X			A,B,C,D
903	Change in Occupancy Classification			X	A,B,C,D
903	Undeclared use and tenant space	X			A,B,C,D
903	Substantial remodel	X			A,B,C,D
903	Group R-3 substantial remodel or expansion	X			A,B,C,D
1028	Exit Discharge			X	B,C,D
3310	Temporary fire department access road for construction	X			A,C
3310	Obstructions to access roads	X			A,D
3310	Access to structures	X			A,B,D
3312	Temporary water supply for subdivisions	X			A,B,D
5001	General	X			B,C,D
5601	General	X		X	A,B,C,D

Attachment B

Key to Justificatiosn for Amendments to Title 24 of the California Code of Regulations	
A	<p>This amendment is necessary for administrative clarification of the California Fire Code pursuant to California Health and Safety Code Sections 17958, 17958.5, 17958.7. The October 1991 firestorm that occurred in the Oakland/Berkeley hills was a harbinger of the potential for a similar fire that could occur within Fire District. Many of the same conditions that contributed to the loss of life and property in the Oakland/Berkeley hill fire exist within a major portion of the Fire District. In addition, there is a significant amount of un-grazed open space on the surrounding undeveloped hillsides of the Fire District. Either a wildfire or structure fire could initiate a firestorm with the potential for a huge loss of life and property for the City of Orinda, the Town of Moraga, and in the unincorporated areas within Contra Costa County that are covered by the Moraga-Orinda Fire District.</p>
B	<p>This amendment is justified on the basis of a local geological condition. The Fire District climate, location and topography encouraged early development as a vacation home area. Since World War II the fire District has continued to be a primarily residential area. The development occurred and continues to occur on the valley floor and hillsides. The street system within the northern portion of the Fire District reflects the earlier development with narrow, steep and curve roadways. Residences have been built on long narrow cul-de-sacs, dead-end roads and adjacent to grasslands and chaparral areas. Areas that were once grazing areas are no longer suitable for cattle grazing, thus the fuel supply in these areas continues to increase. As areas are developed additional forms of combustible vegetation and man-made structures have increased. The topographic and geologic conditions in a large portion of the Fire District have not permitted the establishment of an infrastructure, which permits adequate fire protection to be provided when a new development occurs. It is difficult to widen existing streets to meet present standards for emergency operations. Fire hydrants, especially in the hillside areas, often have less than optimum water pressure levels and the terrain often causes emergency response time to exceed minimum standards. In summary, large portions of the Fire District do not have adequate water supplies or roadways that delay the response of emergency equipment and extinguishment of a fire allowing the fire to increase in area. In order to mitigate the above situation that hinders the quick response to a fire, built-in automatic fire-extinguishing systems are required over and above state code requirements. The requirement and installation of such a system will allow for occupants to evacuate and allow the fire to be controlled before the Fire District arrives. This control of the fire also illuminates the potential for fire to spread beyond the structure into the vegetation. This geological condition within the District creates hazardous conditions for which departure from the California Fire Code is required.</p>

Attachment B

Key to Justificatiosn for Amendments to Title 24 of the California Code of Regulations	
C	<p>This amendment is justified on the basis of a local climatic condition. The Fire District is the gateway to the central Contra Costa County. It is located in a valley created by the Berkeley/ Oakland hills to the west and the rolling hills of central Contra Costa County to the east. Due to its location, the Fire District climate is more varied than that of its neighbors. The Fire District receives a little more rainfall than areas further inland and often, during the summer months, portions of the Fire District are enveloped in fog as the heat in the Central Valley draws cool air in from the San Francisco Bay. However, the Fire District also experiences the hot, dry summer weather that is characteristic of central Contra Costa County. This climate has promoted the growth of native grasslands, chaparral, oaks and other indigenous plant species for the area. The climate has encouraged the development of the Fire District, with the addition of primarily residential uses within the Fire district and the tremendous addition of non-indigenous plant species. The seasonal climatic conditions during the late summer and fall create severe fire hazards to the public health and welfare within the District. The hot, dry weather in combination with the geological characteristics of the hills within the District create hazardous condition for which departure from the California Fire Code is required.</p>
D	<p>This amendment was justified on the basis of a local topographical condition. District topography includes significant hillsides with narrow and winding access, which makes timely response by fire suppression vehicles difficult. Conditions in a large portion of the Fire District have not permitted the establishment of an infrastructure, which permits adequate fire protection to be provided when a new development occurs. It is difficult to widen existing streets to meet present standards for emergency operations. Fire hydrants, especially in the hillside areas, often have less than optimum water pressure levels and the terrain often causes emergency response time to exceed minimum standards. In summary, large portions of the Fire District do not have adequate water supplies or roadways that delay the response of emergency equipment and extinguishment of a fire allowing the fire to increase in area. In order to mitigate the above situation that hinders the quick response to a fire, built-in automatic fire-extinguishing systems are required over and above state code requirements. The requirement and installation of such a system will allow for occupants to evacuate and allow the fire to be controlled before the Fire District arrives. This control of the fire also illuminates the potential for fire to spread beyond the structure into the vegetation. This topographical condtion within the District create hazardous condition for which departure from the California Fire Code is required.</p>



Moraga-Orinda Fire District

TO: Board of Directors
FROM: Stephen Healy, Fire Chief
DATE: October 5, 2016
SUBJECT: Item 4.2 – Strategic and Business Plans: Review and Comment

BACKGROUND

Phases-1 and 2 are now complete.

Phase-1 consisted of document review, meetings with the facilitator, developing the framework for the process, setting expectations, and planning an inclusive process that ensured participation by all levels of the organization. Phase-2 consisted of facilitator-lead workshops with internal stakeholders.

Data from the workshops was analyzed and core strategies were developed. Eighteen (18) potential initiatives were identified. Staff separated these into two (2) categories: 1) initiatives requiring Board action (e.g.) budget and staffing-related, and 2) initiatives, policies, or directives that can be completed at the senior staff level. Of these, some were combined, already in progress or have since been completed. Some will require participation from the bargaining groups.

