

M E M O R A N D U M

TO: Tom Harmer, Town Manager
FROM: Paul B. Dezzi, Fire Chief
REPORT DATE: January 23, 2020
MEETING DATE: February 3, 2020
SUBJECT: Ordinance 2020-02, Amending Chapter 94, Fire Prevention Code

Recommended Action

Forward Ordinance 2020-02 to the March 2, 2020 Regular Meeting for second reading, public hearing.

Background

The purpose of the Longboat Key Fire Prevention Code is to ensure the health, safety, and welfare of the Town's residents, visitors, and businesses. As part of the Fire Department's strategic planning process, Chapter 94, Fire Prevention of the Town's Code of Ordinances, has been reviewed. Chapter 94 has had numerous amendments since incorporation of Chapter 94, Fire Code in 1981. Those amendments were made in a piecemeal manner and a more comprehensive review was required. During the review process, it was determined that numerous revisions to Chapter 94 were needed to meet the minimum requirements of the Florida Fire Prevention Code, 6th Edition, dated December 2017, of Florida Statute 633.202.

The attached draft of this updated Fire Code includes amendments identified through the review process effectively updating Chapter 94 to current standards.

Below is a summary of the changes to Chapter 94:

- Ordinance 2020-02 incorporates regulations outlined in the Florida Fire Prevention Code as adopted by Florida Statutes and deletes outdated regulations and references
- Like topics are grouped together and organized in a more intuitive manner
- Various terms have been modified and used consistently throughout the Code
- References to current regulations have been updated throughout the document for consistency
- General formatting of content consistent with the style utilized in the Town's Zoning Code.

Highlighted Changes

1. 94.02 (*Definitions*) Remove "S.O.M." Stories or more. This definition corresponded to Figure 1, (*For all buildings constructed or substantially altered*) which is also being removed from Chapter 94 and the requirement is addressed in the current edition of the Florida Fire Prevention Code.

2. 94.02 (*Definitions*) Remove “Unfriendly Fire”. This corresponds to Chapter 94.25 (Discovery of unfriendly fire) that was removed because this section is addressed in the Florida Fire Prevention Code, Chapter 10.6.1.
3. 94.03 (*Adoption of National Fire Prevention Code*) was revised to reflect Adoption of the most current edition of the Florida Fire Prevention Code as the State of Florida adopts the National Fire Prevention Code. This revision prevents subsequent editions when the National Fire Prevention Code is revised every three years.
4. 94.16(A) (*Required Records*) This section was revised to reflect the State of Florida General Records Schedule GS8 for Fire/Rescue Departments as may be amended.
5. 94.16 (B) (*Required Records*) Provided language from Statue for clarification required maintenance records.
6. 94.17.1 (B) (*Periodic Fire-Inspections; Inspection Fees*) The language of having an inspection done within 18 months was removed allowing the Authority Having Jurisdiction (AHJ) provide a reasonable time for completion.
7. 94.26 (B) (*Reporting Hazardous Conditions; Maintaining Hazard*) This section of Chapter 94 was removed as it is not enforceable under the Florida Fire Prevention Code.
8. 94.29 (*Unauthorized Burning*) Language was added to reflect Town Code Chapter 96.11 (*Heath and Sanitation*) as a reference.
9. 94.45 (A 1-5; B1-8) (*Automatic Detection and Alarm Systems*) This section was removed as it is addressed in the Florida Fire Prevention Code and NFPA 72 National Fire Alarm Code.
10. 94.45 (B-9) (*Automatic Detection and Alarm Systems*) Changes city to Town
11. 94.46 (*Automatic Extinguishing Systems*) Language was changed to reflect the most current edition of the Florida Fire Prevention Code.
12. 94.46 (*Automatic Extinguishing Systems*) Figure 1 will reflect the requirements of the Florida Fire Prevention Code and the Florida Building Code. This prevents inconsistencies with the Florida Fire Prevention Code.
13. 94.48 (*Alarm annunciator*) This section was removed as it is required in the most current edition of the Florida Fire Prevention Code.
14. 94.49 (*Fire station connections*) This section was removed as it is required in the most current edition of the Florida Fire Prevention Code.
15. 94.50 (*Emergency electrical power*) This section was removed as it is required in the most current edition of the Florida Fire Prevention Code.
16. 94.51 (*Construction design requirements*) This section was removed as it is required in the most current edition of the Florida Fire Prevention Code and the most recent edition of the Florida Building Code

- 17.94.52 (*Alternative electric and water supply systems*) This section was removed as it is required in the most current edition of the Florida Fire Prevention Code and the most recent edition of the Florida Building Code
- 18.94.49 (*Emergency Medical and Aid Fees*) This section number was revised to reflect the previous section modifications.

