

**TAMPA FIRE RESCUE
FIRE MARSHAL'S OFFICE
AUDIT 16-06
OCTOBER 20, 2016**



CITY OF TAMPA

Bob Buckhorn, Mayor

Internal Audit Department

Christine Glover, Internal Audit Director

October 20, 2016

Honorable Bob Buckhorn
Mayor, City of Tampa
1 City Hall Plaza
Tampa, Florida

RE: Tampa Fire Rescue - Fire Marshal's Office, Audit 16-06

Dear Mayor Buckhorn:

Attached is the Internal Audit Department's report on the Tampa Fire Rescue - Fire Marshal's Office.

The Tampa Fire Rescue Department has already taken positive actions in response to our recommendations. We thank the management and staff of Tampa Fire Rescue for their cooperation and assistance during this audit.

Sincerely,

/s/ Christine Glover

Christine Glover
Internal Audit Director

cc: Dennis Rogero, Chief of Staff
Sonya Little, Chief Financial Officer
Tom Forward, Fire Chief
Charles Owen, Fire Marsha

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Not available to sign

Auditor

/s/ Christine Glover

Audit Director

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BACKGROUND

The City of Tampa, under the administration of Tampa Fire Rescue (TFR) and the Fire Prevention Division operates the Fire Marshal's Office (FMO), which is responsible for plan reviews, public safety education regarding fire safety and prevention, fire inspections, and arson investigations. As currently structured, the FMO consists of the Fire Marshal, a Public Education Division with one employee, an Investigations Division with six employees who are sworn officials of both TFR and the Tampa Police Department, a New Construction Division (New Construction) consisting of five employees, and an Existing Construction Division (Existing Construction) consisting of nine employees.

New Construction is responsible for plan review on new buildings in the City as well as significant modifications to existing structures that will require the issuance of a Certificate of Occupancy or a Certificate of Completion in cooperation with the Construction Services Department of the City. New Construction is also responsible for conducting inspections during construction to ensure that structures are being built according to plans and in compliance with local, state, and national fire protection and prevention requirements. In calendar year 2015, New Construction conducted more than 3,500 inspections at more than 800 locations.

Existing Construction is responsible for:

- Responding to complaints regarding potential fire code violations.
- Reviewing plans and providing permits for temporary and special events across the City.
- Performing requested and scheduled inspections of buildings and businesses (collectively referred to as occupancies) in accordance with licensing requirements and external guidelines as to the frequency of inspections.

In calendar year 2015, the Existing Construction Division responded to more than 260 complaints, issued more than 800 temporary assembly and tent permits, and performed more than 7,000 other types of inspections, re-inspections, and other reviews.

STATEMENT OF OBJECTIVES

This audit was conducted in accordance with the Internal Audit Department's FY2016 Audit Agenda. The objectives of this audit were to ensure that:

1. The City of Tampa is performing and recording inspections in accordance with state, local, and internal guidelines and requirements.
2. The City of Tampa is assessing fees for inspections and complaints in compliance with the City's resolution.

STATEMENT OF SCOPE

The audit covered FMO activity in New Construction and Existing Construction during calendar year 2015 and up to May 2016. Original records as well as copies were used as evidence and verified through observation and physical examination.

STATEMENT OF METHODOLOGY

We assessed internal controls of the FMO related to the invoicing and billing processes. Additionally, to determine compliance with internal and external existing guidelines and requirements, we reviewed inspection records for both New Construction and Existing Construction. FMO uses Accela to manage New Construction records and Mobile Eyes to manage Existing Construction records. We evaluated both systems and deemed the data to be reliable.

STATEMENT OF AUDITING STANDARDS

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

AUDIT CONCLUSIONS

Based upon the test work performed and the audit findings noted below, we conclude that:

1. Overall, the City of Tampa is performing and recording the most critical requested and scheduled inspections in accordance with state, local, and internal guidelines and requirements. The FMO, however, must work to identify occupancies that are past due for inspection or that are no longer in operation to schedule needed inspections and update the office's data management system.
2. Overall, the City of Tampa is assessing fees for inspections and complaints in compliance with City ordinances for the work performed. The FMO, however, must work to ensure that information on its website is consistent with current legislation and that fees are applied accurately and consistently.

EXISTING CONSTRUCTION INSPECTIONS

STATEMENT OF CONDITION: The FMO is performing and recording critical inspections; however, the FMO's current data management system makes it difficult to determine whether the FMO is performing these inspections appropriately and in a timely fashion. In a sample of 72 active buildings that require annual or biennial inspections or are otherwise considered high-hazard, 39 had not received an inspection within the predetermined timeline listed in the Mobile Eyes data management system as of mid-May 2016.

In a broader examination of buildings and occupancies in the Mobile Eyes database used by the FMO, we found that 8,860 (53% of the total) are past their predetermined inspection due date, and 5,546 (33% of the total) have not had an inspection since 2010.

CRITERIA: The FMO, in accordance with National Fire Protection Agency (NFPA) guidelines, designates each building, or business within a building housing multiple activities, with a specific occupancy. The occupancy type determines how often (annually, biennially, every three years, or every four years) a building must be subject to an inspection from the FMO. Inspection activity is recorded in the Mobile Eyes data management system to indicate whether an inspection has been performed and was satisfactory.