There are six (6) initiatives planned for 2017.

Staff has now completed the Strategic and Business Plans, which are now ready for review and comment by the Board of Directors and public. Staff intends to bring the final versions back to the Board for approval at the November 16, 2016 meeting.

RECOMMENDATION

- 1) Discuss, 2) Deliberate, 3) Provide direction to staff

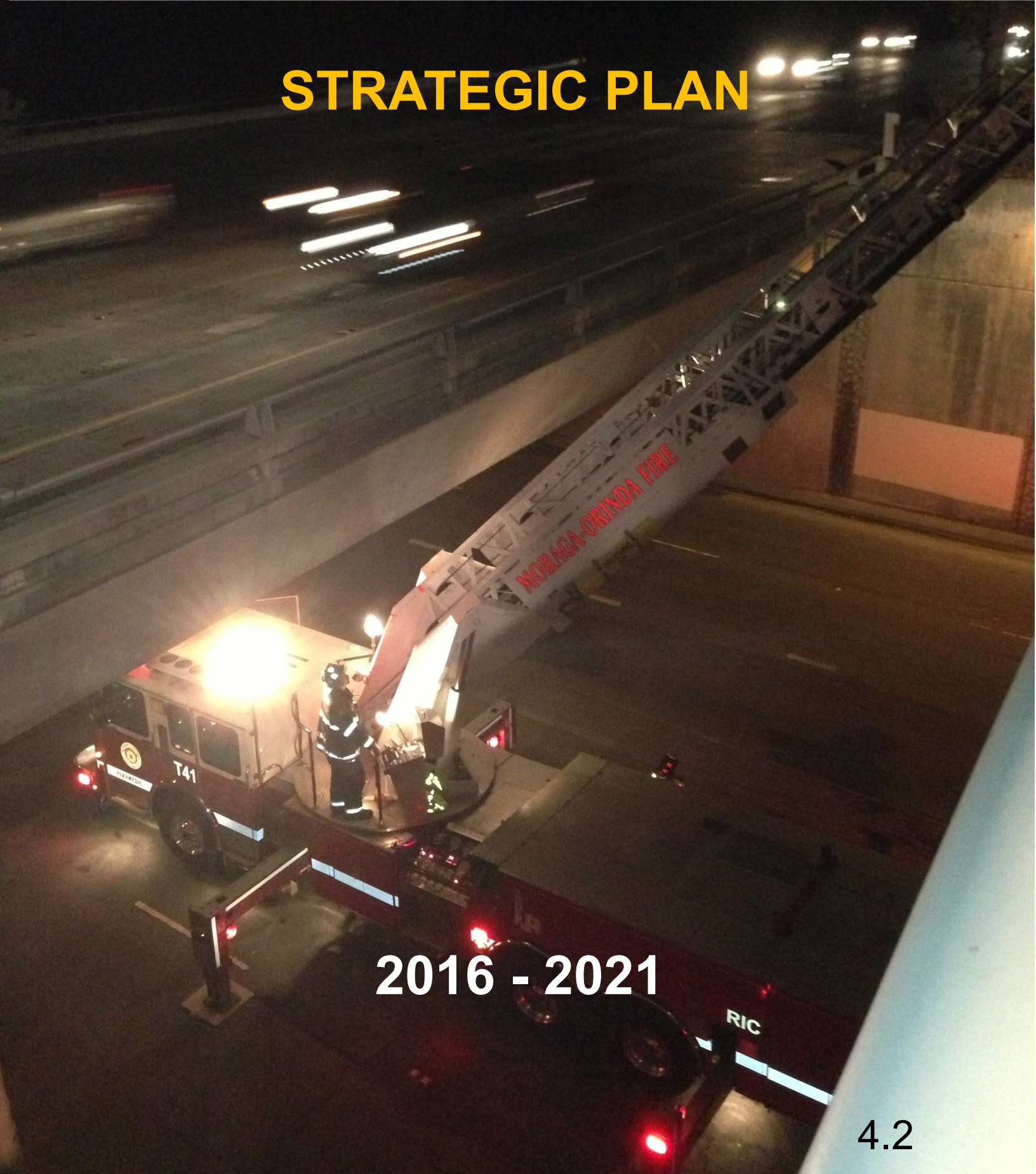
ATTACHMENTS

1. Attachment A – Draft Strategic Plan
2. Attachment B – Draft Business Plan
3. Attachment C – List of Initiatives and Policy Directives

MORAGA-ORINDA FIRE DISTRICT

STRATEGIC PLAN

2016 - 2021



MORAGA-ORINDA FIRE DISTRICT

Mission Statement

With pride and professionalism, the Moraga-Orinda Fire District will provide the highest level of emergency and public service in response to the needs of our community.



Core Values:

SERVICE

HONOR

INTEGRITY

MORAGA-ORINDA FIRE DISTRICT

EXECUTIVE SUMMARY

We hope you will find the information within this Strategic Plan informative. When the Board of Directors tasked the Fire Chief with creating an updated plan, it was made clear that they wanted a document that focused on the major issues, was thoughtfully designed, relevant, and concise. This document represents those goals.

This plan was created by the employees of the District. All positions and ranks were represented, as well as the bargaining units and the Board of Directors. It was thoughtfully designed and created with the purpose of providing the framework for service delivery over the next several years. Excellent service delivery is directly related to having a purpose as well as sustainable revenue and managed expenses. No one knows with certainty what the next five years will bring and difficult decisions will inevitably present themselves. With this in mind, one intent of this document is to inform both internal and external stakeholders of strengths, weaknesses, opportunities, and threats. Fiscal, human resources, and organizational planning are included in the plan. This document will be reviewed and revised as necessary, including the District's Mission Statement, Core Values, and Vision to ensure that the District is meeting our customers needs.