Adoption of Ordinance 2020-02 will provide consistency with other Code Chapters, and eliminate discrepancies with the Florida Fire Prevention Code as well as the Florida Statewide Building Code.

Recommendations

Forward Ordinance 2020-02 to the March 2, 2020 Regular Meeting for second reading, public hearing.

Attachments

Ordinance 2020-02.

ORDINANCE 2020-02

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING AND RESTATING IN ITS ENTIRETY, CHAPTER 94, FIRE PREVENTION CODE, OF THE CODE OF ORDINANCES OF LONGBOAT KEY; AMENDING SECTION 94.01, TITLE; AMENDING SECTION 94.02, DEFINITIONS; AMENDING SECTION 94.03, ADOPTION OF NATIONAL FIRE CODE; AMENDING SECTION 94.10, AUTHORITY HAVING JURISDICTION; AMENDING SECTION 94.11, ALTERNATIVES TO REQUIREMENTS; AMENDING SECTION 94.12, RIGHT OF ENTRY, IMPLIES CONSENT; AMENDING SECTION 94.13, AUTHORITY TO INVESTIGATE FIRES AND EXPLOSIONS; AMENDING SECTION 94.14, PERMITS, APPROVALS, AND CERTIFICATES; AMENDING SECTION 94.15, VIOLATION PROCEDURE, AUTHORITY TO ABATE; AMENDING SECTION 94.16, REQUIRED RECORDS; AMENDING SECTION 94.17, INSPECTION OF CONSTRUCTION OR INSTALLATION WORK; AMENDING SECTION 94.17.1, PERIODIC FIRE INSPECTIONS, INSPECTION FEES; AMENDING SECTION 94.18, APPROVAL OF PLANS AND INSTALLATIONS; DELETING SECTION 94.25, DISCOVERY OF UNFRIENDLY FIRE; AMENDING SECTION 94.26, REPORTING HAZARDOUS CONDITIONS, MAINTAINING HAZARD; AMENDING SECTION 94.27, CARELESSNESS WITH FIRE; AMENDING SECTION 94.28, OPEN SOURCES OF IGNITION; AMENDING SECTION 94.29, UNAUTHORIZED BURNING; AMENDING SECTION 94.30, FALSE ALARMS; AMENDING SECTION 94.31, POSTING FIRE SAFETY REGULATIONS; AMENDING SECTION 94.32, INOPERATIVE FIRE SAFETY EQUIPMENT; AMENDING SECTION 94.33, REQUIRED ACCESS FOR FIRE APPARATUS; AMENDING SECTION 94.34, KEY BOX SYSTEM; AMENDING SECTION 94.35, FIRE DOORS; AMENDING SECTION 94.36, INTERFERENCE WITH FIRE PROTECTION EQUIPMENT; AMENDING SECTION 94.37, CLEARANCE BETWEEN HEATING AND LIGHTING EQUIPMENT; AMENDING SECTION 94.38, FUMIGATION; AMENDING SECTION 94.39, STORAGE ON ROOFS, FIRE ESCAPES; AMENDING SECTION 94.40, DUTY TO PREVENT OVERCROWDING; AMENDING SECTION 94.41, OBSTRUCTION OF AISLES AND PASSAGeways; AMENDING SECTION 94.42, FAILURE TO VACATE; AMENDING SECTION 94.43, COMBUSTIBLE DECORATIONS; AMENDING SECTION 94.44, MARKING OF OCCUPANCIES FOR EMERGENCY USE; AMENDING SECTION 94.45, AUTOMATIC DETECTION AND ALARM SYSTEMS; AMENDING SECTION 94.46, AUTOMATIC EXTINGUISHING SYSTEMS; AMENDING SECTION 94.47, STANDPIPES REQUIRED; DELETING SECTION 94.48, ALARM ANNUNCIATOR; DELETING SECTION 94.49, FIRE STATION CONNECTIONS; DELETING SECTION 94.50, EMERGENCY

