

MILPITAS FIRE DEPARTMENT

Office of the Fire Marshal



PUBLIC NOTICE - FIRE FEES

EFFECTIVE JULY 01, 2018

**THE FIRE DEPARTMENT FEES FOR
PERMITS AND INSPECTIONS WILL
INCREASE**

**IF YOU HAVE ANY QUESTIONS, PLEASE
CONTACT THE FIRE MARSHAL'S OFFICE
AT 408-586-3371**

Richard Frawley, Acting Fire Chief

Albert Zamora, Deputy Fire Chief

RESOLUTION NO. 8736

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING
THE FIRE DEPARTMENT FEE SCHEDULE

WHEREAS, the Milpitas Municipal Code specifies that certain fees and charges shall be fixed by Resolution of the City Council; and

WHEREAS, from time to time the City Manager and department heads must review fees and service charges, and calculate and propose adjustments to said fees and charges necessary to assure recovery of the specified percentages of "costs reasonably borne" by the City in providing the service identified in the schedule set forth in Milpitas Municipal Code Section IV-3-4.00; and

WHEREAS, the Milpitas Fire Department's fees have not been updated since 2013; and

WHEREAS, the Finance Department recently completed a cost allocation study and determined Fire Department costs for service to be \$207 per hour, as reflected in the January 2, 2018 staff report included in the attached Exhibit A; and

WHEREAS, based on this updated hourly rate, the proposed Milpitas Fire Department Fee Schedule sets fees and charges in amounts no greater than the reasonable costs of providing the service as incurred by the City and also in the amount specified through Council policy direction with respect to the functions to be performed by the City as supported by the information included in a staff report from Deputy Fire Chief Albert Zamora, dated January 4, 2018, attached hereto as part of Exhibit A.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The various fees and charges set forth in the Fee Schedule attached hereto as Exhibit B do not exceed the reasonable cost of providing the service and comply with the Municipal Code requirement to assure recovery of the costs reasonably borne and are hereby approved and effective beginning July 1, 2018.
3. The fees and charges established by this Resolution shall supersede all previously established fees or charges for the same regulations, project or service set forth in Resolution No. 8251, and Resolution No. 8251 is repealed on the effective date of this Resolution of the City Council.
4. This Resolution shall become effective on July 1, 2018.

PASSED AND ADOPTED this 16th day of January 2018, by the following vote:

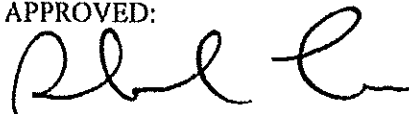
AYES: (5) Mayor Tran, Vice Mayor Grilli, Councilmembers Nuñez, Barbadillo,
and Phan
NOES: (0) None
ABSENT: (0) None
ABSTAIN: (0) None

ATTEST:




Mary Lavelle, City Clerk

APPROVED:



Rich Tran, Mayor

APPROVED AS TO FORM:



Christopher J. Diaz, City Attorney

Exhibit B

PROPOSED FIRE DEPARTMENT FEE SCHEDULE - 2018

| Activity | Permit Fee |
|---|----------------|
| ANNUAL OPERATIONAL PERMITS | |
| A-1 Occupancy (theaters and other similar viewing halls) | \$ 828.00 |
| A-2 Occupancy (Food and drink establishment) | \$ 621.00 |
| A-3 Occupancy (worship, recreation or amusement) | \$ 621.00 |
| A-4 & A-5 Occupancy (indoors or outdoors sports event structures) | \$ 1,449.00 |
| High Piled Storage | \$ 828.00 |
| Malls | \$ 1,449.00 |
| Motels | \$ 621.00 |
| Hotels and multi-story structures (< 5 stories) | \$ 1,242.00 |
| Hotels and multi-story structures with 5 or more stories, 1.5 HR per floor for insp. Fee = (Number of floors) * (1.5HR * \$/HR) | per fee factor |
| Commercial Daycare - small (< 100 children or elderly) | \$ 414.00 |
| Commercial Daycare - large (≥ 100 children or elderly) | \$ 828.00 |
| Residential - small family daycare (8 or fewer children) | no fee |
| Residential - large family daycare (9 to 14 children) | \$ 103.50 |
| Residential - Elderly Care (6 or fewer people) | no fee |
| Small Apartments (3 - 4 units) | \$ 310.50 |
| Medium Apartments (5 - 15 units) | \$ 1,242.00 |
| Large Apartments (more than 15 units) | \$ 1,656.00 |
| Small Chemical User (doctor/dentist, dry cleaner, photo shop, graphic design, print shop, auto repair, retail sales with propane) | \$ 414.00 |
| Medium Chemical User (Body shop, research and design, analytical labs, pool supplies) | \$ 1,035.00 |
| Large Chemical User (Semiconductor or similar facilities) | \$ 1,656.00 |
| Plating shops | \$ 1,242.00 |
| Small Toxic Gas - Annual Monitoring Certification | \$ 828.00 |
| Large Toxic Gas - Annual Monitoring Certification | \$ 1,656.00 |
| Mobile Fueling - Vendor | \$ 1,035.00 |
| Mobile Fueling - Site | \$ 1,035.00 |
| Underground tanks, Not VPH (AB-2481: vacuum pressure hydrostatic) | \$ 621.00 |
| Underground tanks, VPH (AB-2481: vacuum pressure hydrostatic) | \$ 1,863.00 |
| Urban Runoff Inspections (Industrial) | \$ 414.00 |
| Urban Runoff Inspections (Restaurants-once every 2 yrs.) | \$ 414.00 |
| Other miscellaneous annual inspections. Fee = (hrs * \$/HR) | 1 HR Min. |