Focus areas from the 2009-2011 MOFD Strategic Plan were reviewed. That plan contained elements of a business plan, which is now a separate document. Review of that document yielded three (3) successes and two (2) areas for continued improvement: succession planning and fire prevention. Plans from other agencies were reviewed as the process was initiated. Some of these plans were concise and others were not. The temptation to revisit obsolete goals, initiatives, and accomplishments as new goals was resisted throughout this process. As indicated within this report, there are presently a wide variety of challenges and opportunities facing the District.

Since 2009, some of the challenges and opportunities the District face have changed and some remain the same. What has not changed are the reasons our services exist, the reasons people join MOFD, and our commitment to the community. We use the word community because the MOFD is blind to the political borders within the District. MOFD is fully integrated organization that overlaps many jurisdictions.

When the process of developing an updated strategic plan began in 2014, the District was beginning to recover from the effects of a serious economic downturn. Since that time, the financial forecast of the District has greatly improved, thanks to the Board of Directors, staff, and employees, who care deeply about the District.

This plan provides specific goals and assigns priorities within three divisions: Administration, Operations, and Fire Prevention. Other divisions, such as EMS, Finance, Human Resources, Emergency Preparedness, and Training are contained within these categories. Some relevant historical information is also contained within this plan in an effort to recognize and interpret patterns and trends that may be relevant to service demand and delivery.

MORAGA-ORINDA FIRE DISTRICT

BACKGROUND & DISTRICT OVERVIEW

INTRODUCTION

During 2014 and 2015, there were several major initiatives that preceded the beginning of the new strategic planning process. These included attaining a balanced budget with a 10% General Fund reserve, several financial policies, service delivery analysis, and the exploration of shared services with neighboring agencies.

In 2015, the District began a new 5-year Strategic Plan and Business Plan process with the goal of a meaningful process. The responsibilities of the Fire Chief were to provide the framework and vision, prepare the District for the process, and remain committed to quality throughout the process. The District followed a step-by-step process, which included document/policy review, framework, design, facilitator meetings, focus areas, internal stakeholder workshops, Board of Director and public comment.

Additional initiatives began in 2015 and 2016 as the plan continued to be developed. These are included in the 2016 initiatives. Many are complete or already in-progress.

The internal stakeholder workshops evaluated five (5) external factors and eight (8) internal factors. These workshops were a critical component of the process because it engaged all permanent employees. The workshops yielded 18 recommendations. These recommendations were grouped into three categories: 1) MOFD program/plan initiatives, 2) external stakeholder initiatives, and 3) administrative policy directives. Categories 1 and 2 were integrated into this plan. Administrative directives can be achieved at the staff-level without flooding the plan.

DISTRICT OVERVIEW

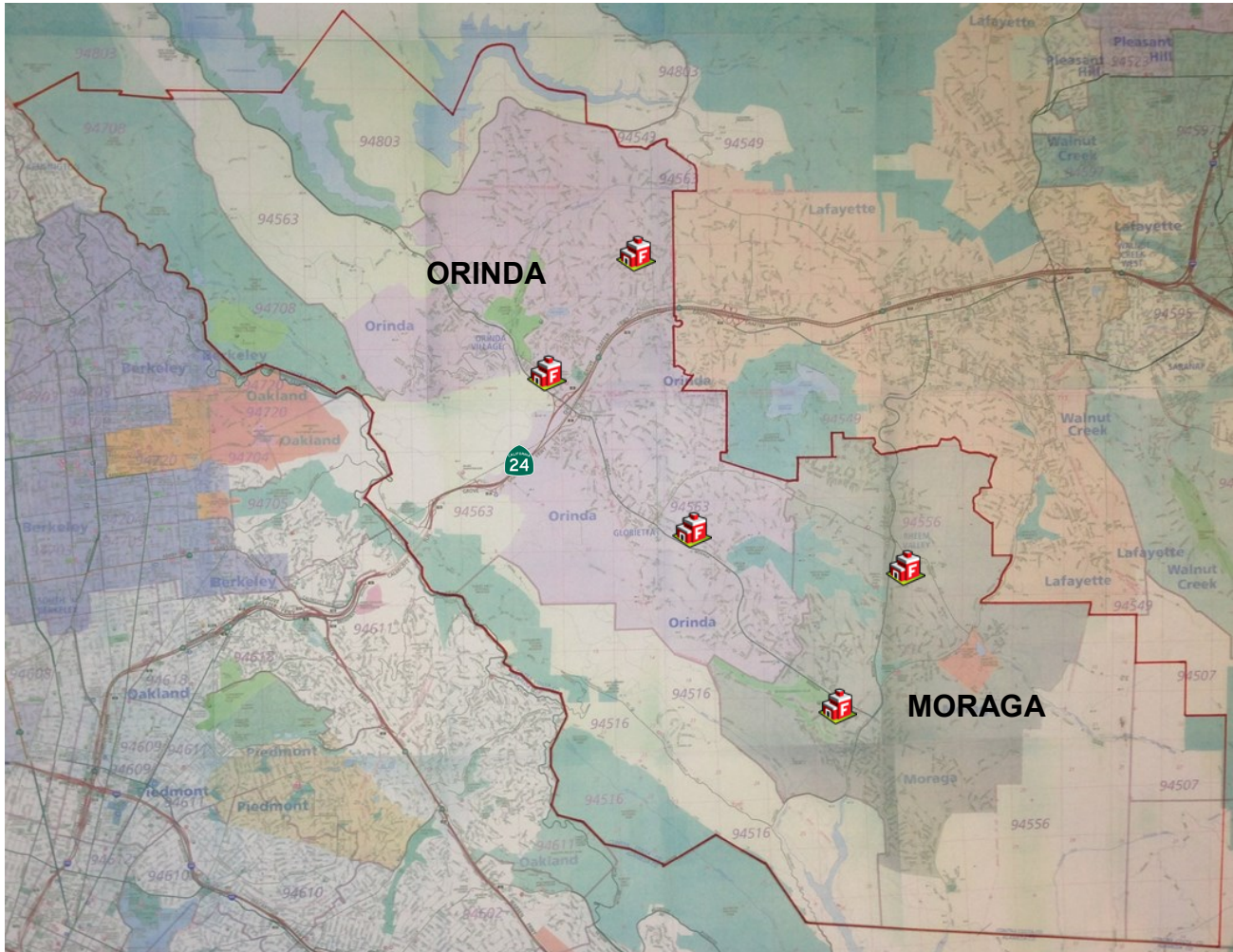
The Moraga-Orinda Fire Protection District (MOFD) was formed in 1997 as an integrated independent special district. MOFD was formed through the consolidation of the Moraga Fire Protection District and the Orinda Fire Protection District, to provide more efficient fire protection and emergency medical services to the communities of Moraga and Orinda and the surrounding unincorporated areas including the communities of Canyon and Bollinger Canyon.

