

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

January 10, 2023

FROM

LEONARD X. HERNANDEZ, Chief Executive Officer, County Administrative Office

SUBJECT

Ordinances from the Apple Valley Fire Protection District, Chino Valley Independent Fire District, and Rancho Cucamonga Fire Protection District for Fire Codes

RECOMMENDATION(S)

1. Ratify Apple Valley Fire Protection District Ordinance No. 59, which includes the adoption of the 2022 Edition of the California Fire Code with errata, and the 2021 International Fire Code, as well as local amendments, collectively to be known as the Fire Code of the Apple Valley Fire Protection District.
2. Ratify Chino Valley Independent Fire District Ordinance No. 2022-03, which includes the adoption and amendment of the 2022 Edition of the California Fire Code with errata, and the 2021 International Fire Code, as well as local amendments, collectively to be known as the Fire Code of the Chino Valley Independent Fire District.
3. Ratify Rancho Cucamonga Fire Protection District Ordinance No. FD 58, which includes the adoption of the 2022 Edition of the California Fire Code with errata, as well as local amendments, collectively to be known as the Rancho Cucamonga Fire Protection District Fire Code.
4. Delegate enforcement of the ordinances identified in Recommendation Nos. 1 through 3, to the chief of the fire protection district that adopted the ordinance, or the fire chief's authorized representative, pursuant to Health and Safety Code section 13869.7(h)(1)(A).
5. Direct the Clerk of the Board of Supervisors to take the following actions within 15 days pursuant to Health and Safety Code section 13869.7(c):
 - a. Transmit a copy of this item to each of the fire protection districts identified in Recommendation Nos. 1 through 3.
 - b. File a copy of this item and ordinances identified in Recommendation Nos. 1 through 3, with the California Department of Housing and Community Development.

(Presenter: Bertral Washington, Deputy Fire Chief of Administration, 387-5779)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of the recommended actions will not result in the use of Discretionary General Funding (Net County Cost) as there is no financial impact associated with the ratification of these fire ordinances.

BACKGROUND INFORMATION

**Ordinances from the Apple Valley Fire Protection District, Chino Valley Independent Fire District, and Rancho Cucamonga Fire Protection District for Fire Codes
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On October 12, 2022, the Board of Directors of the Chino Valley Independent Fire District (CVIFD) adopted Ordinance No. 2022-03. This ordinance adopts by reference and amends the 2022 Edition of the California Fire Code with errata, and the 2021 International Fire Code “regulating and safeguarding of life and property from fire and explosion hazards, hazardous materials and from conditions hazardous to life or property in the occupancy of buildings and premises; providing for the issuance of permits and collection of fees....”.

On November 2, 2022, the Board of Directors of the Rancho Cucamonga Fire Protection District (RCFPD) adopted Ordinance No. FD 58. This ordinance adopts the 2022 Edition of the California Fire Code, with errata, together with certain changes, modifications, amendments, additions, deletions, and exceptions; providing for the issuance of permits and collections of fees...”.

On November 15, 2022, the Board of Directors of the Apple Valley Fire Protection District (AVFPD) adopted Ordinance No. 59. This ordinance adopts by reference the 2022 Edition of the California Fire Code and the 2021 International Fire Code “prescribing regulations governing conditions hazardous to life and property from fire or explosion, providing for the issuance of permits for hazardous uses or operations and establishing a division of fire prevention and providing officers therefore and defining their powers and duties...”.

Approval of this item will ratify AVFPD Ordinance No. 59, CVIFD Ordinance No. 2022-03, and RCFPD Ordinance No. FD 58 pursuant to Section 50020 of the California Government Code and Section 13869.7 of the California Health and Safety Code. Under these codes, a self-governed fire protection district shall submit its adopted and approved local fire code ordinance, including its amendments to the California Fire Code and International Fire Code, to the county in which it will apply for ratification by the Board of Supervisors. San Bernardino County (County) may ratify, modify, or deny the ordinance. If ratified, the County is required to file a copy of the findings of the fire protection district, and any findings of the County, together with the adopted ordinance with the California Department of Housing and Community Development.

The County’s Land Use Services Department and the San Bernardino County Fire Protection District have reviewed the above-described ordinances and have no comments or concerns.

Each ordinance will only apply to the unincorporated region of the County that falls within that governing fire protection district. Enforcement of the ordinances identified in Recommendation Nos. 1 through 3 will be by the chief of the fire protection district that adopted the ordinance, or the fire chief’s authorized representative, pursuant to Health and Safety Code section 13869.7(h)(1)(A).

Health and Safety Code section 13869.7(c) requires the transmittal of this item to each of the fire districts identified in Recommendation Nos. 1 through 3, as well as filing the item and ordinances with the California Department of Housing and Community Development.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by San Bernardino County Fire Protection District (Tom Strong, Interim Deputy Fire Marshal, 386-8410) on November 22, 2022; County Counsel (Scott Runyan,

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Principal Assistant County Counsel, 387-5455) on December 13, 2022; Land Use Services (Jevin Kaye, Assistant Director, 387-4431) on December 14, 2022; Finance (Tom Forster, Administrative Analyst, 387-4635) on December 13, 2022; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on December 13, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

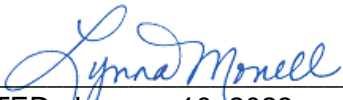
APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman

Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY



DATED: January 10, 2023



cc: SDD/Apple Valley Fire District (BAI Only)
SDD/Chino Valley Independent Fire District (BAI Only)
SDD/Rancho Cucamonga Fire Protection District (BAI Only)
CDH- w/attach's
File- SDD/Apple Valley Fire District w/attach
File- SDD/Chino Valley Independent Fire District w/attach
File- SDD/Rancho Cucamonga Fire Protection District w/attach
LA 01/11/2023