

## M E M O R A N D U M

**TO:** Tom Harmer, Town Manager  
**FROM:** Paul Dezzi, Fire Chief  
**REPORT DATE:** January 28, 2022  
**MEETING DATE:** February 7, 2022  
**SUBJECT:** Ordinance 2022-01, Amending Chapter 96, Health and Sanitation, Gas Fueled Fire Pits Outside Structures

### **Recommended Action**

Adopt Ordinance 2022-01.

### **Background**

Over the past year we have had multiple developers seeking permits to install gas fueled fire pits outside of structures (i.e. yards, patios, pool decks). These are in commercial structures, multi-family, and single-family homes. This is a trend that has become very popular and shows no sign of decreasing over time.

Open fires are currently prohibited in Section 96.11 with a few exceptions:

- (A) Open fires for the cooking of food for human consumption on other than commercial premises.
- (B) Fires to abate a fire hazard, providing the hazard is so declared by the fire department.
- (C) Fires for the prevention or control of disease or pests.
- (D) Fires for training personnel in the methods of fighting fires.
- (E) Fires for the disposal of dangerous materials, where there is no alternate method of disposal and burning is approved by the town manager.

Permitting for these type gas fueled fire pits is not provided for in our Town Code as far as applying for, or obtaining building permits.

The Fire Marshal and Building Official are the staff responsible to conduct review and approval for permitting, as well as building inspections for installation of natural gas and propane gas pits.

Staff has developed language that will address this type of installation within our Town Code and remain consistent and compliant with Statewide Building Code and Fire Prevention Code. Staff has the ability to inspect for setbacks, piping, fuel installation, and other safety factors related to the gas fueled fire pits outside of structures. These applications, permits, and inspections are all provided for in the Florida Building Code and Fire Prevention Code.

Ordinance 2022-01 modifies Town Code Section 96.11 to add subsection (F):

- (F) Outside gas fueled fire pit equipment that is permanently installed in accordance with applicable Florida and National Fire Codes and manufacturer's instructions shall be permitted. A permit from the Town of Longboat Key for natural or propane gas installation shall be required for any permanently installed fire pit.

The Town Commission heard this item under First Reading at their January 10, 2022 Regular Meeting. The item was then forwarded to the February 7, 2022 Regular Meeting for Second Reading and Public Hearing for adoption.

**Staff Recommendation**

Adopt Ordinance 2201-01.

**Attachments**

- A. Ordinance 2022-01 (Available in Town Clerk's Office)
- B. PowerPoint Presentation (Available in Town Clerk's Office)

**End of Agenda Item**