ELECTRICAL POWER; DELETING SECTION 94.51, CONSTRUCTION DESIGN REQUIREMENTS; DELETING SECTION 94.52, ALTERNATIVE ELECTRIC AND WATER SUPPLY SYSTEMS; AMENDING AND RENUMBERING SECTION 94.55, DEFINITIONS; AMENDING AND RENUMBERING SECTION 94.56, EMERGENCY TRANSPORT FEES; AMENDING SECTION 94.99, PENALTY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, fire prevention is a serious health, safety, and welfare concern of the Town of Longboat Key; and

WHEREAS, the Town Commission desires to promote the health, safety, and welfare of the citizens of the Town, through the delivery of efficient fire protection and emergency medical services; and

WHEREAS, the Fire Department staff has reviewed the Town of Longboat Key's Fire Prevention Code and identified areas to be updated for compliance with Statutory references; and

WHEREAS, the Town wishes to continue its rigorous fire prevention programs; and

WHEREAS, the Town Commission, after public hearing finds that the proposed amendments are in the best interest of the health, safety, and welfare of the citizens of Longboat Key.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Whereas clauses above are ratified and confirmed as true and correct and are incorporated fully herein by reference.

SECTION 2. Chapter 94, Fire Prevention Code is hereby amended, as follows:

Chapter 94 - FIRE PREVENTION CODE

General Provisions

94.01 - Title.

The title of this Chapter shall be the Fire Prevention Code of The Town of Longboat Key, hereinafter referred to as "this Chapter." One or more copies will be on file with the Town-Clerk and shall be kept available for public use, inspection, and examination.

94.02 - Definitions.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Approved Container." An approved container constructed of noncombustible materials, with a cooking surface (i.e., metal type griddle or grill) whose purpose is the preparation of food.

"Authority Having Jurisdiction (AHJ)." The Town Manager, through the Fire Chief or Fire Chief's State Certified Inspector.

"False Alarm." The malfunctioning, negligence, or unintentional act resulting in false fire alarms

"Multiple-family Structures." Hotels, motels, motor inns, apartment houses, apartment hotels, convents, dormitories, townhouses, and other similar buildings.

"NFPA." National Fire Prevention Association Code.

"Story." That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. A parking area beneath a building is considered a "story."

"Substantially Altered." Any substantial structural alteration in, or addition to, the supporting or structural members of a building such as bearing walls, bearing columns, bearing beams, or bearing girders; however, a substantial alteration shall not include, inter alia, repairs to roof, walls, or interior; exterior, or interior painting or redecoration; elimination, moving, or construction of new partitions within an existing building; air conditioning or heating system repairs or replacement; modernization of kitchens or bathrooms, including moving, replacement, and the installation of utility lines, gas, water, sewer, and electricity. A structural alteration not increasing the square footage of a building more than 20 percent shall not be considered a substantial alteration.

"Unit." A room or group of rooms within a multiple-family structure designed for and occupied for one family only.

94.03 - Adoption of Florida Fire Prevention Code.

- (A) The purpose of this Chapter is to provide for the prevention of fire and explosion through the regulation of conditions which could cause fire or explosion and panic resulting therefrom. It is the intent of this Chapter to identify and adopt by reference specific standards and codes.
- (B) In furtherance of the intent of Subsection (A) above, the Florida Fire Prevention Code, Standard 1 and 101, as adopted by Florida Statute 633.202, as may be amended, are hereby adopted. The more stringent requirement shall take precedence, to be interpreted by the Authority Having Jurisdiction.

94.04 - Application.

- (A) Except as noted, provisions of this Chapter shall apply to all buildings, structures, marine vessels, premises, and conditions within the Town.
- (B) The provisions of this Chapter do not apply to one- or two-family dwellings in the normal use or maintenance thereof except where specifically referenced. This Chapter shall apply however, whenever the activity or use of such a dwelling creates a distinct fire hazard to life or the property of others based on available data.

Administration

94.10 - Authority Having Jurisdiction.

This Chapter shall be administered and enforced by the Authority Having Jurisdiction or his designee who shall meet those qualifications set forth by the Fire Chief as being necessary to effectively administer this Chapter.

94.11 - Alternatives to requirements.

