



# CITY OF ARANSAS PASS

## AGENDA MEMORANDUM

City Council Meeting of August 15, 2016

Date: August 12, 2016

To: Mayor and City Council

From: Sylvia Carrillo, City Manager  
scarrillo@aransaspasstx.gov

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Agenda Item #:7VIII (7-8)

Title: Consider and Act on Amending the Fire Prevention Code

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**PURPOSE:** To amend Section 9-20 Adoption of the Fire Prevention Code (a) Annual Inspection by amending the required commercial businesses and time frames and 5-2 (M) Fire Inspection Fees of the municipal code, by amending the amount assessed to all commercial establishments.

**BACKGROUND AND FINDINGS:**

The Fire Prevention Code was adopted in January of 2013, along with the requirement for annual inspections. The fee adopted was \$125 for inside the City limits and \$150 for outside the City limits. Since that time, staff has received numerous complaints on the onerous task of businesses to not only schedule the inspection, but pay for the required inspection, as well as no differentiation between large and small businesses.

Staff is in agreement that the imposition of a new fee for small, non-hazardous businesses is indeed onerous and agrees to remove the fee requirement. However, the required inspection serves a dual purpose in that it also serves to provide key information in fighting fires and protection of life and assets during a fire. It's important for staff to understand what is being stored in the building, are there any residential components to a potential mixed use building, where are the exits, nearest hydrants, etc. All of this critical information is obtained during the inspection phase and can be

used for pre-incident planning. It will not only help save the potential life of a resident, but also that of staff. Staff is requesting that the inspection be required every two (2) years, at no cost to the business, and that only those businesses which are considered hazardous by the International Fire Code or those who request the inspection (daycares, nursing homes, etc as part of their licensing requirements). The fee should be based on actual cost of service to perform the inspection leading to a tiered approach where smaller businesses may pay less than that of a high rise hotel.

The proposed fee schedule would be based on the model currently used by San Patricio County.

*Sec. 9-20. - Adoption of fire prevention code.*

*The International Fire Prevention Code, 2012 Edition, and all amendments thereto the whole thereof, save and except such portions as may hereinafter be amended, of which no less than one (1) copy has been and is now filed in the office of the city secretary, is hereby adopted and incorporated as fully as if set forth herein and from the date on which this section shall take effect the provisions thereof shall be controlling with regard to all of the provisions contained therein pertaining to fire prevention within the area of jurisdiction of the city, subject to all amendments and modification hereinafter set forth.*

*(a) The fire marshal shall require an annual inspection of all commercial establishments classified as High Hazard per the 2012 IFC. The fee for such inspections shall be assessed as per the fee schedule set forth in section 5-2 M. of the Code of Ordinances.*

*(b) The fire marshal shall require a biennial inspection (every two years) of all commercial establishments not included in the High Hazard list. There shall be no fee for such inspection.*

*Sec. 5-2. - Amendments to and modifications of building code; building permit fee schedule.*

*M. Annual fire inspection fee. Hourly rate based on adopted annual budget and hourly wages plus 50% overhead rate.*

*~~Inside city limits .....\$125.00~~  
~~Outside city limits .....\$150.00~~*

**ALTERNATIVES:**

- Leave as is
- Remove the Fee
- Leave the annual inspection
- Remove the annual inspection for all establishments
- Remove the annual inspection for low hazard establishments.

**OTHER CONSIDERATIONS:**

- The Fire Code also helps the ISO rating which impacts residents and their insurance rates throughout the year.
- The annual inspection can help us be more efficient in fighting a fire.

**DEPARTMENTAL CLEARANCES:**

City Manager, Public Safety Division

**FINANCIAL IMPACT:**

Operating       Revenue       Capital       Not applicable

<b>Fiscal Year: 2013-2014</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered/ Expended Amount				
This item				
<b>BALANCE</b>				

Fund(s):

**Comments:**

**RECOMMENDATION:**

Staff recommends removing the annual fee for low hazard establishments and moving to biennial inspection; also charging a Cost of Service rate for high hazard annual inspections.

**LIST OF SUPPORTING DOCUMENTS:**