ORDINANCE NO. 2020 – 01

MANATEE COUNTY, FLORIDA

FIRE PREVENTION CODE FOR THE SOUTHERN MANATEE FIRE RESCUE DISTRICT

ADOPTED:

October 15, 2020 First Reading
November 19, 2020 Second Reading

ORDINANCE 2020-01

AN ORDINANCE FOR THE SOUTHERN MANATEE FIRE & RESCUE DISTRICT ADOPTING A FIRE PREVENTION CODE FOR THE SOUTHERN MANATEE FIRE & RESCUE DISTRICT; ESTABLISHING THE BUREAU OF FIRE PREVENTION, INSPECTION AND INVESTIGATION; ESTABLISHING RULES AND REGULATIONS FOR FIRE PREVENTION AND SAFETY; PROVIDING FOR PENALTY FOR FAILURE TO COMPLY WITH SAID RULES AND REGULATIONS; REPEALING ALL ORDINANCES IN CONFLICT, INCLUDING ORDINANCE 2017-01; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of Fire Commissioners of the Southern Manatee Fire & Rescue District, pursuant to the provisions of Chapter 2000-402 of the Laws of the State of Florida, has the responsibility to insure that all places of business have proper fire safety provisions; and,

WHEREAS, the Southern Manatee Fire & Rescue District is provided supplemental authority pursuant to Chapters 189 and 191 of the Florida Statutes; and,

WHEREAS, pursuant to Florida Statutes 191.008(4), the Southern Manatee Fire & Rescue District may "adopt and enforce fire safety standards and codes and enforce the rules of the State Fire Marshal consistent with the exercise of the duties authorized by chapter 553 or chapter 633, with respect to fire suppression, prevention, and fire safety code enforcement"; and,

WHEREAS, Chapter 633 Florida Statutes, requires the Board of Fire Commissioners of the Southern Manatee Fire & Rescue District to adopt such rules and regulations for the purpose of carrying out the intent and purposes of said act; and,

WHEREAS, it has been determined by said Board of Fire Commissioners that Uniform Rules and Regulations pertaining to Fire Safety and Equipment located within the Southern Manatee Fire & Rescue District are necessary for the public health, safety and welfare of the citizens of said fire district; and,

WHEREAS, said Board of Fire Commissioners of the Southern Manatee Fire & Rescue District recognize the Florida Fire Prevention Code as adopted by the State of Florida pursuant to Florida Statutes 633.202, and that the National Fire Codes of the National Fire Protection Association Standards ("NFPA"), Adopted Editions, are reasonable rules and regulations and would benefit the residents and businesses located within the said fire district; and,

WHEREAS, the Southern Manatee Fire & Rescue District has prepared "The Fire Prevention Code of the Southern Manatee Fire & Rescue District" a true and correct copy is attached hereto and incorporated herein as Exhibit 1, that incorporates and adopts

standards provided for within the Florida Fire Prevention Code and the National Fire Code; and,

WHEREAS, the Board of Fire Commissioners seeks to adopt by Ordinance "The Fire Prevention Code of the Southern Manatee Fire & Rescue District" as the rules and regulations for fire safety within the Southern Manatee Fire & Rescue District and repeal all prior version of a fire prevention code that may have been previously adopted by prior Fire Commissioners; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Fire Commissioners of the Southern Manatee Fire and Rescue District of Manatee County, Florida, that:

1. The above recitals are true and correct and are hereby incorporated fully herein.
2. The "Fire Prevention Code of the Southern Manatee Fire & Rescue District", attached hereto as Exhibit 1, is hereby adopted as rules and regulations for the Southern Manatee Fire & Rescue District.
3. Ordinance 2020-01 shall be recorded with the Manatee County Clerk of Court.
4. All prior ordinances in conflict with Ordinance 2020-01, including but not limited to Ordinance 2017-01, are hereby repealed.
5. In the event any part of Ordinance 2020-01 is invalidated or deemed unconstitutional, such a determination shall not affect the validity of the remainder of this Ordinance.
6. Ordinance 2020-01 shall take effect January 4, 2021.

DULY ADOPTED on the first reading and public hearing on the 15th day of October 2020.

DULY ADOPTED at the second reading and public hearing this the 19th day of November 2020.

SOUTHERN MANATEE FIRE & RESCUE DISTRICT
BOARD OF FIRE COMMISSIONERS

_____
Daniel Center, Chair

ATTEST:

_____
Melanie A. Marken, Secretary

Exhibit #1

2021 Fire Prevention Code for Southern Manatee Fire Rescue District

2021 FIRE PREVENTION CODE

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PREAMBLE

Section 1: Introduction

An Ordinance to provide Southern Manatee Fire Rescue District with rules and regulations to improve public safety by promoting the control of fire hazards; regulating the installation, use and maintenance of fire safety equipment; regulating the use of structures, premises, and open areas; providing for the abatement of fire hazards; establishing the responsibilities and procedures for code enforcement; and setting forth the standards for compliance and achievement of these objectives.

Section 2: Bureau of Fire Prevention, Inspection and Investigation Established

2.1 The Fire Chief shall designate a Fire Official as Fire Marshal. The Fire Marshal of Southern Manatee Fire Rescue District shall be responsible for the enforcement of the Fire Prevention Code of Southern Manatee Fire Rescue District. To assist in the performance of the responsibilities and duties placed upon the Fire Marshal of Southern Manatee Fire Rescue District, the Bureau of Fire Prevention, Inspection and Investigation is hereby established, to be under the control of the Fire Chief.