| Activity | Permit Fee |
|---|-----------------------|
| CONSTRUCTION REVIEW / PERMIT / INSPECTION | |
| Planning Permits/Reviews | |
| Project Development and EIR review | \$ 1,656.00 |
| Consultative Meetings over 1 hour duration | \$ 621.00 |
| Planning Applications. Fee = hrs * hourly rate | Std or OT hourly rate |
| Building Life/Safety | |
| Demolition (Interior, or partial bldg, misc demolition) | \$ 414.00 |
| Demolition (Complete building with/without site demolition) | \$ 621.00 |
| Grading (< 1 acre) | \$ 414.00 |
| Grading (1 to 5 acres) | \$ 621.00 |
| Grading (\geq 5 acres) | \$ 828.00 |
| Site Improvements (< 1 acre) | \$ 621.00 |
| Site Improvements (1 to < 5 acres) | \$ 1,242.00 |
| Site Improvements (\geq 5 acres), 2 HRS / acre or fraction thereof (plan check and inspection included). Fee = (Acres * 2) * \$/HR | per fee factor |
| New Building Shell (< 5K SF) | \$ 621.00 |
| New Building Shell (5K to < 25K SF) | \$ 1,242.00 |
| New Building Shell (25K to < 50K SF) | \$ 1,863.00 |
| New Building Shell (\geq 50K sf). Fee = (.0002 HR/SF) * SF * \$/HR | per fee factor |
| New Building w/ Improvements (< 5K SF) | \$ 621.00 |
| New Building w/ Improvements (5K to < 25K SF) | \$ 1,656.00 |
| New Building w/ Improvements (25K to < 50K SF) | \$ 3,105.00 |
| New Building Shell with Improvements (\geq 50K sf). Fee = (.0003 HR/SF) * SF * \$/HR | per fee factor |
| Addition, Alteration (< 5K SF) | \$ 621.00 |
| Addition, Alteration (5K to < 25K SF) | \$ 1,656.00 |
| Addition, Alteration (25K to < 50K SF) | \$ 3,105.00 |
| Addition, Alteration (\geq 50K SF). Fee = (0003 HR/SF) * SF * \$/HR | per fee factor |
| Over-the-Counter (Included in standard fees) | Std. fee |
| Plan Check by Appointment (included in standard fees) | Std. fee |
| Missed Plan Check by Appointment | \$ 207.00 |
| Revision to Project. Fee = (hrs * hourly rate). (Min. 1HR) | per fee factor |

