



STAFF REPORT

DATE: May 8, 2024
TO: Board of Directors
FROM: Jon Newman, Fire Marshal
SUBJECT: Fire Prevention Fee Schedule – Update Proposal

BACKGROUND

The Fire Prevention Division's purpose is to ensure the public's health and safety by enforcing compliance with fire and building codes. This is accomplished through plan review of all new construction projects and annual inspections of businesses and state-mandated inspection occupancies. The San Miguel fee schedule for fire prevention-related services was updated in 2021 and amended for updated fees on December 8, 2021, which took effect in January 2022. To attempt to recover as many of the costs of delivering these services, we review them on an annual basis.

DISCUSSION

Fees have been updated based on salary and benefits costs, operating costs specific to Fire Prevention, and administrative costs. A cost analysis has been included for justification of the increase in fees.

The primary purpose of reviewing architectural, engineering, and life safety system plans is to ensure all new construction is designed and built in compliance with adopted codes and standards. Plan review fees consist of an initial plan review and all associated site inspections to obtain final occupancy certification. Annual business and multi-family residential inspection fees consist of an initial site inspection and one additional reinspection to correct violations. The primary purpose of annual inspections is to educate the community about the benefits of proper safety practices and identify and eliminate hazardous conditions which pose a threat to life and property.

FISCAL IMPACT

The fiscal impact is unknown and cannot be accurately predicted due to fluctuations in the construction industry and economy, but it is anticipated that the District will see an increase in revenue if this fee schedule is adopted. With these increases in revenue, based on the analysis, Fire Prevention would be closer to cost-neutral. A continuous cost-of-service analysis will be provided each year when reviewing the fee schedule.

ATTACHMENTS

- A. Cost-of-Service Analysis (Revenue over Expense)
- B. Proposed Fire Prevention Fee Schedule
- C. Ordinance 24-01 Draft

RECOMMENDATION

Conduct Public Hearing and Reading 1 of 2 today (May 8, 2024) to collect input from our constituents. After the public hearing, the Board may direct staff to schedule Public Hearing and Reading 2 of 2 for the next Board Meeting (June 12, 2024). After the second hearing/reading, the Board may vote to approve Ordinance 24-01, which adopts the updated Fire Prevention Fee Schedule.

**Fire Prevention
Revenue vs. Expense
FY 2021 through 2023**

	FY2021	FY2022	FY2023
Revenue:			
Plans	\$108,877.00	\$190,795.00	\$282,193.98
Inspections	\$70,229.00	\$110,831.00	\$134,234.46
Total Income:	\$179,106.00	\$301,626.00	\$416,428.44
Expenses:			
Deputy Fire Marshal			
Salary	\$92,520.00	\$96,240.00	\$100,092.00
Benefits	\$75,813.00	\$80,409.00	\$84,000.00
Total Deputy Fire Marshal	\$168,333.00	\$176,649.00	\$184,092.00
Fire Inspector (2)			
Salary	\$160,920.00	\$167,376.00	\$174,072.00
Benefits	\$136,336.00	\$144,946.00	\$151,484.00
Total Fire Inspector	\$297,256.00	\$312,322.00	\$325,556.00
Accounting Specialist (25%)			
Salary	\$15,600.00	\$16,224.00	\$16,875.00
Benefits	\$13,933.25	\$15,077.50	\$15,494.25
Total Accounting Specialist	\$29,533.25	\$31,301.50	\$32,369.25
Administrative Assistant (25%)			
Salary	\$14,430.00	\$15,009.00	\$18,600.00
Benefits	\$13,191.50	\$14,309.25	\$16,585.25
Total Administrative Asst.	\$27,621.50	\$29,318.25	\$35,185.25
Total Salaries and Benefits:	\$522,743.75	\$549,590.75	\$577,202.50
Other Expenses:			
Minor Equipment	\$3,990.05	\$6,966.40	\$1,546.35
Office Supplies	\$675.40	\$597.85	\$859.00
Personnel Development	\$1,209.85	\$2,009.90	\$3,100.51
Publications and Media	\$2,233.00	\$688.00	\$5,570.79
Special District Expenses	\$2,350.00	\$25,857.00	\$30,278.15
Travel and Subsistence	\$15.00		\$250.00
Vehicle	\$2,369.00	\$2,371.00	\$2,568.25
Utilities	\$728.00	\$1,073.25	\$4,295.71
Total Other Expenses:	\$13,570.30	\$39,563.40	\$48,468.76
Total Expenses:	\$536,314.05	\$589,154.15	\$625,671.26
Net Profit/Loss:	-\$357,208.05	-\$287,528.15	-\$209,242.82
Fire Mitigation Fees:	\$328,815.00	\$504,030.00	\$265,444.00
Related to Growth			