- (A) Whenever this Chapter requires a particular system, condition, arrangement, material, equipment, or any other particular provision, the Authority Having Jurisdiction may accept alternatives provided the alternatives afford a substantially equivalent level of safety.
- (B) Each application for an alternative shall be filed with the Authority Having Jurisdiction and shall be accompanied by any evidence, letters, statement, results of tests, or other supporting information required to justify the request. The Authority Having Jurisdiction shall keep a record of his actions on the applications and a signed copy of his decision shall be provided for the applicant.

94.12 - Right of Entry; Implies Consent.

- (A) For the purpose of this Section, the following definition shall apply unless the context clearly indicates or requires a different meaning:

"Emergency." Those circumstances which the Fire Official knows, or has reason to believe, exist and which reasonably may constitute immediate danger to life or property.
- (B) To the full extent permitted by law, the Town Fire Department personnel engaged in fire prevention and inspection work are authorized at all reasonable times to enter and examine any building, marine vessel, vehicle, or premises for the purpose of making fire safety inspections. Before entering a private building or dwelling, Fire Department personnel shall obtain the consent of the occupant thereof or obtain a court warrant authorizing entry for the purpose of inspection except in those instances where an emergency exists. Persons authorized to enter and inspect buildings, marine vessels, vehicles, and premises as herein set forth, shall be identified by proper credentials issued by the Fire Chief.
 - (1) It shall be unlawful for any persons to interfere with a Fire Official carrying out any duties or functions prescribed by this Chapter.
 - (2) It shall be unlawful for any unauthorized person to use an official badge, uniform, or other credentials so as to impersonate a Fire Official for the purpose of gaining access to any building, marine vessel, vehicle, or premises, or for any other unauthorized purposes in this jurisdiction.
- (C) Any application for or acceptance of any permit requested or issued pursuant to this Chapter, constitutes agreement and consent by the person making the application or accepting the permit to allow the Authority Having Jurisdiction to enter the premises at any reasonable time to conduct any inspections required by this Chapter.

Cross reference—Penalty, § 94.99

94.13 - Authority to Investigate Fires and Explosions.

The Authority Having Jurisdiction shall have the authority to investigate the cause, origin, and circumstances of any fire or explosion or any willful act creating the potential for injuries to persons or destruction or damage to property. When, in the opinion of the Authority Having Jurisdiction, reasonable cause exists, the Authority Having Jurisdiction shall have the authority to take custody of all physical evidence relating to the cause of the fire or explosion or potential fire or explosion and to continue the investigation to conclusion.

Information protected by Florida Statute Chapter 119, as may be amended, shall not be made a part of the public record except as may be directed by a court of law.

94.14 - Permits, Approvals, and Certificates.

- (A) The Authority Having Jurisdiction will review for approval all permits, certificates, notices, approvals, and other orders pertaining to fire control and fire hazards to include but not be limited to, site plans, building plans, shop drawings, fire alarm systems, fire sprinkler systems, hood systems, smoke control systems, and special extinguishing systems, as provided for in this Chapter. The Authority Having Jurisdiction will have the power to recommend the revoking, suspending, denying, or the granting of any permit, approval, or certificate for failure to meet the provisions of this Chapter as it relates to fire or life safety for the issuance of the permit, certificate, or approval.
- (B) The Authority Having Jurisdiction in reviewing any such building plans, shop drawings, or the like, which involve any internal or external fire prevention, fire protection, or Fire Department operational components, a fire inspection (plan review) fee shall be assessed as set by resolution of the Town Commission. In the event that no internal or external fire prevention, fire protection, or Fire Department operational components are determined to be involved during the plans review process, the Authority Having Jurisdiction shall consider the fire inspection (plan review) as "not applicable" and any such fee shall be waived.

94.15 - Violation Procedure; Authority to Abate.

- (A) The Authority Having Jurisdiction shall have the authority to summarily abate any condition which is in violation of any provision of this Chapter and presents immediate danger to life.
- (B) Except as provided in Subsection (A) above, whenever the Authority Having Jurisdiction finds any violation of this Chapter, he shall report and discuss the violation with the owner, operator, occupant, or other responsible person to determine a schedule and procedure for corrective action. He shall also issue written notices to confirm the findings and discussions as may be necessary to secure compliance with this Chapter. Every notice shall set forth a time limit for compliance. The time limit shall be correlated to the degree of hazard created by the violation and availability of means of abatement.

