



CITY OF SACRAMENTO

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DEPARTMENT OF FIRE
915 "I" STREET SACRAMENTO, CALIF. 95814
CITY HALL - ROOM 3 TEL. (916) 449-5267

WILLIAM R. POWELL
FIRE CHIEF

January 16, 1981

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Proposed Smoke Detector Ordinance for existing structures when sold and hotels, motels, lodging houses and apartments

SUMMARY

This proposed ordinance was resubmitted to the Planning and Community Development Committee on December 17, 1980. The committee voted in favor of the ordinance with a vote of 2½ to ½.

BACKGROUND

This proposed ordinance was originally submitted to the Planning and Community Development Committee on September 17, 1980. During the review of the ordinance by committee there was concern expressed about the ability to enforce the ordinance.

Since that meeting, two major changes have been made to the proposed ordinance:

1. The portion of the ordinance which deals with alterations that require a building permit in excess of \$1,000.00 has been removed because the 1979 Uniform Building Code which is to be submitted for approval around February 1981 covers this subject and this would just be a duplication.
2. The responsibility for having smoke detectors installed, in the first proposed ordinance, was identified as: "Any person who sells or purchases a residential building."

There was concern expressed at the first meeting that this was unenforceable.

APPROVED
BY THE CITY COUNCIL PFP + CONT
JAN 27 1981 to 2-3-81

OFFICE OF THE
CITY CLERK

The newer proposed ordinance places the responsibility as follows:

(a) Within thirty days after the sale, exchange or other transfer or ownership of any residential building constructed prior to January 1, 1976 the purchaser or person otherwise acquiring ownership of the building shall:

(1) install or cause to be installed a smoke detector or detectors of a type approved by the State Fire Marshal. Such smoke detectors shall be located and installed within such dwelling unit as set forth in Section 1310 or Section 1413, as applicable, of the latest edition of the Uniform Building Code adopted by the City of Sacramento.

Exception: Battery-operated smoke detectors approved by the State Fire Marshal may be used;

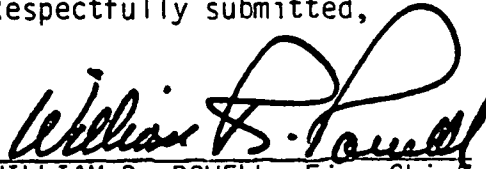
(2) and shall file with the City of Sacramento Fire Department on a form furnished by it, a declaration under penalty of perjury certifying that smoke detectors have been installed in accordance with the provisions of subdivisions (a) (1) of this section.

This change was made to clarify the responsibility and to eliminate a concern that the ordinance would be hard to enforce.


RECOMMENDATION

It is recommended that this ordinance be approved by the Council as another step to reduce the fire losses and make Sacramento a safer place to live.

Respectfully submitted,


WILLIAM R. POWELL, Fire Chief

Recommendation Approved:


Walter J. Slips
City Manager

WRP:cc
attachment

All Districts

Council Meeting January 27, 1981

AN ORDINANCE ADDING SECTION 15.206-1
TO THE SACRAMENTO CITY CODE RELATING
TO SMOKE DETECTORS IN EXISTING
RESIDENTIAL BUILDINGS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

SECTION 1. Findings. The City Council hereby finds as follows:

1. For the following reasons, the City of Sacramento is experiencing and will continue to experience an increasing demand for services rendered by fire suppression personnel of the City Fire Department:

a. The City of Sacramento is experiencing a rapid and increasing rate of growth in the construction of residential and nonresidential structures which is now resulting, and will continue to result in an increasing demand for fire suppression services;

b. That the City of Sacramento is experiencing a rapid rate of growth of high rise residential and non-residential structures which present unique fire suppression problems in terms of personnel and equipment available to fight fires in such structures;

c. That there are areas of the City in which traffic congestion existing during certain hours of the day which inhibit prompt response by the Fire Department to calls for fire suppression; and,

d. That the Fire Department is experiencing an increasing number of calls for medical-emergency assistance (e.g., cardiopulmonary resuscitation).

2. That the constraints on funding available for the activities of fire suppression caused by the Jarvis-Gann tax initiative (Article XIII A of the California Constitution) make it imperative that all reasonable methods for the earliest possible detection of fires be implemented in order to decrease the demand for fire suppression services.

3. That the requirement for smoke detectors as set forth in this ordinance constitutes a reasonable and necessary method for the reduction of the size and intensity of fires through early detection, thereby decreasing the burden on the City Fire Department by:

a. Reducing the amount of time and effort expended in the suppression of fire, thereby allowing greater time and effort to be devoted to fire prevention;

b. Reduction of "out of service" time of fire companies due to calls for fire suppression;

c. Reduction in overtime due to call back of off duty personnel;

d. Reduction in incidence and severity of "on the job" injuries of fire personnel through reduction of size of fires; and,

e. Reduction in loss and damage of fire fighting equipment and apparatus.

4. That the requirement for smoke detectors constitutes a reasonable and necessary means for early detection of fire by the occupants of structures, thereby greatly decreasing injury, loss of life, and damage to said structures.

SECTION 2. Section 15.206-1 hereby is added to the Sacramento City Code to read as follows:

Sec. 15.206-1 Smoke detectors required in existing buildings.

(a) Within thirty (30) days after the sale, exchange or other transfer of ownership of any residential building constructed prior to January 1, 1976, the purchaser or person otherwise acquiring ownership of the building shall:

(1) install or cause to be installed a smoke detector or detectors of a type approved by the State Fire Marshal. Such smoke detectors shall be located and installed within such dwelling unit as set forth in Section 1310 or Section 1413, as applicable, of the latest edition of the Uniform Building Code adopted by the City of Sacramento.

Exception: Battery-operated smoke detectors approved by the State Fire Marshal may be used;

(2) and shall file with the City of Sacramento Fire Department on a form furnished by it, a declaration under penalty of perjury certifying that smoke detectors have been installed in accordance with the provisions of subdivisions (a)(1) of this section.

(b) After March 1, 1984, no person shall, as owner or lessee maintain a building which is used as a hotel, motel, lodging house, or apartment house unless smoke detectors approved by the State Fire Marshal are installed in such structure.

Such smoke detector or detectors shall be located and installed within such building or dwelling unit as set forth in Section 1310 or Section 1413, as applicable, of the latest edition of the Uniform Building Code adopted by the City of Sacramento.

Exception: Battery-operated smoke detectors approved by the State Fire Marshal may be used.

(c) As used in this section, "residential building" shall mean and include any dwelling, apartment house, lodging house, hotel or motel. The terms "dwelling," "apartment house," "lodging house," "hotel," "motel," and "dwelling unit" shall have the meaning given to them in the latest edition of the Uniform Building Code adopted by the City of Sacramento. "Smoke detector" shall have the meaning given to it by said Uniform Building Code.

(d) Failure to comply with the provisions of subdivision (a) (1), (a) (2) or (b) of this section shall be an infraction and shall be punishable by:

- (1) a fine not exceeding \$50.00 for a first violation;
- (2) a fine not exceeding \$100 for a second violation of the same ordinance within one year; and,
- (3) a fine not exceeding \$250 for each additional violation of the same ordinance within one year.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK