



Folsom City Council Staff Report

MEETING DATE:	12/8/2020
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10562 – A Resolution Authorizing Temporary Waiver of Permit Fees for Temporary Membrane Structures and Tents During the Public Health Emergency
FROM:	Finance Department Fire Department

RECOMMENDATION / CITY COUNCIL ACTION

It is recommended that the City Council adopt Resolution No. 10562 – A Resolution Authorizing Temporary Waiver of Permit Fees for Temporary Membrane Structures and Tents During the Public Health Emergency.

BACKGROUND / ISSUE

Emergency order DES-04-20 allowed for restaurants to use certain City-owned public properties to set up temporary outdoor areas for sit-down dining. With winter approaching, many businesses desire to install tents over their outdoor dining areas to continue to comply with the public health order while doing their best to keep their patrons out of the elements. Additionally, many businesses such as gyms, churches, nail salons, etc. have opted to augment their indoor services by installing outdoor tents due to public health orders. These temporary tents must not be operated without first obtaining a permit and approval from the Folsom Fire Department to ensure compliance with city and state fire and life safety regulations.

During COVID-19 restrictions, staff is proposing to waive the fee for these inspections and permits until the termination of the local emergency.

POLICY / RULE

In accordance with the Folsom Fire Code, tents and membrane structures having an area in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official. Tent and membrane structures shall comply with all applicable provisions of California Code of Regulations, Title 19, Division 1, and California Fire Code Chapter 31.

ANALYSIS

To support local businesses as much as possible during COVID-19 restrictions, the city has provided a number of temporary allowances to businesses including the use of public spaces for outdoor dining. These outdoor spaces allow businesses to serve customers a sit-down meal while continuing to comply with public health orders to slow the spread of COVID-19.

Many businesses desire to use temporary tents to provide shelter as the weather cools and staff proposes to waive the inspection and permit fee related to these temporary tents in the continued effort to support the success of Folsom business as they comply with the public health orders.

FINANCIAL IMPACT

The current Fire Code Permit to Operate fee for Temporary Membrane Structures and Tents is \$185. Staff estimates a total of 25 tents may be erected during COVID-19 restrictions, for a total impact on the general fund of about \$4,625 in uncollected permit fee revenue.

ENVIRONMENTAL REVIEW

The authorization to waive fees is not considered a project under the California Environment Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3). As a result, this action is exempt from environmental review.

ATTACHMENT

1. Resolution No. 10562 – A Resolution Authorizing Temporary Waiver of Permit Fees for Temporary Membrane Structures and Tents During the Public Health Emergency

Submitted,

Stacey Tamagni, Director of Finance/CFO

Ken Cusano, Fire Chief

RESOLUTION NO. 10562

A RESOLUTION AUTHORIZING TEMPORARY WAIVER OF PERMIT FEES FOR TEMPORARY MEMBRANE STRUCTURES AND TENTS DURING THE PUBLIC HEALTH EMERGENCY

WHEREAS, in an effort to assist local restaurants during the COVID-19 public health emergency, the City has allowed the temporary use of certain City-owned public properties to be used for temporary sit-down dining areas; and

WHEREAS, many businesses wish to install temporary tents over their outdoor areas to provide shelter for patrons from weather conditions; and

WHEREAS, temporary tents require a permit and approval from the Folsom Fire Department; and

WHEREAS, the City desires to continue to support local businesses as they comply with public health orders to slow the spread of COVID-19; and

WHEREAS, staff proposes to waive the permit fees related to temporary tents until the termination of the local public health emergency.

NOW, THEREFORE, BE IT RESOLVED that the permit fees for Temporary Membrane Structures and Tents are hereby waived during the COVID-19 public health emergency until termination of the local emergency.

BE IT FURTHER RESOLVED that the waivers of permit fees for Temporary Membrane Structures and Tents during the COVID-19 public health emergency prior to the passage of this Resolution are hereby ratified and approved.

BE IT FURTHER RESOLVED that applicants for Temporary Membrane Structures and Tents during the COVID-19 public health emergency who have already paid permit fees may request a refund of the permit fees paid to the City.

PASSED AND ADOPTED this 8th day of December 2020, by the following roll-call vote:

AYES: Council Member(s):
NOES: Council Member(s):
ABSENT: Council Member(s):
ABSTAIN: Council Member(s):

MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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