94.16 - Required Records.

- (A) The Authority Having Jurisdiction shall keep a record of all fire prevention inspections including the date of the inspections and a summary of any violations found to exist, the date of the services of notices, and a memorandum of the final disposition of all violations. Any records required to be kept by this Section shall be maintained in accordance with the State of Florida General Records Schedule GS8 for Fire/Rescue Departments, as may be amended. A record of approvals and exceptions granted shall be maintained in the office of the Authority Having Jurisdiction and shall be available to the public for inspection during normal business hours.
- (B) Copies of all required tests or maintenance of the said systems shall be made available to the Authority Having Jurisdiction upon request.

94.17 - Inspection of Construction or Installation Work.

- (A) Whenever any installation that is subject to inspection under the terms of this Chapter prior to use is covered or concealed without having first been inspected, the Authority Having Jurisdiction may require by written notice that the work be exposed for inspection. The Authority Having Jurisdiction shall be notified when the installation is ready for inspection and shall conduct the inspection within a reasonable period of time.
- (B) When any construction or installation work is being performed in violation of the plans and specifications as approved by the Authority Having Jurisdiction, a written notice shall be issued to the responsible party to stop work on that portion of the work which is in violation. The notice shall state the nature of the violation and no work shall be continued on that portion until the violation has been corrected.

Cross reference—Penalty, § 94.99

94.17.1 - Periodic Fire Inspections; Inspection Fees.

- (A) Definitions. For the purpose of this Section, the following definition(s) shall apply unless the context clearly indicates or requires a different meaning:
 - "Inspect, Inspection."* The official close viewing of a building or premises by a State Certified Fire Inspector for the purpose of determining whether the building or premises are in compliance with the adopted codes and ordinances of the Town and the documentation and reporting of the results of the viewing.
 - "Reinspect, Reinspection."* To subsequently "inspect" or to perform a subsequent "inspection" as defined above.
- (B) The Authority Having Jurisdiction shall periodically inspect or cause to be inspected, all buildings and premises, except the interiors of dwellings, as often as may be necessary, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, endanger life from fire, or any violations of this Chapter or any other law or regulation affecting the fire hazard. The Authority Having Jurisdiction shall reinspect buildings or premises to ensure that deficiencies or violations identified in the initial inspection have been corrected.
- (C) The Town shall collect from the owner of the building or premises inspected or reinspected pursuant to Subsection (B) of this Section, an inspection or reinspection fee as set by resolution by the Town Commission.
- (D) In situations that are beyond the control of the owner or occupant, the Fire Chief may waive a portion of fees assessed. Such waiver of any fees shall only apply if valid and documented evidence is presented to the satisfaction of the Fire Chief.

94.18 - Approval of Plans and Installations.

The Authority Having Jurisdiction shall examine the submitted plans for evidence of compliance with this Chapter. The Authority Having Jurisdiction may require tests or other investigations to be conducted by an agency satisfactory to the jurisdiction when an appliance, device, equipment, or system intended for installation does not specifically meet the requirements of this Chapter. The tests or investigations shall be based on nationally accepted test standards or principles. Records of tests shall be submitted as provided for in Subsection (B) of Section 94.16.

Fire Prevention Regulations

94.25 - Reserved.

94.26 - Reporting Hazardous Conditions; Maintaining Hazard.

(A) Any person, on discovering evidence of spontaneous heating of any merchandise, commodity, cargo, shipment, or other material of any kind in any building, marine vessel, appliance, apparatus, tank, or open stock or pile, or any person on discovering or being apprised of any uncontrolled hazardous leak or hazardous material, or combustible or flammable liquid spill, shall immediately notify the Fire Department.

(B) No person shall knowingly maintain a fire hazard.

Cross reference—Penalty, § 94.99

94.27 - Carelessness with Fire.

No person shall set fire to or cause the burning of any bedding, furniture, rugs, curtains, drapes, or other combustible material, in a manner so as to endanger the safety of any person or property.

Cross reference—Penalty, § 94.99

94.28 - Open Sources of Ignition.