San Miguel Fire & Rescue
Proposed 2024 Fee Schedule
New Fee Proposals
Exhibit "A"

Basic Description		Duty	Hours to Complete	Hourly Staff Rate	Hourly Rate x Hours	Proposed Operating Expense (10% Fee)	Admin Fee	Current Fee Total (Admin Fee Included)	Proposed Fee (Admin Fee Included)	Proposed New Fee vs Present Fee	Proposed New Fee vs Present Fee
1	Mapping	Fire Marshal	N/A	\$129.62	N/A	N/A	N/A	\$16	\$16	N/A	N/A
2	Fair Share (\$0.20 per square foot)	Fire Marshal	N/A	N/A	N/A	N/A	N/A	20¢/sq ft	20¢/sq ft	N/A	N/A
3	Letters	Fire Marshal	1	\$129.62	\$129.62	\$12.96	\$27.97	\$124	\$171	\$47	38%
4	Project Availability Form for Minor Subdivision or Minor Use Permit	Fire Marshal	2	\$129.62	\$259.24	\$25.92	\$27.97	\$222	\$313	\$91	41%
5	Project Availability Form for Major Subdivision	Fire Marshal	3.5	\$129.62	\$453.67	\$45.37	\$27.97	\$368	\$527	\$159	43%
6	TPM or Minor Subdivision Service Letter Renewal	Fire Marshal	2	\$129.62	\$259.24	\$25.92	\$27.97	\$222	\$313	\$91	41%
7	TM or Major Subdivision Service Letter Renewal	Fire Marshal	3.5	\$129.62	\$453.67	\$45.37	\$27.97	\$368	\$527	\$159	43%
8	Final Map / Mylar Review	Fire Marshal	2	\$129.62	\$259.24	\$25.92	\$27.97	\$222	\$313	\$91	41%
9	Release of Map Covenants	Fire Marshal	2.5	\$129.62	\$324.05	\$32.41	\$27.97	\$270	\$384	\$114	42%
10	Cellular Sites	Fire Marshal	2	\$129.62	\$259.24	\$25.92	\$27.97	\$222	\$313	\$91	41%
11	Major Use Permit (P or MUP) or Site Plan (S or STP)	Fire Marshal	3.5	\$129.62	\$453.67	\$45.37	\$27.97	\$368	\$527	\$159	43%
12	Fuel Modification Plans or Environmental Review – Mitigated Negative Declaration	Fire Marshal	3.5	\$129.62	\$453.67	\$45.37	\$27.97	\$368	\$527	\$159	43%
13	Minor Grading Plan (5 acres or less)	Fire Marshal	2	\$129.62	\$259.24	\$25.92	\$27.97	\$222	\$313	\$91	41%
14	Administrative (AD), Variance (VAR), Vacation Review (VAC), or Zoning (ZAP) Service Letter	Fire Marshal	2	\$129.62	\$259.24	\$25.92	\$27.97	\$222	\$313	\$91	41%
15	Improvement Plans – Planned Residential Development (PRD) Service Letter	Fire Marshal	2.5	\$129.62	\$324.05	\$32.41	\$27.97	\$270	\$384	\$114	42%
16	Site Plan Review (single occupancy) conceptual and consultation	Fire Marshal	2.5	\$129.62	\$324.05	\$32.41	\$27.97	\$270	\$384	\$114	42%
17	Grading Plan (more than 5 acres)	Fire Marshal	2.5	\$129.62	\$324.05	\$32.41	\$27.97	\$270	\$384	\$114	42%
