

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	September 16, 2024
Action Required:	Adoption of ordinance
Presenter:	Joe Phillips, Fire Marshal
Staff Contacts:	Joe Phillips, Fire Marshal
Title:	Ordinance to adopt Fire Safety Code Fee Schedule (1 of 2 readings)

Background

In 2019, City Council granted the Charlottesville Fire Department's (CFD's) Office of the Fire Marshal the authority to implement a permit and inspection fee program in accordance with the Virginia Statewide Fire Prevention Code (SFPC). Currently, the City Fire Marshal is authorized by Council to enforce and collect fees for the following permits: Dry Cleaning Plants, Explosives, Fireworks and Pyrotechnics, Hazardous Materials, Hot Work Operations, Open Flames and Candles, Temporary Membrane Structures and Tents, Social Services License Inspection, Re-inspection Fee, Plans Review, Mobile Food Vendors, and Fire Code Variance/Modifications. Due to the pandemic's impact on local businesses, implementation of the program was postponed.

The City Fire Marshal and key City staff members have collaborated to revise the ordinance and fee schedule and are currently working to develop a comprehensive billing solution for implementing the permit and inspection program.

Discussion

To reduce the risk to life and property, hazardous materials, flammable and combustible liquids, compressed gases, and similar materials must be stored and handled in strict accordance with the safety standards codified in the SFPC. These nationally recognized safety standards apply to any business that uses, stores, or manufactures hazardous materials or hazardous processes. Compliance with these standards ensures the safety of employees, business owners, and the public, and the proposed permit and inspection fees support the fire department's ability to provide these services.

The proposed fee schedule ("CFD FM Fee Schedule 01.01.25") is adapted from SFPC Table 107.2, which details a complete list of permits the City could enforce through the Fire Marshal's Office. The fee schedule aligns with permit fees being charged by other area fire departments, including those in Albemarle County, Richmond, Staunton, Waynesboro, Harrisonburg, and Rockingham County. The Fire Marshal recommends that City Council consider adopting an ordinance granting the Fire Marshal the authority to enforce and collect fees for all permits listed in the SFPC fee schedule. Adopting the entire permit list will allow CFD to be flexible and adapt as new businesses come to Charlottesville.

The collected inspection and permitting fees will help defray the costs of providing these services and support fire prevention education, marketing, messaging, and equipment costs. These fees will also allow CFD to continue offering free smoke alarms, stove-top fire stops, and carbon monoxide detectors to the public.

Alignment with City Council's Vision and Strategic Plan

This proposed ordinance directly aligns with several aspects of City Council's vision and strategic plans.

Public Safety:

A permitting program ensures that fire code safety standards are upheld, reducing the risk of fire hazards, and promoting a safer environment for residents and visitors. The permitting process allows CFD to inspect and ensure proper use of harmful products or dangerous activities, taking a proactive approach to prevent emergencies and accidents. Therefore, the requirement of permits by the Office of the Fire Marshal plays a crucial role in promoting and maintaining public safety, instilling a sense of security in the community.

Education:

By enforcing permit requirements, CFD can generate funding that can be allocated explicitly toward crucial fire prevention education initiatives, including programs to educate the public about fire safety, training sessions, and community outreach efforts. This program aligns with City Council's vision and goals for education, as it facilitates the dissemination of important fire prevention information to residents and businesses in Charlottesville.

Economic Prosperity:

Ensuring that commercial buildings and businesses comply with fire safety regulations through the permit requirements, CFD plays a crucial role in maintaining a safe environment for these establishments to operate. This, in turn, supports economic prosperity by safeguarding businesses from potential fire hazards, ensuring their continuity of operation, and contributing to the overall stability and growth of the local economy.

Organizational Excellence:

The diligent and committed staff of CFD consistently deliver exceptional services to the community. By utilizing the funding generated from the permit process, CFD staff can further enhance their fire prevention and career development training. This aligns with City Council's vision for organizational excellence by ensuring that the fire department personnel are well equipped with the necessary skills and knowledge to deliver exemplary services and uphold the highest standards of operational excellence.

Climate Action:

Enforcing safety standards contributes to environmental preservation and sustainability efforts, aligning with City Council's climate action goals. The permit process allows for the inspection and regulation of activities to ensure they adhere to environmental guidelines, such as restrictions on hazardous materials, flammable and combustible liquids, and other materials that pose environmental risks. This proactive approach supports the city's broader ecological protection objectives and is vital in mitigating potential hazards that could adversely affect the climate. Therefore, the permitting program directly contributes to City Council's vision and goals for climate action by promoting environmental responsibility and sustainable practices in Charlottesville.

Housing:

Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through the implementation of the Affordable Housing Plan. The Fire Department's program of free fire safety products to all residents of Charlottesville is essential in creating a safe living environment, particularly in affordable housing units. The funding generated from the permit program will continue to provide a vital funding stream for these fire safety products. CFD can supply much-needed fire prevention equipment, contributing to the overall safety and well-being of residents in Charlottesville and thereby supporting the City Council's vision and goals for housing.

Community Engagement

The permit process encourages collaboration between the Fire Department and residents, businesses, and event organizers, fostering a shared responsibility for public safety. Furthermore, the department engages with the community by providing guidance on fire safety measures and regulations, raising awareness about potential hazards, and promoting a culture of safety and preparedness. This concerted effort to involve and educate the community directly contributes to City Council's vision for robust community engagement. It empowers residents to actively participate in creating a safer environment for all. Therefore, the proposed permit system plays a critical role in promoting community involvement.

Budgetary Impact

The fees for any of the newly authorized permits will be waived for the remainder of this fiscal year, which ends on June 30, 2024. This will provide staff with the necessary time to notify the public and to establish the administrative reporting and tracking process for the new permits. The fees will be revisited as part of the FY 2026 budget process. If the decision is made to charge the fees in the future, funds collected through the fire permit program could be used to provide a sustainable funding stream to cover the costs of inspecting facilities and other fire prevention efforts. By enforcing the fire code safety standards, specific initiatives such as the free smoke alarm program can be supported. Educational programs to raise public awareness about fire safety, training sessions, and community outreach efforts could be sustained and expanded. Thus, the fire permit program contributes to public safety and ensures the availability of resources to support crucial fire prevention initiatives.

Recommendation

Staff recommends adoption of the ordinance.

Alternatives

Council could choose not to adopt the ordinance, and the City would not be able to recoup the costs of enforcing the SFPC.

Attachments

1. Adoption of Fire Marshal Fee Schedule - ORDINANCE
2. CFD FM Fee Schedule-Exhibit A