Where conditions exist which make open sources of ignition a fire hazard on any premises, "No Open Sources of Ignition" signs shall be posted as directed by the Authority Having Jurisdiction. "No Open Sources of Ignition" signs shall be of a color, size, lettering, and location approved by the Authority Having Jurisdiction. No person shall remove "No Open Sources of Ignition" signs or lights, or ignite, or otherwise set fire to any open source of ignition or other form of smoldering substance in any place where occasion or action would constitute a fire or life hazard.

Cross reference—Penalty, § 94.99

94.29 - Unauthorized Burning.

The burning of any material except in approved containers and the guidelines of Section 96.11 of the Town Code is prohibited unless approved by the Authority Having Jurisdiction is prohibited.

Cross reference—Penalty, § 94.99

94.30 - False Alarms.

(A) The purpose of this Section shall be to regulate and control the malfunctioning, negligence, or unintentional act resulting in false fire alarms and the unnecessary response thereto of emergency vehicles. In the case of false alarms, the Authority Having Jurisdiction shall cause an investigation to be made and keep a record of such alarms on file.

(B) As set forth in Subsection (A) of this Section, false fire alarms will result in the assessment of fees as set by resolution of the Town Commission.

(C) The Fire Chief may waive the assessment of additional warnings or fines as provided in Subsection (B) of this Section, for false alarms occurring within 24 hours subsequent to an initial false alarm in order to provide a reasonable time for repair of a fire alarm system. Such waiver shall only be granted when the Fire Chief

determines that repairs to the system could not have reasonably been made prior to the subsequent false alarm(s).

- (D) The Fire Chief may waive the assessment of a warning or fine as provided in Subsection (B) of this Section if the Fire Chief determines that a false alarm was caused by severe weather conditions.
- (E) In the event of excessive false alarms (six or more occurring within a calendar year) and when the responsible party has made a "good faith effort" to correct the problem which has caused the excessive number of false alarms; the Authority Having jurisdiction may reduce by 50 percent the total fees due and payable as set forth in Subsection (B) of this Section. The determination of a "good faith effort" shall be made by the Authority Having Jurisdiction based upon the following criteria:
 - (1) Submission of a written request for reduction of fees;
 - (2) Submission of a written detailed plan of action to address and remedy the problem in the fire alarm systems and approval of such plan by the Authority Having Jurisdiction;
 - (3) Documentation that the plan of action submitted has been put into effect and shall continue in the future including, but not limited to, inspection and maintenance agreements, system repair/replacement agreements, etc.; and
 - (4) The frequency of false alarms has been reduced.
- (F) Fire alarm systems in new buildings and existing fire alarm systems in existing buildings where substantial modification has occurred, may be allowed a 90-day "grace period" whereby no false alarms will be counted for assessment of fees when a "good faith effort," as set forth in Subsection (E) above, is being made upon the part of the responsible party to remove "start-up" problems with the system.

Cross reference—Penalty, § 94.99

94.31 - Posting Fire Safety Regulations.

Hotels, motels, interval-ownership, time-share-tourism and tourism uses, and similar occupancies designed for, intended for, or used by transients shall have an approved copy of fire safety regulations for transients conspicuously posted in the lobby, each occupancy unit, and at any other locations as may be required by the Authority Having Jurisdiction.

Cross reference—Penalty, § 94.99

94.32 - Inoperative Fire Safety Equipment.

Persons owning, controlling, testing, or otherwise having charge of any fixed fire extinguishing or fire warning system or standpipe system shall notify the Fire Department at any time the system or systems are inoperative, tested, or taken out of service. The Fire Department shall also be notified when service is restored.

Cross reference—Penalty, § 94.99

94.33 - Required Access for Fire Apparatus.

- (A) All premises, including existing premises, that the Fire Department may be called on to protect in case of fire and that are not readily accessible from public roads shall be provided with suitable gates, access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus.

(1) Where automatic gate openers are used a minimum of two opening frequencies shall be provided, one dedicated to Fire Department use. This shall be a master frequency whereby the Fire Department shall be able to open any gate within its jurisdiction with one opener. This frequency shall be available and used exclusively by the Fire Department. The remaining frequency(s) shall be for owner use.

(2) Fire lane access shall be provided on a minimum of two sides of a building. This access shall be at least 12 feet wide, no further than ten feet from the building, free and clear of all obstructions and constructed of a stabilized base to support firefighting apparatus.

