

ORDINANCE NO. 2010-01

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE CHINO VALLEY INDEPENDENT FIRE DISTRICT
ALLOWING FEES FOR SERVICE AND ENFORCEMENT OF REGULATIONS**

The Board of Directors ("Board") of the Chino Valley Independent Fire District ("District") ordains as follows:

SECTION 1. Findings. The Board finds as follows:

- (A) That the District has the legal authority pursuant to California Health and Safety Code Section 13916 to charge fees to cover the cost of any service which the District provides or the cost of enforcing any regulation for which the fee is charged; and
- (B) That the District has provided and published notice of the meeting at which the schedule of fees will be considered as required by California Government Code Section 6066 and California Health and Safety Code Section 13916; and
- (C) That ten (10) days before the meeting at which this Ordinance was introduced, the Board made available at the District office data showing costs to provide such services or enforcement and the revenue sources anticipated to pay such costs, including general fund revenues; and
- (D) That the Board reviews such fees annually and adjusts them as necessary to ensure the recovery of District's costs; and
- (E) That the fees set out in this Ordinance do not exceed the cost reasonably borne by the District in providing such services or enforcing regulations for which the fees are charged, including any additional costs to non-taxpayers; and
- (F) That the fees set out in this Ordinance are not fees on new construction or development for the construction of public improvements or facilities or the acquisition of equipment.

SECTION 2. Schedule of Fees The Board hereby approves the following schedule of fees as set forth in this Section 2.

PARKING VIOLATIONS

0110	Stopping/Parking less than 15' from Fire Station Apron	\$125
0130	Stopping/Parking in Designated Fire Lane	\$125
0150	Parking less than 15' from a Fire hydrant	\$125
0170	Parking Violations – 1 st Penalty for Non-Payment (15 days delinquent)	\$125
0190	Parking Violations – 2 nd Penalty for Non-Payment (29 days delinquent)	\$125

WEED ABATEMENT

0510	Weed Abatement Non-compliance Fee	\$130
0530	Weed Abatement Administrative Cost Recovery	\$200

PLAN REVIEW (plus additional Consultant's Fees) – (2)

1000	DRC/PRC Review	\$535
1010	Minor Subdivision Review	\$165
1020	Administrative Review	\$165
1050	Tract Application (SFD & MFD)	\$825
1070	Planned Unit Development Review	\$700
1080	Site Approval – Single Building	\$600
1090	Site Approval – all other site Approvals	\$785
1100	Conditional Use Permit	\$815
1130	Parcel Map	\$700
1160	Permit or Time Extension	\$70
1180	Temporary Certificate of Occupancy	\$705
1190	Project Change	\$100
1205	SFD Plan Review	\$290
1210	SFD Plan Review – per plan type/per phase (for 1 st 1.5 hours of field inspection, plus \$98 per each additional hour)	\$485
1290	Tenant Improvement Plan less than 25,000 square feet	\$290
1291	Tenant Improvement Plan 25,000 – 100,000 square feet	\$400
1292	Tenant Improvement Plan more than 100,000 square feet	\$860
1300	New Construction less than 25,000 square feet	\$290
1301	New Construction 25,000 to 100,000 square feet	\$400
1303	New Construction more than 100,000 square feet	\$860
1345	Fire Pump – per pump	\$510
1355	Underground Fire Main (1 st riser, plus \$80 per add'l riser)	\$275+

1430	New Sprinkler System (1 st riser, plus \$505 per add'l riser)	\$670+
1435	New Sprinkler System (less than 100 heads) – per riser	\$410
1440	Sprinkler System Alteration more than 19 fire sprinklers – per riser	\$340
1450	Sprinkler Alteration, 19 or less fire sprinklers – per riser	\$285
1460	Sprinkler Alteration, 5 or less fire sprinklers – per riser	\$250
1470	Sprinkler System – Single Family Residence	\$550
1490	Sprinkler System - Single Family Development – (plus \$250 per add'l plan, plus \$295 per add'l phase)	\$610+
1540	Special Extinguishing System Plan – per system	\$290
1570	Standpipe System Plan – per riser	\$340
1610(a)	Fire Alarm (manual/automatic – no evac) – per system	\$390
1610(b)	Fire Alarm (manual/automatic – with evac) – per system	\$610
1610(c)	Fire Alarm (alteration – no evac) – per system	\$315
1610(d)	Fire Alarm (alteration – with evac) – per system	\$340
1610(e)	Fire Alarm Pull Station	\$205
1620	Battery Systems	\$260
1625	Compressed Gases	\$290
1628	Generator	\$260
1630	Industrial Ovens	\$210
1635	Knox Review	\$50
1650	Spray Booth /Other Booth - per booth	\$290
1690	Liquefied Petroleum Gas (1 st tank, plus \$50 per add'l)	\$260+
1725	Flammable/Combustible Liquids	\$290
1740	High Piled Storage	\$340
1760	Hazardous Materials Chemical	\$165+
1770	Revision of Previously Reviewed Plan	\$250+
1860	Staff Review	165+
1970	Failure to Obtain a Permit (Fine)	up to \$1,000 per day
1972	Fine for Juvenile Fire Setter	\$150
1975	Permit Change	\$85
1980	Resubmittal Process	\$115