18	New Residential Construction	Fire Marshal	4.25	\$129.62	\$550.89	\$55.09	\$27.97	\$441	\$634	\$193	44%
19	Residential Addition or Remodel	Fire Marshal	3	\$129.62	\$388.86	\$38.89	\$27.97	\$319	\$456	\$137	43%
20	Residential Plan Resubmittal/Stamp Transfer (new or remodel)	Fire Marshal	1.5	\$129.62	\$194.43	\$19.44	\$27.97	\$173	\$242	\$69	40%
21	Residential Building Plans for Planned Residential Developments	Fire Marshal	4.75	\$129.62	\$615.70	\$61.57	\$27.97	\$489	\$705	\$216	44%
22	Residential Building Plans for Planned Residential Developments (each additional unit)	Fire Marshal	2.5	\$129.62	\$324.05	\$32.41	\$27.97	\$270	\$384	\$114	42%
23	Tenant Improvement	Fire Marshal	3.25	\$129.62	\$421.27	\$42.13	\$27.97	\$343	\$491	\$148	43%
24	Detached Garages & Outbuildings	Fire Marshal	3.25	\$129.62	\$421.27	\$42.13	\$27.97	\$343	\$491	\$148	43%
25	Commercial, Industrial & Multi-family Building Plans (up to 52,000 sq ft)	Fire Marshal	6.5	\$129.62	\$842.53	\$84.25	\$27.97	\$660	\$955	\$295	45%
26	Commercial, Industrial & Multi-Family Building Plans (each additional 52,000 sq ft)	Fire Marshal	3.75	\$129.62	\$486.08	\$48.61	\$27.97	\$392	\$563	\$171	44%
27	Commercial, Industrial & Multi-Family Building – Additional Field Inspection (after 2 nd inspection)	Fire Marshal	1.5	\$129.62	\$194.43	\$19.44	\$27.97	\$173	\$242	\$69	40%
28	Commercial, Industrial & Multi-Family Plan Resubmittal/Stamp Transfer	Fire Marshal	2	\$129.62	\$259.24	\$25.92	\$27.97	\$222	\$313	\$91	41%
29	Residential Fire Sprinkler System (13-D or 13-R)	Fire Marshal	3.25	\$129.62	\$421.27	\$42.13	\$27.97	\$343	\$491	\$148	43%
30	Residential Fire Sprinkler Plans (each additional unit or riser)	Fire Marshal	2.5	\$129.62	\$324.05	\$32.41	\$27.97	\$270	\$384	\$114	42%
31	Residential Fire Sprinkler Plan (resubmittal)	Fire Marshal	1.5	\$129.62	\$194.43	\$19.44	\$27.97	\$173	\$242	\$69	40%
32	Commercial Fire Sprinkler System	Fire Marshal	6.75	\$129.62	\$874.94	\$87.49	\$27.97	\$684	\$990	\$306	45%
33	Underground for Fire Sprinkler System or Hydrant	Fire Marshal	3	\$129.62	\$388.86	\$38.89	\$27.97	\$319	\$456	\$137	43%
34	Commercial Fire Sprinkler or Underground Plans (resubmittal)	Fire Marshal	2	\$129.62	\$259.24	\$25.92	\$27.97	\$222	\$313	\$91	41%