MOFD is located nine (9) miles east of San Francisco in southwest Contra Costa County. It is bordered by the cities of Berkeley and Oakland to the west, the City of Lafayette to the east, and large open spaces, reservoirs, and regional parks to the north and south. MOFD is a fully-paid, "all-risk" fire service agency with 64 regular employees, six (6) temporary employees and 30 volunteers, including five (5) Board of Directors. The district encompasses 42 square miles, protecting approximately 38,500 residents in a combination of urban city centers; metropolitan, urban, suburban, and rural residential housing areas; a major college campus; and a mix of large regional parks, open spaces, reservoirs, and recreation areas.

There are approximately 13,644 parcels within the District. A large portion of north Orinda and several other smaller portions throughout the District are within areas designated by the State as Very High Fire Hazard Severity Zones (VHFSHZ). In addition, there are several occupancies that present high potential fire hazards, where additional resources are required to mitigate emergencies.

MORAGA-ORINDA FIRE DISTRICT

MOFD SERVICE AREA



In 2015, the district had 3,341 responses from five fire stations, which house five paramedic engine companies, one (cross-staffed) paramedic truck company, four paramedic ambulances (3 cross-staffed), and one Battalion Chief. The majority of emergency responses were for medical emergencies and rescues (56%). Other call types included fires, hazardous conditions, service calls, and false alarms.

MOFD protects significant critical infrastructure and several target hazards, including Saint Mary's College of California, four (4) drinking-water storage reservoirs, a major power grid, two large natural gas transmission lines, a major 8-10 lane freeway, six (6) transportation tunnels (four vehicle and two train), two (2) senior apartment complexes, two (2) senior assisted living facilities, two (2) convalescent hospitals, and thousands of high-value homes.

MORAGA-ORINDA FIRE DISTRICT

FUTURE CHALLENGES & OPPORTUNITIES

The list of future challenges and opportunities MOFD will face and explore is lengthy and complicated. During the strategic planning process, senior staff identified issues that the District faces often, infrequently, and exclusively. Internal stakeholder workshops provided valuable insight to senior staff by identifying issues that were either missing, hidden or ignored. These insights helped bring balance to the plan through participation from within the organization.

Presently, the District is meeting service demands and generally accepted expectations. Emergency response, principally fire suppression and emergency medical services, remain the most visible services provided by the District. These are core functions for the District. Within each functional division of the District, there are wants, needs, and demands that must be prioritized.

For this plan to be relevant there must be a nexus between the District's mission and the continuing demands from each division. These demands must be easily explainable to not only our employees, but the public as well. Ultimately, every function of the District must be linked to the mission statement. In creating this plan, effort was made to align these issues. Throughout the development of the plan, senior staff were well aware of the fact that the Fire Chief and all employees would primarily be looking internally and that the District's Board of Directors would primarily look externally. For the public to have confidence in the plan, they must be assured that the District is looking in both directions, and that the resulting plan is sustainable, capable, reliable, and that response times to most emergencies are reasonable.



Concurrent with the development of this plan, the District is completing a Standards of Cover Plan, which will determine the distribution and concentration of fixed and mobile resources needed to reduce community risk within the Town of Moraga, the City of Orinda, and the surrounding unincorporated areas within the District. The plan will also establish updated goals for response times based on international standards.

Moving forward, the District will continue to monitor emergency response times, incident frequency, and response capacity. This plan calls for reevaluation of on-duty minimum staffing levels, which will likely need to increase in the near future.

MORAGA-ORINDA FIRE DISTRICT

FIRE ADMINISTRATION

In 2006, there were 12 full-time administrative personnel and 18 part-time Reserve Firefighters, who performed both fire prevention and limited fire suppression duties. As of July 1, 2016, there are nine (9) full-time employees, three (3) part-time, five (5) temporary, and two (2) contract employees.

This reduction in full-time staffing has put pressure on programs and planning. This affects the entire organization because work is either shifted down the chain-of-command or back-logged. Although the firefighters welcome the additional work and responsibilities, it is difficult to coordinate administrative work (budgeting, planning, policy development, etc.) in alignment with firefighter shift schedules.

Two areas in particular, training and fire prevention have struggled to provide the minimum services expected by both the public and required to properly support safety personnel. Both service areas directly affect the safety of the public and our firefighters. Several initiatives were identified during preparation of the strategic planning process and during the stakeholder workshops:

- Analysis of Budget & Staffing:
 - ◆ Fire Prevention, Suppression and EMS
 - ◆ Enhance the Employee Development Plan
 - ◆ Right-size Fire Administration
- Analysis of Pension Stabilization Fund, OPEB Fund, and Long-Range Financial Plan
- Revaluation of Facilities Plan
- Participate in Interest-based Contract Negotiations
- Develop and Implement “Concept of Operations” document
- Develop and Define Opportunities with St. Mary’s College
- Develop a “Risk Management Framework”
- Develop Improved Dissemination of Public Information
- Reassess the District’s Mission Statement and Vision

Overlap with other functional groups exists with many focus areas. As legal and regulatory issues increase, the District must proactively minimize the risks and exposures. The trend in this functional area is towards addressing increasing workloads.

In summary, there are several functional areas within administration that will need to be addressed to better support operations and minimize risk within the community.

MORAGA-ORINDA FIRE DISTRICT

FIRE OPERATIONS

In 2006, there were 71 full-time safety personnel, including the Fire Chief, Battalion Chiefs, Captains, Engineers, and Firefighters. The annual call volume was 2,645.

In 2016, there are 58 authorized safety personnel, who responded to 3,341 calls for service.

As a consequence of the economic downturn of the early 2010s, staffing was reduced. An increase in call volume was also expected (regardless of the economy) however, an interesting trend developed, which was predicted by the US Fire Administration: service for medical emergencies was predicted to dramatically increase as the population aged. This prediction, and the trend that has been observed in the District, match. From 2006 through 2012, the call volume increased by an average of 1.7% per year. From 2013 through 2015, the call volume increased by 8% per year. This increase can be attributed to the people born in 1946 reaching their mid to late 60s, requiring increased service demands.

The reduction in full-time staffing and increased service demands has also put pressure on programs and planning typically managed by firefighters (as previously mentioned). Again, training and fire prevention have endeavored to fully meet expectations.

Several initiatives were identified during preparation for the strategic planning process and during the stakeholder workshops:

- Analysis of Budget & Staffing
- Develop Training Mandates Plan
- Develop a “Risk Management Framework”

As observed above, overlap with other functional groups exists.

The most noticeable trend within the operational group is the pressure to provide and receive sufficient training to meet the industry and regulatory standards. Although effort was focused towards using technologies to help deliver some training needs several years ago, we’ve discovered that these methods cannot replace manipulative (hands-on) training. The lack of a (centrally located) fully developed training-site also inhibits these efforts. The lack of a full-time Training Battalion Chief and adequate training site are the primary challenges facing the operations division.

Due to increasing call volume and gaps in ambulance response time (e.g.), re-staffing a full-time ambulance at Station-45 in the Orinda Village will be necessary by the end of 2018. Co-locating the new aerial ladder truck with the cross-staffed ambulance crew will be impractical. These two changes in the deployment of fire and EMS resources should be concurrent.

The trend in this functional area is towards increasing workloads, the projected need for increased staffing, and pressure to meet training mandates.

MORAGA-ORINDA FIRE DISTRICT

FIRE PREVENTION / COMMUNITY RISK REDUCTION

In 2006, there was one full-time Fire Marshal and 18 Reserve Firefighters, who performed a wide variety of fire prevention and community risk reduction services. The Fire Marshal was a safety employee, capable and authorized to perform fire investigations.

In 2014, staff conducted a management audit of the five functional areas within the division: 1) Public Education, 2) Exterior Hazard Reduction; 3) Code Enforcement, 4) Plan Review, and 5) Administrative (e.g.) hydrant testing, agency collaboration, grants. This audit yielded significant deficiencies in public education, which is the cornerstone of a community risk-reduction plan.

In 2016, the Fire Prevention Division was authorized additional staff to supplement the part-time/temporary Fire Prevention Aides and the contract plans checker.

Several initiatives were identified during preparation for the strategic planning process and during the stakeholder workshops:

- Analysis of Budget & Staffing
- Develop a “Risk Management Framework”
- Enhance the Employee Development Plan
- Develop Improved Dissemination of Public Information

As observed above, overlap with other functional groups exists.

The most noticeable trend within the prevention group is the pressure to provide public education and building plan checking services. Improved information technologies have made many of the fire prevention programs more efficient, but the division is still saturated and under-staffed. The lack of office space also inhibits these efforts.

In addition, no effort has been expended on the part of the organization towards succession planning to fill future openings within the division. Recruiting a highly qualified Fire Marshal from outside the organization will be difficult; and the unique nature of the District makes the position very difficult to learn.

The trend in this functional area is towards increasing workloads.

MORAGA-ORINDA FIRE DISTRICT
1280 Moraga Way
Moraga, CA 94556
www.mofd.org



MORAGA-ORINDA FIRE DISTRICT



BUSINESS PLAN

2016 - 2021

SERVICE

HONOR

INTEGRITY

MORAGA-ORINDA FIRE DISTRICT

BUSINESS PLAN

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17-3	Initiative (Goal)	TRAINING MANDATES PLAN
17-4	Initiative (Goal)	BUSINESS PLAN
17-5	Initiative (Goal)	'CONCEPT OF OPERATIONS'



MORAGA-ORINDA FIRE DISTRICT

BUSINESS PLAN

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17-6	Initiative (Goal)	OPPORTUNITIES WITH SMC
17-7	Initiative (Goal)	PROMOTIONAL EXAM
17-8	Initiative (Goal)	'RISK MANAGEMENT FRAMEWORK'
17-9	Initiative (Goal)	MANAGEMENT AUDIT / 'RIGHT-SIZING'
17-10	Initiative (Goal)	EMPLOYEE DEVELOPMENT PLAN

FOCUS AREAS – 2018: Administration, Operations, Prevention

18-1	Initiative (Goal)	BOARD ELECTION
18-2	Initiative (Goal)	PROMOTIONAL EXAMS (2)
18-3	Initiative (Goal)	FIRE STATION-41/TRAINING SITE PROGRAM
18-4	Initiative (Goal)	BUDGET AND STAFFING ANALYSIS - OPERATIONS
18-5	Initiative (Goal)	EMS & INFORMATION TECHNOLOGY
18-6	Initiative (Goal)	PUBLIC INFORMATION OFFICER FUNCTIONS

FOCUS AREAS – 2019: Administration, Operations, Prevention

19-1	Initiative (Goal)	FIRE CODE ADOPTION
19-2	Initiative (Goal)	FIRE STATION-41/TRAINING SITE PROGRAM
19-3	Initiative (Goal)	PROMOTIONAL EXAM

FOCUS AREAS – 2020: Administration, Operations, Prevention

20-1	Initiative (Goal)	BOARD ELECTION
20-2	Initiative (Goal)	FIRE STATION-41/TRAINING SITE PROGRAM
20-3	Initiative (Goal)	PROMOTIONAL EXAMS (2)
20-4	Initiative (Goal)	MISSION STATEMENT & CORE VALUES

FOCUS AREAS – 2021: Administration, Operations, Prevention

21-1	Initiative (Goal)	PROMOTIONAL EXAM
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MORAGA-ORINDA FIRE DISTRICT

BUSINESS PLAN

FOCUS AREAS – 2016

STRATEGY 2016-1 BUDGET AND STAFFING ANALYSIS - OPERATIONS

Responsibly consider expenditure and revenue requirements to increase the on-duty minimum staffing level. To include Chief Officer positions, risk-based and regular staffing levels, and re-classification of Paramedic II's to Paramedic I's.

