



Board Policy No. 239
Donated Structures Policy

SUBJECT CATEGORY: SECTION 230,
INVENTORY & PROPERTY MANAGEMENT

239: Donated Structures Policy

239.1 Introduction: This Policy for Receiving Donated Access to Structures for Training permits the District to obtain access, for training purposes, to structures that have been scheduled for demolition, at no direct cost to the District.

This Policy supports the District's Live Fire Training Program (Program) and addresses situations in which: (a) access to a building is donated; (b) the property owner agrees to execute a license, waiver and release in the District's favor; and (c) training would provide fire and emergency response personnel with opportunities to train in circumstances similar to those in which they could be expected to respond to fire and medical emergencies within the District.

The Program is designed to train suppression personnel in procedures normally performed during emergency situations. This training may be the only opportunity for suppression personnel to perform certain tasks outside of an emergency. Many of these procedures, such as Forcible Entry, Wall and Ceiling Breaching (for rescue and overhaul), Vertical Ventilation, Emergency Shoring of Collapsed Structures, and Live Fire Training, will result in destruction of or damage to a structure; therefore, donated access to these structures will provide an excellent and rare opportunity for hands-on training that is very realistic.

239.2 Purpose: The purposes of the Policy are to establish guidelines for District employees to follow when accepting and managing potential donations of building access; to establish guidelines for evaluating potential donations; and to establish procedures to be followed in preparing, operating at, and leaving a donated structure.

239.3 Policy: It is the policy of the District that any potential donation of access to buildings for training purposes be evaluated for (a) the property's value and safety as a training location, (b) potential impacts of potentially destructive training on the surrounding area, and (c) the availability of time on the District's Operations Calendar.

It is the policy of the District that, prior to any District operations at a donated property, the donating party must be given this Policy for review, and both the donating party and the Fire Chief, or a designee, must sign a "Release and Indemnity Agreement." Proof of clear title and removal of insurance must first be provided by the donating party.

It is the policy of the District that NFPA 1403 (Standard on Live Fire Training Evolutions) be followed where appropriate while preparing and operating at a donated structure.

Finally, it is the policy of the District that demolition and removal of a donated structure remains the responsibility of the donating party, and without assistance from the District.

239.4 Procedures:

a) Responding to an Inquiry/Offer:

When an inquiry or offer is made to the District, staff must take the name of the person making the offer, obtain his or her contact information (address, phone, e-mail, etc.), and refer the inquiring party to the Training Division.

b) Due Diligence; Building and Training Preparations:

Before accessing the property:

1. The District must explain the Program to the donating party(ies) and send all related documents to the inquiring party for review.
2. The District must gather information on the property including, at least: the building address; building type (commercial, residence, other); whether the building is vacant or occupied; whether there are hazards around the property that make access dangerous (such as a garage with hazardous substances stored or spilled inside), the date the property will be available, and the planned demolition date.
3. The Training Division Chief or a Training Captain must view the structure and evaluate it in accordance with the factors listed in section 239.3 of this Policy.
4. The District must obtain sufficient evidence of ownership of the property and removal of insurance, as determined in conjunction with Legal Counsel.
5. The Training Division Chief, in conjunction with an Operations Chief and after conferring with the Training Captains, must decide whether the District will accept the offered donation and use of the structure.
6. The property owner must be informed of the District's decision.
7. Should the property owner wish to donate the property under the parameters of the program, the District and the property owner must sign and enter into a "Release and Indemnity Agreement" in a form approved by Legal counsel. The District will provide an original or a copy to the donor and retain an original of the fully executed agreement.
8. The training will be planned and scheduled on the Operations Calendar.
9. The District must obtain all necessary permits and approvals. As of adoption of this Policy, required permits and approvals for "Live Fire Training" include the Bay Area Air Quality Management District Regulation 5 Notice and Regulation 11, Rule 2 Notification and confirmation of "burn day status" on the day of the planned burn.
10. The Training Division must prepare the training site using appropriate safety guidelines.
11. The District must provide residents and businesses in the surrounding neighborhood with notice of the planned training. The Training Division Chief will respond to any inquiries or concerns. Serious consideration should be given to all neighborhood concerns.
12. The District must develop an Incident Action Plan (IAP), including approval of the District

Operations Battalion Chief.

13. The District must inform Contra Costa County Regional Dispatch Center will be informed of the planned training.

c) During and After the Training:

In addition to all requirements established in the permits and authorizations granted for the training, and applicable NFPA standards:

1. The District must evaluate neighborhood impacts continually during each training. Training should be stopped if any unsafe condition exists.
2. The District must keep Contra Costa County Regional Dispatch Center updated continually during each training, as appropriate.
3. The property should be left in as safe a condition as possible and appropriate.
4. The property owner should be encouraged to either complete demolition as soon as possible following training or fence-off the property.
5. The District will provide a "Thank You" letter to the donating party stating the training accomplished at the donated structure. This letter will include the District's Federal ID# for tax purposes.
6. If requested, the Training Division Chief will sign the donating party's IRS form 8283, verifying the donation.

Adopted as: Policy 1-11 on February 6, 2017

Renumbered: December 12, 2018



Clerk of the Board



Board President