35	Commercial Sprinkler Tenant Improvement	Fire Marshal	3.25	\$129.62	\$421.27	\$42.13	\$27.97	\$343	\$491	\$148	43%
36	Special Fire Protection Installations, Hood & Duct Systems, Remote Extinguishing Systems	Fire Marshal	3.25	\$129.62	\$421.27	\$42.13	\$27.97	\$343	\$491	\$148	43%
37	Special Hazard Installations, High Piled Storage, Underground & Aboveground Storage Tanks, Spray Booths, Industrial Ovens, etc.	Fire Marshal	4.5	\$129.62	\$583.29	\$58.33	\$27.97	\$465	\$670	\$205	44%
38	Fire Alarm System (up to 52,000 sq ft)	Fire Marshal	4	\$129.62	\$518.48	\$51.85	\$27.97	\$416	\$598	\$182	44%
39	Fire Alarm System (over 52,000 sq ft)	Fire Marshal	6	\$129.62	\$777.72	\$77.77	\$27.97	\$611	\$883	\$272	45%
40	Fire Alarm Resubmittal	Fire Marshal	1.5	\$129.62	\$194.43	\$19.44	\$27.97	\$173	\$242	N/A	N/A
41	Overtime Inspection (Charged per hour at time & a half)	Fire Marshal	2	\$129.62	\$259.24	\$25.92	N/A	\$195	\$285	\$90	46%
42	Knox Installation	Fire Marshal	1.5	\$129.62	\$194.43	\$19.44	N/A	\$146	\$214	\$68	46%
43	Expedited Plan Review	Fire Marshal	N/A	N/A	N/A	N/A	N/A	1.5 x plan review rate	1.5 x plan review rate	N/A	N/A
44	Fireworks	Fire Marshal	5	\$129.62	\$648.10	\$64.81	\$27.97	\$514	\$741	\$227	44%
45	Defensible Space Inspection	Fire Marshal	1.5	\$129.62	\$194.43	\$19.44	\$27.97	\$160	\$242	N/A	N/A
46	Annual Permit Inspection	Inspector	2.5	\$81.47	\$203.68	\$20.37	\$27.97	\$242	\$252	\$10	4%
47	Additional Inspections	Inspector	1.75	\$81.47	\$142.57	\$14.26	\$27.97	\$178	\$185	\$7	4%
48	Burn Permits	Inspector	1.5	\$81.47	\$122.21	\$12.22	\$27.97	\$156	\$162	\$6	4%
49	Licensed Care Pre-inspection (<26 residents)	Inspector	1.5	\$81.47	\$122.21	\$12.22	\$27.97	\$156	\$162	\$6	4%
50	Licensed Care Pre-inspection (>26 residents)	Inspector	2.25	\$81.47	\$183.31	\$18.33	\$27.97	\$211	\$230	\$19	9%
51	Licensed Care Initial Fire Clearance (1-6 residents)	No Charge per State Fire Marshal									
52	Licensed Care Initial Fire Clearance (7-50 residents)										
53	Licensed Care Initial Fire Clearance (>50 residents)										
54	Annual Licensed Day Care Inspection (0-14 individuals)	Inspector	1.5	\$81.47	\$122.21	\$12.22	\$27.97	\$156	\$162	\$6	4%
55	Annual Licensed Day Care Inspection (15-50 individuals)	Inspector	2.5	\$81.47	\$203.68	\$20.37	\$27.97	\$242	\$252	\$10	4%
56	Annual Licensed Day Care Inspection (>50 individuals)	Inspector	3.25	\$81.47	\$264.78	\$26.48	\$27.97	\$307	\$319	\$12	4%
57	Annual Licensed Residential Care Inspection (7-30 individuals)	Inspector	2	\$81.47	\$162.94	\$16.29	\$27.97	\$199	\$207	\$8	4%
58	Annual Licensed Residential Care Inspection (>30 individuals)	INSP	3.25	\$81.47	\$264.78	\$26.48	\$27.97	\$307	\$319	\$12	4%
59	Annual Apartment/Condominium Inspection (1-15 dwelling units)	Inspector	2	\$81.47	\$162.94	\$16.29	\$27.97	\$199	\$207	\$8	4%
60	Annual Apartment/Condominium Inspection (16-30 dwelling units)	Inspector	3.5	\$81.47	\$285.15	\$28.51	\$27.97	\$328	\$342	\$14	4%
61	Annual Apartment/Condominium Inspection (each additional 15 dwelling units)	Inspector	1.5	\$81.47	\$122.21	\$12.22	\$27.97	\$156	\$162	\$6	4%
62	Annual School Inspection (private schools and pre-schools)	Inspector	2.75	\$81.47	\$224.04	\$22.40	\$27.97	\$264	\$274	\$10	4%
63	Annual Business Inspection <3000 sq ft (Change tier to 0 - 999 sq. ft.)	Inspector	1	\$81.47	\$81.47	\$8.15	\$27.97	\$113	\$118	\$5	4%
64	Annual Business Inspection 3000-10,000 sq ft (Change tier to 1000 - 2999 sq. ft.)	Inspector	1.25	\$81.47	\$101.84	\$10.18	\$27.97	\$135	\$140	\$5	4%
65	Annual Business Inspection >10,000 sq ft (Change tier to 3000 - 6499 sq. ft.)	Inspector	2	\$81.47	\$162.94	\$16.29	\$27.97	\$199	\$207	\$8	4%
66	Annual Business Inspection 6500 - 10,000 sq ft	Inspector	3.25	\$81.47	\$264.78	\$26.48	\$27.97	\$307	\$319	\$12	4%
67	Annual Business Inspection 10,001 - 25,000 sq ft (New tier)	Inspector	6	\$81.47	\$488.82	\$48.88	\$27.97	\$543	\$566	\$23	4%
68	Annual Business Inspection >25,000 sq ft	Inspector	8.5	\$81.47	\$692.50	\$69.25	\$27.97	\$579	\$790	\$211	N/A
69	Apparatus Stand-by Cost	Crew	N/A	2 HR MIN	N/A	N/A	N/A	\$512	\$536	\$24	N/A
70	Landscape Plan Reviews	Fire Marshal	2.5	\$129.62	\$324.05	\$32.41	\$27.97	\$270	\$384	N/A	N/A

