

# INDIAN WELLS CITY COUNCIL

## October 16, 2025



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**To:** City Council  
**From:** City Manager's Office  
**Prepared by:** Kristen Nelson, Administrative Services Manager  
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**Subject:** **Commercial Kitchen Fire Compliance Assessment Program**

### RECOMMENDED ACTIONS:

Council **OPENS** the public hearing, takes any public testimony, **CLOSES** the public hearing; and

**APPROVES** the implementation of a new commercial kitchen fire compliance assessment program; and

**FINDS** this action to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3).

### BACKGROUND:

The City's current contract with Riverside County Fire/CalFire covers fire prevention inspections for state-mandated occupancies, such as schools, care facilities, and high-rise buildings. However, it does not specifically address fire safety inspections for commercial kitchens in restaurants, hotels, country clubs, and similar establishments. These facilities are required by the California Fire Code (Attachment 1) to maintain certified hood and hood suppression systems yet they are not mandated inspections per the City's contract with CalFire or the California Fire Code.

To address this oversight without expanding the City's fire protection services contract, staff, working with the Public Safety Committee and the City Attorney, developed a Commercial Kitchen Fire Compliance Assessment Program that ties commercial kitchen fire suppression system checks directly to the issuance and/or annual renewal of a city business license, as appropriate.

Beginning January 1, 2026, any business required to maintain certified fire suppression systems will be charged a fire compliance assessment fee upon opening and/or annual renewal of their business license. The inspection fee is already established in the City's

adopted fee schedule (Attachment 2). The City's Code Enforcement Division will conduct annual, unannounced spot checks to verify that all hood suppression systems are currently certified and have been cleaned, serviced and are operating as required.

If a business is found to be non-compliant during a spot check—such as having expired certification or grease buildup in the hood system—the following actions may be taken:

- Referral to the Fire Department for potential fire hazard review.
- Citation under IWMC §8.08.060(t) for maintaining a nuisance.
- Revocation or suspension of the business license until compliance is achieved.

This approach allows the City to enforce a basic level of fire safety compliance at commercial businesses without usurping CalFire's enforcement authority or incurring additional contract costs. It also places responsibility appropriately on the business owner, as required by the California Fire Code.

The Commercial Kitchen Fire Compliance Assessment Program will be implemented as a condition of annual business license renewal for businesses with a commercial kitchen hood suppression system. The program is structured to ensure that businesses maintain their required fire suppression system certifications and cleaning schedules without relying on CalFire's limited inspection scope. The program is not administered under the Fire Code but rather as a business licensing policy, enabling enforcement by the City's Code Enforcement Division.

All affected businesses will be assessed an inspection fee as part of their annual business license renewal. The adopted fee is established under the City's Comprehensive Fee Schedule (Item 5.d with a rate at \$224.47 per hour). Businesses with a single hood system will be charged for a one-hour inspection, and Businesses with multiple hoods will be assessed a minimum two-hour fee, with additional hourly charges for longer inspection times.

This structure ensures a basic level of fire safety assurance while avoiding expansion of CalFire's contracted duties and fees.

## **BUSINESS OUTREACH & IMPLEMENTATION**

To ensure a smooth and efficient rollout, the City will notify affected businesses beginning in November 2025, well ahead of the program's effective date of January 1, 2026. Notifications will be sent by formal letter and reinforced through e-blasts. These communications will outline the new assessment requirement, fee structure, and what businesses can expect during the associated fire safety spot check. The goal is to provide businesses with sufficient lead time to ensure their mandated fire suppression hood systems are cleaned and operating as required.

Staff has identified approximately 37 kitchens that will be subject to the program. Code Enforcement and Finance staff will work closely to ensure businesses are properly categorized and billed during the license renewal process.

### **Advisory Committee Recommendation:**

The Indian Wells Public Safety Committee reviewed the proposed commercial kitchen fire compliance assessment program during their June 10, 2025 meeting, and unanimously recommended City Council approve implementation of the program.

### **CITY COUNCIL STRATEGIC GOAL:**

This program is consistent with Council's April 17, 2025 Strategic Planning Goal of directing staff to develop a program to inspect commercial kitchen fire suppression systems.

### **OPTIONS:**

The City Council may consider the following options:

1. Approve the Indian Wells Public Safety Committee recommendation to implement the Program;
2. Deny implementation of the Program; or
3. Provide staff with alternative direction.

### **FISCAL IMPACT:**

The implementation of this program does not incur additional cost to the City and is projected to be revenue-neutral, covering the cost of staff time for inspections, enforcement and administrative process. The fire compliance assessment fee shall be in addition to the currently established city business license fee, and shall be collected at the time of issuance and/or renewal of business licenses for any business with a commercial kitchen hood suppression system. This fee shall be assessed in accordance with Item 5.d of the City's Comprehensive Fee Schedule, at the current hourly rate of \$224.47. Businesses with a single hood system will be charged for one hour of inspection time. Businesses with multiple hood systems will be charged a minimum of two hours. For inspections that exceed two hours, an additional one-hour fee shall be charged for each additional hour or portion thereof beyond the initial two hours. The program is projected to generate the following revenue annually:

- Approx. 14 businesses with one hood system x 1 hour = \$3,142.58
- Approx. 8 facilities with multiple hood systems x 2 hours = \$3,591.52\*

*\*Assumes no additional time is billed beyond the 2-hour minimum*

Total Estimated Annual Revenue: \$6,734.10

This estimate represents a conservative baseline. Actual revenue may increase based on inspection durations exceeding the two-hour minimum or future business growth. These funds will directly offset the time and resources required to administer and enforce the program, ensuring it is both efficient and cost-neutral to the City.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

This action has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State and local CEQA Guidelines, and the environmental regulations of the City. The City acting as Lead Agency, has determined the action is not a project within the meaning of Section 15378 of the CEQA Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly; and the action is nonetheless exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment Section 15061(b)(3).

### **ATTACHMENTS:**

1. California Fire Code
2. Current Fee Schedule
3. Resolution