(3) Where the installation of speed bumps is determined by the Authority Having Jurisdiction to impede or inhibit the response of emergency vehicles or the safety of emergency personnel or patients, such speed bumps shall be removed by the owner. Existing speed bumps may be modified to meet safety requirements as approved by the Authority Having jurisdiction.

(B) Whenever it is determined by the Authority Having Jurisdiction that parking of vehicles does or will interfere with ready access by the Fire Department to the property for fighting fires, for access to a fire hydrant installed for protection of the property, or other Fire Department related emergencies, the Authority Having Jurisdiction shall designate a reasonable area or areas leading to and adjacent to the property to be maintained as a fire access lane.

(1) Fire hydrants, fire sprinkler connections and Fire Department standpipe connections shall be visible and free from obstructions in front of and on both sides by a distance of not less than 36". These obstructions include but are not limited to plants, shrubs, trees, fences, walls, poles, signs, etc. This Section shall also apply to one- and two-family dwellings.

Cross reference—Penalty, § 94.99

94.34 - Key Box System.

When access to a structure is unduly difficult because of secured openings, and where immediate access is required for life saving purposes, the Authority Having Jurisdiction may require a key box to be installed in a location determined by the Authority Having Jurisdiction. The key box shall be a type approved by the Authority Having jurisdiction.

94.35 - Fire Doors.

Fire doors shall be kept closed at all times.

Cross reference—Penalty, § 94.99

94.36 - Interference with Fire Protection Equipment.

No person shall render any portable or fixed fire extinguishing system or device or any fire warning system inoperative or inaccessible except as may be necessary during emergencies, maintenance, drills, or prescribed testing.

Cross reference—Penalty, § 94.99

94.37 - Clearance Between Heating and Lighting Equipment.

Proper clearances shall be maintained between heating and lighting equipment and ordinary combustibles, in accordance with this Chapter and manufacturers' recommendations.

Cross reference—Penalty, § 94.99

94.38 - Fumigation.

The Fire Department shall be notified of fumigation operations in accordance with the provisions of "Standards for Fumigation," Florida Fire Prevention Code.

Cross reference—Penalty, § 94.99

94.39 - Storage on Roofs, Fire escapes.

No person shall place or maintain on any roof or fire escape balcony any material or objects which may interfere with egress or Fire Department operations.

Cross reference—Penalty, § 94.99

94.40 - Duty to Prevent Overcrowding.

The manager or person in charge of the premises shall be responsible for preventing overcrowding as specified by the Authority Having Jurisdiction.

Cross reference—Penalty, § 94.99

94.41 - Obstruction of Aisles and Passageways.

No person shall block, impede, or obstruct any aisle, passageway, hallway, lobby, foyer, or stairway leading to or from any entrance or exit required by law which will prevent, delay, hinder, or interfere with the free use of the passageway by any person. Special security devices which affect the exiting shall be subject to approval of the Authority Having Jurisdiction.

Cross reference—Penalty, § 94.99

94.42 - Failure to Vacate.

No person shall fail to leave any premises that is overcrowded when told to do so by the management of the premises or any authorized Enforcement Officer.

Cross reference—Penalty, § 94.99

94.43 - Combustible Decorations.

No person shall install, maintain, or use vegetation, bunting, cotton batting, plastic cloth, textile, excelsior, paper, or other combustible material for the purpose of decoration in any building, premises, vehicle, or marine vessel to which the public is admitted or invited unless the decorative materials have been made flame resistant with an approved flame retardant material or process. Textiles or paper adhered to walls or ceilings (not free hanging), are considered interior finishes and shall be subject to the flame spread limitations for interior finishes, unless authorized by the Authority Having Jurisdiction.

Cross reference—Penalty, § 94.99

94.44 - Marking of Occupancies for Emergency Use.

- (A) All occupancies, including single-family residences and existing occupancies, shall be numbered and marked in a manner and size as to be easily identified by responding emergency vehicles from the public roadway. The size of lettering and numbers will be determined by occupancy.

- (1) *Single-family dwelling.* Minimum of three-inch numbers.
- (2) *Other residential and commercial.* Minimum of six-inch numbers.
- (B) Individual units and common area doors within a building or complex, including existing buildings, shall have a minimum of three-inch lettering or numbers visible from the access way which specifies the unit number or room use (function) as is appropriate.