Draft Ordinance 24-01

**An Ordinance of the
San Miguel Consolidated Fire Protection District
Which Adopts New and Increased Miscellaneous Fees
and Charges, and Making Certain Finding
and Taking Certain Actions Relating Thereto**

WHEREAS, the San Miguel Consolidated Fire Protection District (the “District”) provides certain fire and emergency response services to persons and property within the District’s service area; and

WHEREAS, the District is proposing to adopt a schedule containing new and/or increased fees and charges (the “fees”) for various services provided by the District; and

WHEREAS, the District provided notice and held 2 public hearings/readings in accordance with the requirements set forth under Health and Safety Code section 13916; and

WHEREAS, the District conducted a cost-of-service analysis (Revenue/Expense Report related to the functions of the Fire Prevention Division) in order to determine the amount of each fee and has made its findings available to the public for inspection at least ten (10) days prior to the date of the public hearing; and

WHEREAS, based on the findings of the District’s analysis, the proposed fees do not exceed the District’s reasonable costs of providing services, products, or regulatory activity (including inspections for permitting) for which they are imposed, and the fees will only be imposed on persons who are provided such services, products, or regulatory activities; and

WHEREAS, at the public hearing, the Board of Directors considered the proposed fees and the data supporting such fees, heard and considered all oral testimony, written materials, and written protests or objections concerning the establishment and imposition of the new or increased fees;

NOW THEREFORE, the Board of Directors of the San Miguel Consolidated Fire Protection District do ordain as follows:

SECTION 1. Recitals. The Recitals set forth above are true and correct statements and are incorporated as an operative part of this Ordinance and made findings and determinations to the Board of Directors by this reference.

SECTION 2. Adoption. The Board of Directors hereby adopts the fees set forth in Exhibit “A” hereto.

SECTION 3. Findings. The Board of Directors Council hereby finds and determines that the Fees adopted pursuant to this Ordinance (1) are imposed for a specific government activity, service, or product, provided directly to the payor; (2) are no more than necessary to recover the estimated reasonable costs of the governmental activity, service, or product, for which the Fees are imposed; and (3) the manner in which those costs are allocated to the payor bear a fair or reasonable relationship to the payor’s burdens on, or benefits received from, the governmental activity, service, or product, for which the Fees are imposed. The Fees are not taxes within the meaning of the California Constitution, article XIII C, §1(e).

SECTION 4. Rules and Regulations. The Board of Directors may make rules or regulations and, from time to time, may amend, revoke, or add rules and regulations not consistent with this

The ordinance, as they may deem necessary or expedient in respect to billing for the Fees adopted hereby; provided, however, that no such action shall result in any Fee being increased or exceeding the cost of providing the service, product, or regulatory activity for which it is imposed.

SECTION 5. Severability. If any section, subsection, clause, or phrase in this Ordinance or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of this Ordinance or the application of such provision to other persons or circumstances shall not be affected thereby. The District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

SECTION 6. Implementation of Fees The Board of Directors authorizes the Administrative Officer/Finance Officer, and any other appropriate District Staff as designated by the Administrative Officer/Finance Officer, to take all actions necessary to effectuate the intent of this Ordinance and to implement the Fee Schedule adopted pursuant to this Ordinance.

SECTION 7. Repeal Previous Ordinance. Ordinance 2023-2 is now repealed.

SECTION 8. Further Action. The Board Clerk is hereby ordered and directed to cause this ordinance to be published. First read at a regular meeting of the Board of Directors of the San Miguel Consolidated Fire Protection District, held on May 8, 2024. A second reading occurred at a regular meeting on June 12, 2024, and was finally adopted and ordered published in the manner required by law at the hearing and meeting on the 12th day of June, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Upon its passage and ratification by the County of San Diego, the Board Clerk shall transmit a copy of this Ordinance to the California Department of Housing and Community Development pursuant to Health and Safety Code Section 13869.7.

That this ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect 30 days from and after the date of its final passage and adoption.

ATTEST

Shayna Rians
Board Clerk

Jesse A. Robles
Board President