| Activity | Permit Fee |
|--|----------------|
| CONSTRUCTION REVIEW / PERMIT / INSPECTION (continues) | |
| Tents, canopies, membrane structures | |
| 4 or less | \$ 621.00 |
| 5 or more | \$ 828.00 |
| | |
| Temporary Assembly (Indoors or outdoors), (with or without tent) | |
| Occupancy 50-299 | \$ 621.00 |
| Occupancy 300-999 | \$ 1,035.00 |
| Occupancy 1000 and greater | \$ 1,656.00 |
| | |
| Fire Extinguishing Systems | |
| Fire service underground, repair (each) | \$ 414.00 |
| Fire service underground, new or replace (each) | \$ 1,035.00 |
| | |
| New, Addition, Alteration to Sprinkler System (\leq 2K SF) | \$ 621.00 |
| New, Addition, Alteration to Sprinkler System ($>$ 2K SF). Fee = $621 + (.0007 \text{ HR/SF}) * (\text{bldg SF} - 2\text{K SF}) * \$/\text{HR}$ | per fee factor |
| | |
| Hood and Duct Systems (each) | \$ 828.00 |
| | |
| FM 2000 (under floor systems, etc), each | \$ 828.00 |
| | |
| Other (deluge, foam, preaction, etc), each | \$ 828.00 |
| | |
| Fire Alarm Systems | |
| Addition, Alteration, Repair $<$ 5 devices (for new panel, see schedule below) | \$ 414.00 |
| Addition, Alteration, Repair 5 to $<$ 10 devices, (10 or more devices and/or new panel see schedule below) | \$ 828.00 |
| | |
| New Fire Alarm (\leq 5K SF) | \$ 828.00 |
| New Fire Alarm ($>$ 5K SF). Fee = $828 + (.0006 \text{ HR/SF}) * (\text{bldg SF} - 5\text{K SF}) * \$/\text{HR}$ | per fee factor |
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| Activity | Permit Fee |
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| CONSTRUCTION REVIEW / PERMIT / INSPECTION (continues) | |
| Hazardous Materials - Building Construction | |
| Small TI (registration form, nitrous oxide and oxygen system) | \$ 414.00 |
| Medium TI (Emergency generator, lift stations, aboveground tanks, treatment, large tank installations) | \$ 1,035.00 |
| Large TI ("H" occupancy, Plating) | \$ 1,863.00 |
| Toxic Gas Tools (furnaces, implanter, reactors) | \$ 1,656.00 |
| Closure – process/tools | \$ 621.00 |
| Closure - facility | |
| Small TI | no fee |
| Medium TI | \$ 621.00 |
| Large TI | \$ 1,035.00 |
| Underground Tank Installations, (see footnote 3 below) | |
| 4 tanks system or less with Title 23 requirements | \$ 4,140.00 |
| Each additional tank | \$ 414.00 |
| Underground Tank Removals | |
| 2 tank systems or less | \$ 1,656.00 |
| Each additional tank system | \$ 207.00 |
| CERS & APSA (see notes 1), 2) and 3) below) | |
| CERS (California Environmental Reporting System) | \$ 414.00 |
| APSA (Aboveground Petroleum Storage Act) | \$ 414.00 |
| INVESTIGATION / ENFORCEMENT | |
| Response/Investigation Fee | HR(s) * hourly rate |
| Fire Code Chapter 50 - Release Cleanup | HR(s) * hourly rate |
| Referral Inspection (Life/Safety) Minimum charge | \$ 414.00 |
| Referral Inspection (Haz Mat) Minimum charge | \$ 414.00 |
| Enforcement Cost Recovery | HR(s) * hourly rate |
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| Activity | Permit Fee |
|---|--------------------------------------|
| MISCELLANEOUS (continues) | |
| Training | Classroom: |
| | Trailer \$ 60.00/HR |
| | Admin. \$ 70.00/HR |
| | Instructor: hrs. * hourly rate |
| Standard Hourly Rate (\$/HR) | \$ 207.00 |
| Overtime Hourly Fee (OT) = (Standard Hourly Rate * 1.5) | \$ 310.50 |
| Other activities not listed. FEE = HR(s) * (Standard or OT hourly rate) | HR(s) * (Std hourly rate or OT rate) |
| Electronic Archive, per permit | flat fee of \$ 25.00 |
| Fire Department Automation Fee, per permit | \$ 6.77 |
| Emergency Response Mapping - new projects. FEE = 1 * \$/HR | \$ 207.00 |

Notes

- 1) An APSA permit shall be included for projects involving petroleum hydrocarbons if the total on-site quantity of petroleum in containers of 55 gallons or greater equals or exceeds 1320 gallons.
- 2) A CERS fee shall be assessed if the total on-site quantity of all hazardous materials exceed the CERS reporting threshold specified in the Health and Safety Code, Chapter 6.95, Section 25503.5
- 3) A CERS fee shall be assessed for projects associated with the installation/modification of APSA, and all UST systems.

Abbreviations

\$/HR = Standard hourly rate

bldg = Building

EIR = Environmental Impact Report

Haz Mat = Hazardous Materials

HMBP/HMIS = hazardous materials business plan / hazardous materials inventory statement

HR, hr or hrs = Hour(s)

Insp = Inspection

K = 1,000

misc = miscellaneous

OT = Overtime

SF = Square footage

Std = Standard

* = multiply when used in formula or fee factor