Cross reference—Penalty, § 94.99

94.45 - Automatic Detection and Alarm Systems.

- (A) Fire detection and alarm systems shall comply with the Florida Fire Prevention Code and NFPA 72 National Fire Alarm Code.
- (B) Alarm inspection: All fire alarm systems shall be inspected and serviced at least once every six months. The inspections shall include the testing of all smoke detectors, heat detectors, flow switches, tamper switches, pull stations, Town connection, fire alarm panel, emergency power source, and/or any other devices which may be essential to the proper operation of the system. A copy of the inspection report shall be sent to the Authority Having Jurisdiction and the property owner no more than thirty days after the inspection.

Cross reference—Penalty, § 94.99

94.46 - Automatic Extinguishing Systems.

All occupancies, except single-family dwellings, constructed or substantially altered shall be provided with a total automatic sprinkler protection system as required by the Florida Fire Prevention Code as adopted by Florida Statutes Section 633.202 in compliance with the currently adopted edition of NFPA 13, Standard for the Installation of Sprinkler Systems.

Cross reference—Penalty, § 94.99

94.47 - Standpipes Required.

- (A) All 2 ½ inch valved Fire Department hose connections with or without hoses shall be located in compliance with NFPA 13, Standard for the Installation of Fire Sprinkler Systems, and NFPA 14, Standard for the Installation of Standpipe and Hose Systems.
- (B) Both standpipe and sprinkler systems shall be provided with individual Siamese or 5” Strotz connections as required by the Authority Having Jurisdiction. Where individual systems are present, Fire Department connections will be marked as to what system.

Cross reference—Penalty, § 94.99

94.48 - Reserved.

Emergency Medical Aid Fees

94.49 - Definitions.

For the purpose of Section 94.50, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(A) *"Emergency nontransport."* Means emergency aid and resuscitation of a sick or injured person at the scene of an accident or medical emergency without transportation or removal to a hospital.

(B) *"Emergency transport."* Means emergency aid and resuscitation of a sick or injured person at the scene of an accident or medical emergency and subsequent transportation under emergency vehicle procedures where it appears that the physical condition of the person is such as to require immediate and expeditious removal to a hospital. The transporting of an expectant mother, when it is evident that birth is imminent, shall also be considered an emergency transport.

(C) *"Loaded mile."* Means a mile of ambulance operation when the ambulance is actually occupied by the patient.

(D) *"Patient."* Means an individual who is ill, sick, injured, wounded, or otherwise appears incapacitated or helpless.

(E) *"Resident."* Means one who is a domiciliary of the Town of Longboat Key. Proof of domicile may be established only by the production of a Florida driver's license, voter's registration card, or recorded declaration of domicile showing Longboat Key as the permanent address of the person declaring domicile.

94.50 - Emergency Transport Fees.

The emergency transport fees shall be set by resolution of the Town Commission. Treatment shall be rendered regardless of the patient's ability to pay. The Town Manager may waive the fees set forth if the patient clearly establishes his inability to pay.

94.99 - Penalty.

Any person who shall violate any of the provisions of this Chapter for which another penalty is not provided, or shall fail to comply therewith; or shall violate or fail to comply with any order made thereunder; or shall build in violation of any details, statements, specifications, or plans submitted or approved thereunder; or shall operate not in accordance with the provisions of any certificate, permit, or approval issued thereunder, and from which no appeal has been taken; or who shall fail to comply with such an order as affirmed or modified by the Authority Having Jurisdiction or by a court of competent jurisdiction within the time fixed herein shall severally for each and every violation and noncompliance, respectively be punished by a fine of not more than \$500.00 or by imprisonment for not more than 60 days with each day of the violation constituting a separate offense. The imposition of a penalty for any violation shall not excuse the violation, nor shall the violation be permitted to continue. All persons shall be required to correct or remedy the violations or defects within a reasonable time and when not otherwise specified, the application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 3. If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. This Ordinance shall take effect upon second reading in accordance with law and the Charter of the Town of Longboat Key.

SECTION 6. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Longboat Key upon adoption.

Passed on first reading the ____ day of _____, 2020.

Adopted on second reading and public hearing the ____ day of _____, 2020.

ATTEST:

Trish Shinkle, Town Clerk

George L. Spoll, Mayor

End of Agenda Item