

Code Enforcement

403.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process by which the Fresno County Fire Protection District will enforce District fire and life safety codes during inspections.

403.2 POLICY

It is the policy of the Fresno County Fire Protection District to use inspections to help reduce the risk of injury or death due to fire and life safety code-related violations and increase the safety of building occupants, the community and emergency responders.

403.3 PROCEDURE

The Fresno County Fire Protection District may issue correction notices when violations of the fire code are found during fire and life safety inspections.

Any violation determined by an inspector to pose an immediate fire danger or threat to life safety should be referred to the Senior Inspector as soon as practicable.

403.3.1 INITIAL INSPECTIONS

An initial inspection should be made to determine if any violations exist and identify the code sections violated. A notice of correction should be issued for violations. The written correction notice should describe the conditions deemed to be unsafe, identify the code section violated and, when compliance is not immediate, specify a time for re-inspection, typically to occur within two weeks. This time frame may be adjusted at the inspector's discretion depending on the type of violation (Fire Code § 109.2).

All inspections, meetings, and telephone conversations should be documented and an inspection report completed including names, telephone numbers, dates, violations and any other pertinent information related to the inspection. All documentation should be maintained in an inspection file.

A copy of the inspection report should be left with the responsible party.

403.3.2 RE-INSPECTIONS

Violations that pose an immediate hazard to life or property should be corrected before the inspector leaves the premises (e.g., a required exit being chained or locked).

All other violations should be corrected by the date identified in the correction notice for re-inspection.

Generally, no more than two re-inspections should be conducted before escalating the process as provided in this policy.

403.3.3 TIME EXTENSIONS FOR COMPLIANCE

An inspector may extend the compliance period if reasonable progress is being made toward correcting the violation, or if a plan is established for completion and life and property are not being

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compromised. Extensions should only be granted when the inspector believes there is a high probability of obtaining complete compliance. The inspector may request the responsible person submit a statement in writing, detailing the reason for the extension and the new compliance date.

403.3.4 FINAL NOTICES

A final notice may be used as the last warning notice issued prior to civil or criminal action. A final notice is not required prior to initiating legal action.

A final notice of violation should be provided to the violator by certified mail return receipt requested and should:

- Set a date by which the violator must correct the violation.
- Notify the violator of the date of the final re-inspection to verify code compliance prior to initiating legal action.

403.3.5 ADMINISTRATIVE VIOLATION

If compliance is not achieved by the time of the final re-inspection, an administrative violation may be issued. An administrative violation informs a business that repeated attempts to gain compliance for outstanding violations were unsuccessful. The administrative violation may be delivered to the business owner in person or mailed via certified mail return receipt requested.

Administrative violations may continue to be issued until compliance is achieved or the matter is referred to legal counsel for legal action. Copies of all administrative violations should be sent to the District's legal counsel as soon as practicable.