RESPONSIBLE: FIRE CHIEF, ADMINISTRATIVE SERVICES DIRECTOR
COMPLETION: APRIL 2016
PRIORITY: HIGH
STATUS: COMPLETE

STRATEGY 2016-2 BUDGET AND STAFFING ANALYSIS – FIRE PREVENTION

Responsibly consider expenditure and revenue requirements to restore the (full-time) Assistant Fire Marshal position, responsible for planning, organizing and directing the general fire prevention and Fire Code compliance duties of the MOFD. This position was frozen in July of 2013.

RESPONSIBLE: FIRE CHIEF, FIRE MARSHAL, ADMINISTRATIVE SERVICES DIRECTOR
COMPLETION: APRIL 2016
PRIORITY: HIGH
STATUS: COMPLETE

STRATEGY 2016-3 PROMOTIONAL EXAMS (2)

Conduct examination for Fire Engineer and Battalion Chief in order to fill vacancies within Fire District.

RESPONSIBLE: ADMINISTRATIVE SERVICES DIRECTOR, HR MANAGER
COMPLETION: APRIL 2016 AND DECEMBER 2016
PRIORITY: MEDIUM
STATUS: COMPLETE (APRIL), PENDING (DECEMBER)

STRATEGY 2016-4 APPARATUS REPLACEMENT PLAN

Determine short, medium, and long-term capital replacement needs for all MOFD vehicles.

RESPONSIBLE: FIRE CHIEF, BATTALION CHIEF
COMPLETION: SEPTEMBER 2016
PRIORITY: MEDIUM
STATUS: COMPLETE

STRATEGY 2016-5 FIRE CODE ADOPTION

Adopt and amend California Fire Code and MOFD Ordinance.

RESPONSIBLE: FIRE CHIEF, FIRE MARSHAL, DISTRICT CLERK, DISTRICT COUNSEL
COMPLETION: JANUARY 2017
PRIORITY: HIGH
STATUS: IN-PROGRESS



MORAGA-ORINDA FIRE DISTRICT

BUSINESS PLAN

FOCUS AREAS – 2016 (CONT)

STRATEGY 2016-6 FIRE STATION-43 PROGRAM

Renew permits, complete architectural drawings phase (update), relocate crew to temporary site, award construction bid, begin grading and construction, monitor construction and progress of Fire Station-43.

RESPONSIBLE: FIRE CHIEF, BATTALION CHIEF
COMPLETION: OCTOBER 2017
PRIORITY: HIGH
STATUS: IN-PROGRESS

STRATEGY 2016-7 STANDARDS OF COVERAGE

Update and analyze Fire District Standards of Coverage document using CFAI Standard and GIS modeling.

RESPONSIBLE: FIRE CHIEF, BATTALION CHIEF
COMPLETION: NOVEMBER 2016
PRIORITY: HIGH
STATUS: IN-PROGRESS

STRATEGY 2016-8 PENSION STABILIZATION AND OPEB FUNDS; LONG-RANGE FINANCIAL PLAN

Responsibly consider expenditure and revenue requirements to begin funding a pension rate stabilization fund and/or increase contributions towards the existing OPEB trust. On an annual basis, evaluate future projections to determine expected revenue totals (including reserves). Identify appropriate uses for increasing revenue (e.g.) improved service delivery, additional community risk-reduction initiatives, UAAL, OPEB, and debt service.

RESPONSIBLE: BOARD OF DIRECTORS, FIRE CHIEF, ADMINISTRATIVE SERVICES DIRECTOR
COMPLETION: MARCH 2017 (Discuss annually)
PRIORITY: MEDIUM
STATUS: IN-PROGRESS

STRATEGY 2016-9 FACILITIES PLAN

Determine short, medium, and long-term capital needs for all six (6) MOFD facilities, including training site.

RESPONSIBLE: FIRE CHIEF, BATTALION CHIEF
COMPLETION: MARCH 2017
PRIORITY: MEDIUM
STATUS: PENDING

STRATEGY 2016-10 BOARD ELECTION

Distribute election requirements, monitor Board of Directors and Fire District responsibilities, develop resolution and request consolidation with 2016 General Election.

RESPONSIBLE: FIRE CHIEF, BOARD CLERK, DISTRICT COUNSEL
COMPLETION: NOVEMBER 2016
PRIORITY: HIGH
STATUS: PENDING



MORAGA-ORINDA FIRE DISTRICT

BUSINESS PLAN

FOCUS AREAS – 2017

STRATEGY 2017-1 FIRE STATION-43 PROGRAM

Complete construction and move Station-43 crew back to quarters at the 20 Via Las Cruces site.

RESPONSIBLE: FIRE CHIEF, BATTALION CHIEF
COMPLETION: OCTOBER 2017
PRIORITY: HIGH
STATUS: IN-PROGRESS

STRATEGY 2017-2 CONTRACT (EXTENSION) NEGOTIATIONS

Begin contract extension negotiations with Local 1230, 2700, and MOFCOA in January 2017. Some positions are well behind the regional job market averages.

RESPONSIBLE: FIRE CHIEF, BOARD OF DIRECTORS
COMPLETION: 2017
PRIORITY: HIGH
STATUS: PENDING

STRATEGY 2017-3 TRAINING MANDATES PLAN

Adopt and disseminate a "Training Mandates Plan". Doc review, draft and create plan, implement plan, monitor plan.