FIELD INSPECTION

2020	Failure to Keep a Field Appointment	\$120
2030	Expedite Plan Review	\$250+
2100	Failed Inspection Requiring a Follow-up Inspection	\$120+
2140	After Hours Inspection	\$555+

FIRE AND LIFE SAFETY INSPECTION

4120	Reinspection Fee (no charge for initial and follow-up inspections, \$100 for each subsequent reinspection)	\$100
4280	Flammable or Combustible Liquid Tank Removal – per tank	\$285+
4310	CCR Title 19 - Miscellaneous Occupancies	\$155
4320	CCR Title 19 – 6 or less Protective Social Care	\$155
4330	CCR Title 19 Pre-Inspection – Less than 25	\$50
4340	CCR Title 19 Pre-Inspection – Greater than or equal to 25	\$100
4360	CCR Title 19 – Hospitals	\$200
4400	CCR Title 19 - High Rises	\$200
4480	CCR Title 19 - Public Schools	\$200

OCCUPANCY PERMIT REVIEW AND INSPECTION

5050	Aerosol Products	\$200
5055	Amusement Buildings	\$200
5075	Aviation Facilities	\$200
5110	Carnivals & Fairs (2 hours)	\$200+
5120	Cellulous Nitrate Film	\$200
5135	Combustible Dust Producing Operations	\$200
5140	Combustible Fiber Storage	\$200
5160	Compressed Gases	\$200
5168	Covered Mall Buildings	\$200
5170	Cryogenics	\$200
5175	Cutting and Welding	\$200
5180	Dry Cleaning Plants	\$200
5185	Exhibits and Trade Shows	\$155
5200	Explosives or Blasting Agents	\$200
5210	Fire Hydrants/Water Control Valves	\$200
5220	Fireworks – Retail Sales	\$550
5230	Fireworks - Aerial Displays	\$225+
5235	Hood Systems	\$200
5240	Flammable/Combustible Liquid Outside more than 60 Gallons	\$200
5245	Floor Finishing	\$200
5250	Fruit Ripening	\$200
5260	Fumigation/ Thermal Insecticide Fogging	\$200

5280(a)	Hazardous Materials - 1 to 2 Chemicals*	\$130
5280(b)	Hazardous Materials - 1 to 2 Chemicals**	\$155
5280(c)	Hazardous Materials - 1 to 2 Chemicals***	\$175
5281(a)	Hazardous Materials - 3 to 4 Chemicals*	\$155
5281(b)	Hazardous Materials - 3 to 4 Chemicals**	\$175
5281(c)	Hazardous Materials - 3 to 4 Chemicals***	\$200
5282(a)	Hazardous Materials - 5 to 6 Chemicals*	\$175
5282(b)	Hazardous Materials - 5 to 6 Chemicals**	\$200
5282(c)	Hazardous Materials - 5 to 6 Chemicals***	\$225
5283(a)	Hazardous Materials - 7 to 10 Chemicals*	\$200
5283(b)	Hazardous Materials - 7 to 10 Chemicals**	\$225
5283(c)	Hazardous Materials - 7 to 10 Chemicals***	\$250
5284(a)	Hazardous Materials - 11 to 14 Chemicals*	\$225
5284(b)	Hazardous Materials - 11 to 14 Chemicals**	\$250
5284(c)	Hazardous Materials - 11 to 14 Chemicals***	\$275
5285(a)	Hazardous Materials - 15 to 20 Chemicals*	\$250
5285(b)	Hazardous Materials - 15 to 20 Chemicals**	\$275
5285(c)	Hazardous Materials - 15 to 20 Chemicals***	\$300
5286a)	Hazardous Materials - 21 to 40 Chemicals*	\$275
5286(b)	Hazardous Materials - 21 to 40 Chemicals**	\$300
5286(c)	Hazardous Materials - 21 to 40 Chemicals***	\$325
5287	Hazardous Materials - Greater than 41 Chemicals	(1)
5290	Hazardous Materials (HPM) Facilities	\$200
5300	High Piled Combustible Materials	\$200
5310	Hot-Work Operations	\$200
5315	Industrial Ovens	\$200
5320	Liquefied Petroleum Gases 20 gallons or more	\$200(5)
5330	Liquid/Gas Fueled Vehicle/Equipment in Assembly Buildings	\$200
5340	Lumber Yards	\$200
5350	Magnesium Working	\$200
5355	Miscellaneous Combustible Storage	\$200
5415	Open Burning (for each 90 days)	\$225
5416	Open Flames and Torches	\$200
5418	Open Flames and Candles	\$200
5420	Organic Coatings	\$200
5435	Pallets Outside more than 250	\$200
5450	A-1 Assembly	\$200

