



Susan Wengraf
Vice Mayor and Councilmember District 6

CONSENT CALENDAR
March 26, 2019

To: Honorable Mayor and Members of the City Council
From: Councilmembers Susan Wengraf, Sophie Hahn, Lori Droste and Rashi Kesarwani
Subject: Support for SB-190 Fire Safety: Building Standards

RECOMMENDATION

Send a letter in support of SB-190 Fire Safety: Building Standards (Dodd) to Senator Dodd and copy Senator Skinner, Representative Wicks and Governor Newsom.

The Legislation would require the Office of the State Fire Marshal to:

1. Develop a model defensible space program to be used by cities and counties to enforce defensible space provisions.
2. Develop Wildland-Urban Interface Fire Safety Building Standards Compliance Training Manual, and make available via website. To be used locally in training of building officials, builders and fire service personnel.
3. Develop guidance document for maintenance of defensible space around residential structures.
4. Develop and update regularly a Wildland-Urban handbook listing products and construction systems that comply with specified Wildland-Urban Interface Fire Safety building standards.
5. Use money from the Building Standards Administration Special Revolving Fund in the State Treasury to carry out the provisions.

FINANCIAL IMPLICATIONS

None

BACKGROUND

Catastrophic fires as a result of extreme weather conditions have devastated California in the last several years. The extent of loss of life and property have exceeded any situation the state has historically had to address. Faced with this new probability of increasing risks from wildfire, as a result of climate change, legislators are interested in

Support for SB-190 Fire Safety: Building Standards

CONSENT CALENDAR

March 26, 2019

developing better resources for both industry and individuals to be able to better prevent and mitigate these potential disasters.

SB-190 directs the State Fire Marshal to work out the details, in collaboration with local agencies, of fire safety code requirements to mitigate the state's increased fire risk. This state leadership will increase clarity and education to fire safety staff and support the City of Berkeley to strengthen its existing fire safety protocols and regulations.

ENVIRONMENTAL SUSTAINABILITY

Fire prevention is critical for environmental sustainability. In 2018, California wildfires emitted as much carbon dioxide as an entire year's worth of California's electricity according to a November 30, 2018 press release from the U.S Department of the Interior.

CONTACT PERSON

Councilmember Wengraf

Council District 6

510-981-7160

Attachments:

1: Letter of Support

2: [SB-190](#)

Honorable Bill Dodd
California State Senator
State Capitol, Room 4032
Sacramento, CA 95814

Dear Senator Dodd:

The City of Berkeley supports S.B. 190, Fire Safety: Building Standards. Thank you for addressing fire prevention on the state level. We need state guidance and regulation to help California's areas vulnerable to the catastrophic impacts of wildfires, especially since as they becoming increasingly frequent due to climate change.

The 1991 Tunnel Fire that burned the Oakland and Berkeley Hills, and cost 25 lives, numerous injuries and nearly 3,500 homes, taught us the importance of preventative measures. By requiring the Office of the State Fire Marshal to develop a model defensible space program for the State's cities and counties to use, your bill encourages prevention.. The same is true for the other components of your bill, such as requiring the State Fire Marshal to create a Wildland-Urban Interface Fire Safety Building Standards Compliance Training Manual for local jurisdictions to use to train their building officials and fire service personnel.

We all want to prevent fires in California. We know that fires don't stay within the confines of a specific city's limits. S.B 190 can help all of California's cities and counties to strengthen their fire prevention tactics and regulations. The City of Berkeley is in full support of S.B. 190.

Thank you,

The Berkeley City Council

CC:
Senator Skinner
Representative Wicks
Governor Newsom

**Introduced by Senator Dodd
(Coauthors: Assembly Members Gallagher, Grayson, Lackey, and Salas)**

January 30, 2019

An act to amend Section 51189 of the Government Code, to amend Section 18931.7 of, and to add Section 13159.5 to, the Health and Safety Code, relating to fire safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 190, as introduced, Dodd. Fire safety: building standards.

(1) Existing law requires a person, as defined, who owns, leases, controls, operates, or maintains a occupied dwelling or occupied structure in, upon, adjoining specified types of land areas within a very high fire hazard severity zone to maintain defensible space around the structure fire protection or a firebreak, as specified.

Existing law also requires the State Fire Marshal, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, to recommend updated building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fires spreading from adjacent structures or vegetation and to protect vegetation from fires spreading from adjacent structures, as provided.

This bill would require the Office of the State Fire Marshal to develop, in consultation with representatives from local, state, and federal fire services, local government, building officials, utility companies, the building industry, and the environmental community, a model defensible space program to be made available for use by a city, county, or city and county in the enforcement of the defensible space provisions. The bill would set forth required components of the program.

(2) Existing law requires the Director of Forestry and Fire Protection to identify areas in the state, except as specified, as very high fire hazard severity zones based on specified criteria in order to enable public officials to identify measures that will retard the rate of spread and reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property and to require that those measures be taken. Existing law requires the State Fire Marshal to prepare and adopt a model ordinance that provides for the establishment of very high fire hazard severity zones. Existing law also requires the State Fire Marshal to annually review, revise as necessary, and administer the California Fire Service Training and Education program. Existing law requires a local agency to designate, by ordinance, very high fire hazard severity zones within its jurisdiction.

This bill would require the Office of the State Fire Marshal to develop and make available on their internet website a Wildland-Urban Interface Fire Safety Building Standards Compliance training manual intended for use in the training of local building officials, builders, and fire service personnel. The bill

would require the Office of the State Fire Marshal to develop a guidance document for the maintenance of defensible space around residential structures. The bill would also require the Office of the State Fire Marshal to develop and update on a regular basis a Wildland-Urban Interface Products handbook listing products and construction systems that comply with specified Wildland-Urban Interface Fire Safety building standards.

(3) Existing law establishes the Building Standards Administration Special Revolving Fund in the State Treasury. Existing law provides that moneys in the fund, which include building permit applicant fees, shall be available, upon appropriation, to the Office of the State Fire Marshal, among other state entities, for expenditure in carrying out various provisions relating to building and housing standards, as provided. This bill would additionally provide that, upon appropriation, moneys in the fund may be available for purposes of carrying the requirements described in paragraphs (1) and (2).