RESPONSIBLE: FIRE CHIEF, BATTALION CHIEF
COMPLETION: MARCH 2017
PRIORITY: HIGH
STATUS: PENDING

STRATEGY 2017-4 BUSINESS PLAN

Create, adopt, and implement Business Plan to implement the 2016-21 Strategic Plan.

RESPONSIBLE: FIRE CHIEF, ADMINISTRATIVE SERVICES DIRECTOR
COMPLETION: 2017
PRIORITY: HIGH
STATUS: PENDING (COMPLETION OF STRATEGIC PLAN)

STRATEGY 2017-5 'CONCEPT OF OPERATIONS' POLICY'

Create, adopt and disseminate 'Concept of Operations Policy'. Areas of focus: District mission; service; civilian and firefighter safety; hazard mitigation; operational activities in support of the District's mission; performance measures; employee interactions; chain-of-command; rules, regulations, policies, procedures, and (fireground) commanders intent; internal & external communications. Doc review, draft and create policy, implement policy, monitor policy.

RESPONSIBLE: FIRE CHIEF
COMPLETION: JUNE 2017
PRIORITY: MEDIUM
STATUS: PENDING



MORAGA-ORINDA FIRE DISTRICT

BUSINESS PLAN

FOCUS AREAS – 2017 (CONT)

STRATEGY 2017-6 DEVELOP / DEFINE OPPORTUNITIES WITH ST. MARY'S COLLEGE

Establish framework. Topics: Safety, revenues, educational opportunities, service demands, partnerships.
Meet with College Dean of Students and Public Safety Chief.

RESPONSIBLE: FIRE CHIEF, FIRE MARSHAL

COMPLETION: JUNE 2017

PRIORITY: MEDIUM

STATUS: PENDING

STRATEGY 2017-7 PROMOTIONAL EXAMS

Conduct examination for Fire Captain in order to fill vacancies within Fire District.

RESPONSIBLE: ADMINISTRATIVE SERVICES DIRECTOR, HR MANAGER

COMPLETION: JULY 2017

PRIORITY: MEDIUM

STATUS: PENDING

STRATEGY 2017-8 DEVELOP 'RISK MANAGEMENT FRAMEWORK'

Doc review, draft and create policy, implement policy, monitor policy.

RESPONSIBLE: FIRE CHIEF, BATTALION CHIEF, FIRE MARSHAL

COMPLETION: OCTOBER 2017

PRIORITY: HIGH

STATUS: PLANNED

STRATEGY 2017-9 MANAGEMENT AUDIT / 'RIGHT-SIZING'

Conduct management audit, make recommendations.

RESPONSIBLE: FIRE CHIEF, FIRE MARSHAL, ADMINISTRATIVE SERVICES DIRECTOR, HR MANAGER

COMPLETION: OCTOBER 2017

PRIORITY: MEDIUM

STATUS: PLANNED

STRATEGY 2017-10 ENHANCE EMPLOYEE DEVELOPMENT PLAN

Doc review, draft and create plan, implement plan, monitor plan.

RESPONSIBLE: FIRE CHIEF, ADMINISTRATIVE SERVICES DIRECTOR, HR MANAGER

COMPLETION: DECEMBER 2017

PRIORITY: MEDIUM

STATUS: PLANNED



MORAGA-ORINDA FIRE DISTRICT

BUSINESS PLAN

FOCUS AREAS – 2018

STRATEGY 2018-1 BOARD ELECTION

Distribute election requirements, monitor Board of Directors and Fire District responsibilities, develop resolution and request consolidation with 2018 General Election.

RESPONSIBLE: FIRE CHIEF, BOARD CLERK, DISTRICT COUNSEL
COMPLETION: NOVEMBER 2018
PRIORITY: HIGH
STATUS: PLANNED

STRATEGY 2018-2 FIRE STATION-41 / TRAINING SITE

Evaluate facility and site needs for Fire Station-41, training grounds, and administration building; develop schematic drawings and space needs, make recommendations.

RESPONSIBLE: FIRE CHIEF, BATTALION CHIEF, ADMINISTRATIVE SERVICES DIRECTOR
COMPLETION: 2021
PRIORITY: HIGH
STATUS: PLANNED

STRATEGY 2018-3 PROMOTIONAL EXAMS

Conduct examination for Fire Engineer and Battalion Chief in order to fill vacancies within Fire District.

RESPONSIBLE: ADMINISTRATIVE SERVICES DIRECTOR, HR MANAGER
COMPLETION: APRIL 2018 AND DECEMBER 2018
PRIORITY: MEDIUM
STATUS: PLANNED

STRATEGY 2018-4 BUDGET AND STAFFING ANALYSIS - OPERATIONS

Responsibly consider expenditure, revenue, and service demand requirements to increase the on-duty minimum staffing level to 19 or 20 personnel, including Chief Officer, risk-based and regular daily staffing-level positions. This analysis should occur each spring during annual budget development.

RESPONSIBLE: FIRE CHIEF, ADMINISTRATIVE SERVICES DIRECTOR
COMPLETION: MARCH 2018
PRIORITY: MEDIUM
STATUS: PLANNED

STRATEGY 2018-5 EMS & INFORMATION TECHNOLOGY

Evaluate IT hardware, software, platform, and contractor to ensure that the Fire District is efficiently using technologies and protecting the District assets from cyber-attack. Evaluate ambulance service delivery and billing practices.

RESPONSIBLE: ADMINISTRATIVE SERVICES DIRECTOR
COMPLETION: NOVEMBER 2018
PRIORITY: MEDIUM
STATUS: PLANNED



MORAGA-ORINDA FIRE DISTRICT

BUSINESS PLAN

FOCUS AREAS – 2019

STRATEGY 2019-1 FIRE CODE ADOPTION

Adopt and amend California Fire Code and MOFD Ordinance.