5460	A-2 Assembly	\$200
5480	A-3 Assembly	\$200
5485	A-4 Assembly	\$200
5487	A-5 Assembly	\$200
5488	Private Fire Hydrants	\$200
5489	Production Facilities	\$200
5490	Pyrotechnical Special Effects Material (each event)	\$420
5495	Pyroxylin Plastics	\$200
5510	Refrigeration Equipment	\$200
5515	Repair Garages	\$200
5517	Rooftop Heliports	\$200
5520	Spraying or Dipping	\$200
5525	Storage of Scrap Tires & Tire Byproducts	\$200
5530	Temporary Membrane Structures, Tents, Canopies	\$180+
5535	Live Audiences	\$180
5540	Tire Rebuilding Plants	\$200
5545	Waste Handling	\$200
5555	Wood Products	\$200
5560	Woodworking Plants	\$200

SPECIAL USE PERMITS

6580	Special Events: Single Event or Seasonal	\$250+
6590	General use Permit	\$145+
6595	Tumbleweed/Agricultural burning (90 days)	\$185
6600	Pit BBQ; Recreational; Ceremonial Fire (90 days)	\$185

FALSE ALARMS

7070	False Alarm Response-Working on System	\$650
7110	False Alarm Response - Malicious False Alarm	\$650
7120	Malicious False Alarm – No emergency Response	\$185
7150	False Alarm Response - System Malfunction/Negligence (3 in 90 days)	\$650

SPECIAL SERVICES

8080	Engine Company Stand-by: Special Event – per hour	\$465
8120	Fire Inspector Stand-by: Special Event – per hour	\$100
8160	Non-Emergency Helicopter Landing Stand-by – per hour	\$465

8200	Incident or Medical Reports (ea.)	\$15 ⁽³⁾
8220	Fire Investigator Reports	\$50
8240	Other Copies	\$ 0.25
8280	Staff Fees Not Otherwise Stated	(1)
8320	Subpoenas – per day	\$150+
8360	Board of Appeals Requiring a Special Meeting (fee refunded if appeal upheld)	\$695

EMS FEES

8400	A.E.D. Program Management, annual fee per site (1-10 A.E.D.s)	\$255
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COST RECOVERY

9090	Incident Cost Recovery (plus actual staff costs)	\$100+
9095	Collections for Non-Payment (plus actual costs for collection)	\$100+
9120	Excessive Healthcare Facility Response	\$108+
9130	HAZMAT Response	(1)
9170	Fire Response: Automobile Negligent DUI	(1)
9210	Fire Response: Automobile Negligence – General	(1)

Notes:

(1) Time required to provide services vary; fully burdened hourly rate to be used.

(2) Plan review fees do not include the direct cost of charges from outside consultants. The total of the Fire District Fee must be paid at the time of application for permit. Any additional fees must be paid prior to the permit being issued. Fees for subsequent hours of plan review shall be paid prior to the issuance of the permit. No fees are refundable due to failure of an applicant to receive the permit.

(3) The fee is set at \$0 for residents and businesses within the Fire District boundaries.

