

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: El Paso Fire Department - Fire Prevention/Fire Marshal

AGENDA DATE: July 27, 2009

CONTACT PERSON/PHONE: Chief Orlando Arriola/915-771-1092

DISTRICT(S) AFFECTED: All

SUBJECT:

AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.52 (FIRE PREVENTION CODE), SECTION 9.52.160 (APPENDIX A, FEE SCHEDULE - AMENDED) OF THE EL PASO CITY CODE BY AUTHORIZING AND AMENDING THE FEES FOR FIRE DEPARTMENT SERVICES

BACKGROUND / DISCUSSION:

The Fire department is requesting that the proposed fee ordinance be introduced during the August 4, City Council meeting in anticipation for public hearing during the August 11, City Council meeting.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

no

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

New: Cost-of-Services fees

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____
(Example: ~~if RCA is initiated by Purchasing, client department should sign also~~
~~Information copy to appropriate Deputy City Manager~~)

APPROVED FOR AGENDA: _____

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.52 (FIRE PREVENTION CODE), SECTION 9.52.160 (APPENDIX A, FEE SCHEDULE - AMENDED) OF THE EL PASO CITY CODE BY AUTHORIZING AND AMENDING THE FEES FOR FIRE DEPARTMENT SERVICES; THE PENALTY AS IS PROVIDED IN SECTIONS 1.08.010-1.08.030 OF THE EL PASO CITY CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 9 (Health and safety), Chapter 9.52 (Fire prevention code), Section 9.52.160 (Appendix A, Fee Schedule - Amended) of the El Paso City Code, shall be and hereby is amended in its entirety to read as follows:

9.52.160 Appendix A, Fee --Amended.

A101 License Fees.

A101.1 The Fire Official is authorized to charge a separate fee for each license and permit required by this code in the amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Among the various licenses for which the Fire Official is authorized to charge a fee is the commercial child day care facilities license. When hourly rates are specified in the budget resolution or other appropriately adopted resolution by the City Council, the minimum charge shall be as specified in the resolution. There shall be no reduction in the hourly rate based on services performed taking less than the full hour.

Within the ordinance, budget resolution, application forms, and adopted IFC and amendments, the term license may be also identified by and interchanged with the term permit.

A102 Reinspection fees. For any re-inspection required because the facility and/or fire system failed to comply with this code or because the work was not ready for the inspection as requested; or the request is for a partial inspection, partial acceptance and/or phase inspection a fee shall be in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City

09 JUL 27 PM 2:17

Council. Inspections conducted by fire fighting companies requiring a Fire Inspector follow-up shall be assessed a re-inspection fee in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

A103 Investigation/Inspection fees. For any investigation or inspection which is not a part of a regular license or permit program, whether during regular duty hours or at a time other than regular duty hours, the fee shall be identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Said fee may be in addition to any other required fees.

A104 Fire Watch/Standby. The Fire Official, as defined in the IFC, shall have authority to require a fire-watch, as defined by the section 202 IFC. Fire watch personnel shall be referred to as fire guards, and shall comply with NFPA 601, Standard for Security Services in Fire Loss Prevention. If El Paso Fire Department personnel function as fire guards, whether during regular duty hours or other than regular duty hours, a fee shall be assessed in an amount identified in the adopted budget resolution or other appropriately adopted resolution by the City Council for the current fiscal year. Fire guards shall not be assigned to other duties that will interfere with their fire watch function.

A105 Site Assessments/ Non-regulatory Inspections. Inspections that are outside the regulation of the International Fire Code or an ordinance of the City of El Paso, and are not initiated by the El Paso Fire Department, shall be assessed a fee as specified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Such inspections include those requested in order to comply with an applicable government regulation, or which are solely for the purpose of consulting or pre-construction guidance. Home fire safety inspections shall be offered without charge.

A106 Commercial Safety Training. Commercial for-profit entities requesting fire safety training to comply with applicable government regulation shall be assessed a fee as specified in the adopted budget resolution or other appropriately adopted resolution by the City Council for the current fiscal year.

09 JUL 27 PM 2:17

A107 Fire Systems. A fee shall be assessed in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council for the plan review and a separate fee shall be assessed for all initial acceptance tests/site inspections exclusive to El Paso Fire Department review. Fire systems failing inspection, in whole or in part, shall be assessed a re-inspection fee in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

A108 Building Permit Fire Finals. Fire final inspections for building permits shall be assessed a fee in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council.

A109 Expedited Services Fees. A fee shall be assessed for expedited inspections, customized plan review, and plans reviewed by appointment upon request in an amount identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Such services shall be subject to availability and the approval of the Fire Official.

Section 2. This ordinance shall take effect on September 1, 2009.

Section 3. Except as expressly herein amended, Title 9 (Health and safety), Chapter 9.52 (Fire prevention code), of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS ____ DAY OF _____, 2009.

THE CITY OF EL PASO:

ATTEST:

John F. Cook, Mayor

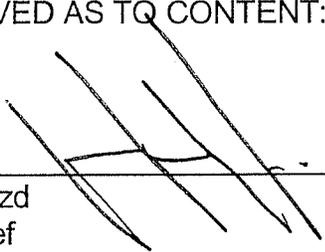
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Josette Flores
Assistant City Attorney



Otto Drozd
Fire Chief

CITY CLERK DEPT.
09 JUL 27 PM 2:17