RESPONSIBLE: FIRE CHIEF, FIRE MARSHAL, DISTRICT CLERK, DISTRICT COUNSEL

COMPLETION: JANUARY 2020

PRIORITY: HIGH

STATUS: PLANNED

STRATEGY 2019-2 FIRE STATION-41 / TRAINING SITE

Complete architectural drawings, obtain permits, award construction bid, begin grading and construction of temporary fire station. Complete construction and move Station-41 crew to temporary quarters. Begin architectural drawings and permit process for Station-41 reconstruction.

RESPONSIBLE: FIRE CHIEF, BATTALION CHIEF

COMPLETION: 2021

PRIORITY: HIGH

STATUS: PLANNED

STRATEGY 2019-3 PROMOTIONAL EXAMS

Conduct examination for Fire Captain in order to fill vacancies within Fire District.

RESPONSIBLE: ADMINISTRATIVE SERVICES DIRECTOR, HR MANAGER

COMPLETION: JULY 2019

PRIORITY: MEDIUM

STATUS: PLANNED



MORAGA-ORINDA FIRE DISTRICT

BUSINESS PLAN

FOCUS AREAS – 2020

STRATEGY 2020-1 FIRE STATION-41 / TRAINING SITE

Complete architectural drawings, obtain permits, award construction bid, begin grading and reconstruction of Station-41. Complete construction and move Station-41 crew back to quarters. Begin architectural drawings and permit process for administrative reconstruction.

RESPONSIBLE: FIRE CHIEF, BATTALION CHIEF
COMPLETION: 2021
PRIORITY: HIGH
STATUS: PLANNED

STRATEGY 2020-2 BOARD ELECTION

Distribute election requirements, monitor Board of Directors and Fire District responsibilities, develop resolution and request consolidation with 2018 General Election.

RESPONSIBLE: FIRE CHIEF, BOARD CLERK, DISTRICT COUNSEL
COMPLETION: NOVEMBER 2020
PRIORITY: HIGH
STATUS: PLANNED

STRATEGY 2020-3 PROMOTIONAL EXAMS (2)

Conduct examination for Fire Engineer and Battalion Chief in order to fill vacancies within Fire District.

RESPONSIBLE: ADMINISTRATIVE SERVICES DIRECTOR, HR MANAGER
COMPLETION: APRIL 2020 AND DECEMBER 2020
PRIORITY: MEDIUM
STATUS: PLANNED

STRATEGY 2020-4 DISTRICT MISSION STATEMENT & CORE VALUES

RESPONSIBLE: FIRE CHIEF, ALL PERSONNEL
COMPLETION: JULY 2020
PRIORITY: MEDIUM
STATUS: PLANNED



MORAGA-ORINDA FIRE DISTRICT

BUSINESS PLAN

FOCUS AREAS – 2021

STRATEGY 2021-1 PROMOTIONAL EXAMS

Conduct examination for Fire Captain in order to fill vacancies within Fire District.

RESPONSIBLE: ADMINISTRATIVE SERVICES DIRECTOR, HR MANAGER

COMPLETION: JULY 2021

PRIORITY: MEDIUM

STATUS: PLANNED



MORAGA-ORINDA FIRE DISTRICT
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Attachment C

STRATEGIC PLAN INITIATIVES					9/27/2016
INITIATIVE	CATEGORY	TOPIC	RESPONSIBLE	ACTION ITEMS	PROGRESS/ DUE DATE
2017-3	MOFD Initiative/Program/Plan	Adopt and Disseminate Training Mandates Policy/Plan	BC - Training Div. Training Committee	Doc review; create and establish Policy	3/17
2017-5	Admin. Policy/Directive External Stakeholder Initiative	Develop and Define 'Concept of Operations' Policy	Fire Chief Bargaining Group(s)	Doc review, create draft policy; implement; monitor	6/17
2017-6	External Stakeholder Initiative	Develop and define relationship with SMC. Look for opportunities to share resources and services	Fire Chief Bargaining Group(s)	Establish framework; meet with SMC	6/17
2017-8	Admin. Policy/Directive	Encourage development of "risk management framework" over "consequence management practices"	Fire Chief BC's Operations Committee	Doc review, create draft policy; implement; monitor	10/17
2017-9	MOFD Initiative/Program/Plan	Conduct management audit to "right-size" the organization	Fire Chief ASD Fire Marshal Bargaining Group(s)	Conduct management audit; establish recommendations	10/17
2017-10	MOFD Initiative/Program/Plan	Enhance employee development program	Fire Chief ASD Bargaining Group(s)	Doc review, create draft policy; implement; monitor	12/17
2020-4	MOFD Initiative/Program/Plan	Evaluate current mission and core values	All Personnel	TBD	1/20

Attachment C

STRATEGIC PLAN NON-INITIATIVES				
CATEGORY	TOPIC	RESPONSIBLE	ACTION ITEMS	PROGRESS/ DUE DATE
Admin. Policy/Directive	Leverage Meyers-Nave staff for training	BC - Training Divison ASD		Ongoing
Admin. Policy/Directive	Encourage BOD participation in CSDA workshops and symposiums	Fire Chief District Clerk		Ongoing
Admin. Policy/Directive	Establish and Maintain Labor/Management Committee	Fire Chief Bargaining Group(s)		6/17
Admin. Policy/Directive	Link organizational priorities with all budget documents and programs	Fire Chief ASD	Begin: FY 2017/18	6/17 Ongoing
Admin. Policy/Directive	Utilize interest-based bargaining during contract negotiations	Fire Chief Bargaining Group(s)	Begin: 1/17	Ongoing
Admin. Policy/Directive	Utilize interest-based process to recruitment process	Fire Chief HR Manager Bargaining Group(s)		Ongoing
Admin. Policy/Directive	Perform formal document review of policies to ensure best practices	Fire Chief ASD Admin. Committee Bargaining Group(s)		Ongoing/ Annually
Admin. Policy/Directive	Utilize interest-based approach to current deployment model	Fire Chief Operatrions Committee Bargaining Group(s)		Ongoing
External Stakeholder Initiative	Further develop PIO functions; consider using fire prevention staff	Fire Chief Fire Marshal EPC	TBD	6/18