CAUSE: Information in the Mobile Eyes data management system may not be up to date. Further, the FMO is responsible for responding to complaints and re-inspections that are of higher priority based on internal guidelines.

EFFECT OF CONDITION: If information in the Mobile Eyes data management system is either incomplete or not up to date, the FMO may not be able to determine which buildings and businesses need inspection.

RECOMMENDATION 1: The FMO should work to ensure that the information in Mobile Eyes accurately reflects the population of buildings and businesses requiring inspection and the inspections performed by the FMO. The FMO should then work to ensure that all buildings and businesses are inspected as required.

MANAGEMENT RESPONSE: Of the 72 sample buildings, we have found that a majority have been closed, but were not retired from the Mobile Eyes database. Many of these businesses are closed, miscoded, or the address no longer exists. Also, certain apartment complexes have been assigned an address for each individual apartment dwelling unit instead of one main address for the entire complex. The FMO has identified these apartment complexes and changed the records to one master address. This deleted approximately 1,000 addresses from the database.

There are currently 106 occupancy types in the Mobile Eyes database. These were derived from the National Fire Incident Reporting System (NFIRS). This caused substantial discrepancies in the audit report due to overlaps and duplications of some occupancies. The FMO is currently consolidating occupancy types as it relates to the frequency of inspection due dates. Adjustments will be made based on the degree of hazard and our current resources. The FMO will classify every address into one of 15 occupancies which will come out of NFPA 101 Life Safety Code. This will remedy previous overlap issues.

In addition to the aforementioned, the previous Existing Construction Supervisor converted the vast majority of the business occupancies (low hazard) from 5 year due dates to 4 year due dates. As a result this greatly increased the workload for low hazard occupancy inspections, which represents a large number of the inspection workload. The FMO is reevaluating all occupancy types as it relates to the frequency of inspection due dates. Adjustments will be made based on the degree of hazard and our current resources.

Due to limited manpower we prioritize as listed below:

- Complaints as always should be considered first, as a citizen or other entity has already observed what they believe to be a problem.
- Re-inspections should be next. If we have already observed the problem, we are responsible to make certain that it is rectified.
- State mandated inspections are usually time-sensitive and affect someone's ability to conduct business.
- Permit inspections are also usually time-sensitive and affect someone's ability to conduct business.
- Target Hazards are also important, as they have been identified as buildings with the potential of a large loss of life.
- Periodic inspections would constitute the final category.

There are many inconsistencies in Mobile Eyes, and we realize that our office has to review and validate inspection frequencies for all occupancies and make adjustments as needed. This includes but is not limited to removing many outdated locations, taking out multiple duplicated apartment addresses, and moving low hazard frequencies to the proper frequency type. There are roughly 3,000 addresses in the Mobile Eyes database that have no specific name (i.e. bar, business office, restaurant, barbershop, etc.). These addresses do not show an inspection for many years. The FMO plans to identify every one of these addresses to find out if it still exists. If it does exist, then we will name and classify it in the database then set up an inspection. If we find that it no longer exists, we will then retire/delete it from the system. We will work with COT Addressing Department and Business Licensing to try to get this information; however, we may have to physically drive to many of the addresses to get the information we need.

TARGET IMPLEMENTATION DATE: December 31, 2016

FEE ASSESSMENT

STATEMENT OF CONDITION: The FMO did not invoice for performed inspections and activity consistent with either the guiding legislation or with publicly published information. More specifically, in our sample of 72 buildings requiring annual or biennial inspections or otherwise considered high-hazard, 28 were not invoiced in a manner consistent with internal guidelines or information published on the FMO's website.

CRITERIA: Fees and charges for existing inspections and other services provided by the FMO are established in Resolution 2009-653 and published on the FMO's website.

CAUSE: Inconsistencies between published information and the guiding legislation make it unclear what the proper charges should be in some instances. Also, inspectors are responsible for creating and issuing invoices that account for all appropriate charges such that human error could be a factor.

EFFECT OF CONDITION: The City of Tampa loses revenue or customers are overcharged if the fee calculation is incorrect. Inconsistent billing could result in charges of unfairness in billing practices.

RECOMMENDATION 2: The FMO should work to make sure that information published on its website is consistent with guiding legislation. The FMO should also work to make sure that invoicing from inspectors is as accurate and consistent as possible.

MANAGEMENT RESPONSE: We will revamp the public website and include current fees. There were inconsistencies in regards to the fees and charges for inspections and other services provided by the FMO. We are currently working on revamping the website and are also updating fees to be consistent with Resolution 2009-653.

Also, not all complaint inspections are issued a fee. Examples include:

- Unfounded complaints receive no fee.
- Founded complaints but in the process and actively correcting the problem on our arrival.
- If the occupancy of the complaint is due for a Fire Code Compliance Inspection (FCCI), the no founded complaint fee will be issued. Instead, an FCCI inspection will be done and the founded complaint will be noted as a deficiency on the inspection report. An FCCI inspection fee will be charged.

There used to be a charge for Knox box and lock inspections under the old fee schedule which is posted on the tampagov.net website. This info is taken down from the website and we will edit promptly. The individual tenant spaces do not get a fee for fire systems. We will also be reviewing Resolution 2009-653 for possible updates, changes, or clarifications that may be needed.

TARGET IMPLEMENTATION DATE: Completed.