(4) The charges referenced in this Ordinance represent a reasonable approximation of the cost incurred by the District in providing the referenced services. In addition to any of the charges referenced in this Ordinance, in extraordinary situations, the District may charge a user for the actual costs of outside consultants (i.e. software programmers for electronic records, legal counsel, etc.) or extraordinary District staff time (at the fully burdened hourly rate).

(5) Fee waived for inspection of liquefied petroleum gas storage of 20 gallons or less.

(+) Additional charges may be added

For Service Fees 5050 to 5555

For businesses with multiple permits for permitted occupancies, the highest permitted fee will be charged first and then each additional permit fee will be reduced by 50%.

For Service Fees 5280 to 5286

* Threshold (a) - the maximum quantity of all hazardous materials on site at any one time is less than 1,000 gallons of liquids, 1,000 cubic feet of gases, and 1,000 pounds of solids.

** Threshold (b) - the maximum quantity of all hazardous materials on site at any one time is from 1,000 gallons to 10,000 gallons of liquids, 1,000 to 5,000 cubic feet of gases, and 1,000 to 5,000 pounds of solids.

*** Threshold (c) - the maximum quantity of all hazardous materials on site at any one time is greater than 10,000 gallons of liquids, 5,000 cubic feet of gases, and 5,000 pounds of solids.

In the event the hazardous materials stored match more than one threshold, the highest fee shall be used.

SECTION 3. Fee Waiver. The Board hereby approves the following Fee Waivers as set forth in this Section 3.

- A. Permit and inspection fees, as well as other miscellaneous fees and charges, required by the District from other public agencies may be forgiven or waived by the Fire Chief or a representative to the extent that the public agency waives, forgives or offsets fees or charges the District otherwise would owe to that agency up to the amount of \$2,500.
- B. Any charitable community-based service organization, group, association or business which does not seek to make a profit, but is otherwise subject to a permit fee imposed by the District under Rate Code 5230 (Fireworks – Aerial Displays), 5530 (Temporary Membrane Structures, Tents, Canopies) and 6580 (Special Events) of the District's Fee Ordinance No. 2009-01, may be exempt from payment of said fee(s) upon evidence of Internal Revenue Service tax exempt status. Fees for District personnel stand-bys and inspections after hours are not waived.
- C. Payment of fees and charges authorized under this ordinance may be waived by the Fire Chief or his designee, if it is determined that payment would not be in the public interest.

SECTION 4. Effective Date.

This Ordinance shall become effective at least thirty (30) days from the date of its adoption by the Board and on November 1, 2010.

SECTION 5. Repeal of Ordinance No. 2009-01.

This Ordinance supersedes Ordinance No. 2009-01 shall be repealed in its entirety as of the date this Ordinance becomes effective. If this Ordinance does not become effective, Ordinance No. 2009-01 shall remain in full force and effect. Nothing herein shall affect any fees owing under Ordinance No. 2009-01.

SECTION 6. Publication.

The Clerk of the Board shall certify to the adoption of this Ordinance and shall publish the Ordinance as required by law.

SECTION 7. CEQA

District staff has determined that adoption of the Schedule of Fees is exempt from the requirements of the California Environmental Quality Act ("CEQA"), pursuant to State CEQA guidelines Section 15378(b), because such adoption constitutes a funding mechanism or other fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. The District staff is hereby directed to file a Notice of Exemption within five (5) days of adoption of this Ordinance.

REVIEWED, APPROVED AND ADOPTED THIS 8th DAY OF SEPTEMBER, 2010.

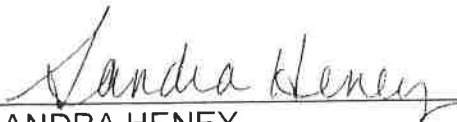


JOHN DEMONACO, PRESIDENT

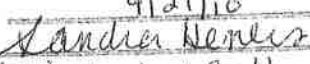
I, Sandra Heney, Clerk of the Board of the Chino Valley Independent Fire District, hereby certify that at a regular meeting of the Board of Directors of said District, held on the 8th day of September, 2010, the foregoing ordinance was reviewed, approved and adopted by the following vote:

AYES: BOARD MEMBERS: DeMonaco, Espinosa, Evinger, Gray, Marquez
NOES: BOARD MEMBERS: None.
ABSENT: BOARD MEMBERS: None.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of September, 2010.



SANDRA HENEY
CLERK OF THE BOARD

The foregoing document is a correct copy of the original on file in this office
Attest: 9/21/10


(Signature) Clerk of the Board
(Title)