

Fire Inspections

401.1 PURPOSE AND SCOPE

State MODIFIED

This policy provides guidance for the enforcement of fire and panic safety codes within Tiburon Fire Protection District's jurisdiction. Additionally, this policy establishes the minimum standards for inspection frequencies of all buildings in the District's jurisdiction.

401.2 POLICY

State

The Tiburon Fire Protection District is committed to improving public safety through the enforcement of building standards relating to fire and panic safety as adopted by the Office of the State Fire Marshal (OSFM) and published in the California Building Standards Code, and any other regulations that have been formally adopted by the OSFM for the prevention of fire or the protection of life and property against fire or panic (Health and Safety Code § 13145).

401.3 PROCEDURES

State

The following minimum standards and inspection frequencies are required for the types of buildings listed below.

401.3.1 JAILS

State

The Fire Chief shall indicate in writing to the OSFM that jail and detention facility inspections will be conducted by the Tiburon Fire Protection District (Health and Safety Code § 13146.1).

Jail or detention facility inspections shall be made at least once every two years for compliance with the regulations adopted by the OSFM and the minimum standards pertaining to fire and life safety as adopted by the Board of Corrections (Health and Safety Code §13146.1).

Reports of all jail or detention facility inspections shall be submitted to the facility manager of the jail or detention facility, the local governing body, the OSFM, and the Board of Corrections within 30 days of the inspection (Health and Safety Code § 13146.1).

401.3.2 APARTMENTS, HOTELS, AND MOTELS

State MODIFIED

All structures subject to Health and Safety Code § 17921(b), except dwellings, shall be inspected annually for compliance with building standards and other regulations of the State Fire Marshal (Health and Safety Code § 13146.2).

A fee for the inspection in an amount, as determined by the District, sufficient to pay the costs of the inspection may be charged to the owner of the structure.

Tiburon Fire Protection District

Tiburon FPD Fire Policy Manual

Fire Inspections

The Fire Chief should ensure that the required annual report is made to the District regarding compliance with Health and Safety Code § 13146.2 (Health and Safety Code § 13146.4).

401.3.3 SCHOOLS

State

The Tiburon Fire Protection District shall inspect every building used as a public or private school in the district's jurisdiction not less than once each year (Health and Safety Code § 13146.3).

The Fire Chief should ensure that the required annual report is made to the District regarding compliance with Health and Safety Code § 13146.3 (Health and Safety Code § 13146.4).

401.3.4 HIGH-RISE BUILDINGS

State

The Tiburon Fire Protection District should annually inspect all high-rise structures in its jurisdiction for compliance with building standards and other regulations of the OSFM. The results of the inspection shall be submitted to the OSFM in a form and manner approved by the OSFM no later than 30 days after the date of the inspection (Health and Safety Code § 13217). The definition of a high-rise structure is located in the High-Rise Incident Management Policy.

A fee for the inspection in an amount, as determined by the District, sufficient to pay the costs of the inspection may be charged to the owner of the high-rise structure.

401.3.5 COMMUNITY CARE FACILITIES

State

Upon request from a prospective licensee of a community care facility as defined in Health and Safety Code § 1502 et seq., the Tiburon Fire Protection District shall conduct a pre-inspection of the facility prior to the final fire clearance approval (Health and Safety Code § 13235).

At the time of the pre-inspection, the inspector shall provide consultation on interpretation of fire safety regulations and shall notify the prospective licensee of the facility, in writing, of specific fire safety regulations that shall be enforced in order to obtain fire clearance approval (Health and Safety Code § 13235).

A fee for the inspection in an amount, as determined by the District, sufficient to pay the costs of the pre-inspection may be charged to the prospective licensee (Health and Safety Code § 13235).

The Tiburon Fire Protection District shall complete any required final fire clearance inspection for a community care facility within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final pre-licensure inspection by the California Department of Social Services, whichever is later (Health and Safety Code § 13235).

401.3.6 STATE INSTITUTIONS, STATE-OWNED OR STATE-OCCUPIED BUILDINGS

State

Tiburon Fire Protection District

Tiburon FPD Fire Policy Manual

Fire Inspections

The Tiburon Fire Protection District will inspect state facilities in its jurisdiction with written authorization from the OSFM (Health and Safety Code § 13108). The inspections shall be for the purpose of enforcing:

- Regulations relating to fire and panic safety adopted by the OSFM pursuant to Health and Safety Code § 13108.
- Regulations other than building standards for the installation and maintenance of equipment and furnishings that present unusual fire hazards.
- Building standards relating to fire and panic safety published in the California Building Standards Code.
- Regulations and standards as otherwise agreed to in writing with the OSFM.

401.4 OCCUPANCIES REGULATED BY THE TIBURON FIRE PROTECTION DISTRICT

State

The District may enforce any ordinance related to fire and panic safety adopted pursuant to Health and Safety Code § 13143.3.

The frequency of inspections of occupancies within this jurisdiction will be determined based on available district resources.

401.5 HAZARDOUS OCCUPANCIES

State

Facilities that handle, store, or use hazardous materials should be inspected for compliance with applicable provisions of the California Fire Code as well as the accuracy of any required Hazardous Materials Business Plan (Health and Safety Code § 25503). Facilities that are required to submit a Hazardous Materials Business Plan should be inspected no less frequently than once every three years (Health and Safety Code § 25511).

401.6 CERTIFIED VAPOR RECOVERY SYSTEM INSPECTIONS

State

Vapor recovery systems installed within the jurisdiction of the District should be inspected to determine whether they meet the OSFM standards and are properly installed, operated, and maintained. The determination that the system does not meet standards must have the concurrence of the OSFM (Health and Safety Code § 41956).

401.7 RIGHT OF ENTRY

Federal

If a building or premise to be inspected is occupied, the inspector shall present credentials to the occupant and request entry. If the building or premise is unoccupied, the inspector shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premise and request entry.

Tiburon Fire Protection District

Tiburon FPD Fire Policy Manual

Fire Inspections

If no permission to enter is granted, the inspector should work with legal counsel to secure entry in a manner provided by law, such as obtaining an administrative search warrant.

401.8 INSPECTION FEES

State **MODIFIED**

The District shall charge any fire inspection fees adopted by the District. The fee assessed shall not exceed the estimated reasonable cost of providing the service for which the fee is charged (Health and Safety Code § 13146; Government Code § 66014). All fees are found in the Tiburon Fire Protection District's Master Fee Schedule.

401.8.1 RE-INSPECTION FEES

State **MODIFIED**

If a violation is discovered during an inspection, the follow-up inspection to ensure the corrections have been made should be conducted at no cost to the owner or occupant. Should the owner or occupant fail to comply with inspection requirements on the follow-up visit and an additional visit is required, a fee as adopted by the District will be assessed. Please refer to Policy 403 for Re-inspection fee determination.