2.2 The Bureau within Southern Manatee Fire Rescue District shall operate under the supervision of the Fire Marshal of Southern Manatee Fire Rescue District. The Fire Marshal shall be responsible for the direct administration and enforcement of the Southern Manatee Fire Rescue District Prevention Code. The Fire Marshal may designate such number of Fire Inspectors as shall from time to time be authorized by the Fire Chief of the District.

GENERAL PROVISIONS

Section 3: Title

The title of this Code shall be the Fire Prevention Code of Southern Manatee Fire Rescue District, herein after referred to as the "Code". One or more copies shall be on file in the Administrative Office of Southern Manatee Fire Rescue District located at 2451 Trailmate Drive, Sarasota, Florida, 34243, and shall be kept available for public use, inspection and examination.

Section 4: Definitions

4.1 For the purpose of this Code, the following definitions shall apply unless the context clearly indicates or requires a different meaning. The below listed definitions are in addition to the definitions found in the currently adopted edition of the Florida Fire Prevention Code.

4.1.1 Authority Having Jurisdiction (AHJ). The Southern Manatee Fire Rescue District through the Fire Chief and/or his/her designated State Certified Inspector.

4.1.2 Building Code. The Florida Building Code as identified in Section 553.73, Florida Statutes (FS), as amended from time to time.

4.1.3 Building Rehabilitation. Any work on an existing building that includes repair, renovation, modification, addition, reconstruction, change of use, change of occupancy classification, change of occupancy subclassification or any building described in NFPA 101, Chapter 43.

4.1.4 NFPA. The National Fire Protection Association as referenced in the Florida Building Code. NPFA Standards or NFPA Codes # shall mean the referenced code or standard as compiled and published by the National Fire Protection Association.

4.1.5 National Fire Code. The compilation of the National Fire Protection Association codes, standards, guides, recommended practices and manuals published by the National Fire Protection Association and as adopted by Southern Manatee Fire Rescue District.

4.1.6 Path of Egress. A path of travel from any point within a building, including but not limited to, the exit access, exit and exit discharge as delineated on the life safety plan and/or as determined by the AHJ.

4.1.7 Story. That portion of a building located 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.

4.1.8 Substantially Altered. A structural alteration increasing the square footage of an existing building such that the square footage of the entire building exceeds the table limits of Section 23 Table 1 shall be considered a substantial alteration.

Section 5: Recognition

5.1 Florida Fire Prevention Code (FFPC). This Code recognizes the Florida Fire Prevention Code as adopted by the State of Florida pursuant to Section 633.202 FS, as amended from time to time. The same is hereby adopted and incorporated as fully as if set out at length herein. Not less than one copy of the adopted issue of NFPA 1, Florida Fire Prevention Code of the National Fire Protection Association and the adopted standards and code of the National Fire Codes shall be filed in the office of Southern Manatee Fire Rescue District and the provisions thereof shall be controlling within the limits of the District.

Whenever the Florida Fire Prevention Code as referenced herein and this Code address an identical issue, the more stringent fire protection provisions shall apply unless otherwise prohibited by applicable Florida law.

5.2 Florida Building Code (FBC). The Code recognizes and references the Florida Building Code as identified in Section 5.1.3 of this Code. Whenever the Florida Building Code as referenced herein, and this Code addresses an identical issue, the more stringent fire protection provisions shall apply unless otherwise prohibited by applicable Florida law.

5.3 Manatee County Land Development Code (LDC). This Code recognizes and references the Manatee County Land Development Code, as adopted and amended, by the Manatee County Board of Commissioners. Whenever the Manatee County Land Development Code and this Code address an identical issue, the more stringent fire protection provisions shall apply unless otherwise prohibited by applicable Florida law.

5.4 Manatee County Utilities Standards. The Code recognizes and references the Manatee County Utilities Standards, as adopted and amended by the Manatee County Board of Commissioners. Whenever the Manatee County Utilities Standards and this Code address an identical issue, the more stringent fire protection provisions shall apply unless otherwise prohibited by applicable Florida law.

5.5 Manatee County Public Works Standard. This Code recognizes and references the Manatee County Public Works Standard, as adopted and amended by the Manatee County Board of Commissioners. Whenever the Manatee County Public Works Standard and this Code address an identical issue, the more stringent fire protection provisions shall apply unless otherwise prohibited by applicable Florida law.

Section 6: Application

6.1 The provisions of this Code shall apply to all buildings, structures, vehicles, marine vessels, premises and conditions within this jurisdiction. The provisions of this Code shall apply equally to existing as well as new buildings (unless specifically noted in this Code). Structures, vehicles, marine vessels, premises and conditions not in strict compliance with this Code may be permitted to continue unless, in the opinion of the Fire Marshal, they constitute a distinct fire hazard to life or property.

6.2 The provisions of this Code do not apply to one or two-family dwellings in normal use or maintenance thereof, except that this Code shall apply whenever the activity or use of such dwelling creates a distinct fire hazard to life or property or is referenced by the Uniform Fire Safety Standards as provided for under Section 633.206 FS, as amended from time to time.

6.3 The provisions of this Code do not apply to those buildings or structures specifically under the Uniform Fire Safety Standards of the State of Florida, as set forth in Section 633.206, FS, as amended from time to time.

6.4 The provisions of this Code shall be complied with whenever a building is built, or when an existing building meets the Classification of Rehabilitation Work categories as listed in Chapter 43 of NFPA 101.

6.4.1 When the building rehabilitation meets or exceeds the square footage limits as shown in Section 23 Table 1, the requirements of Section 23 Table 1 shall be implemented.

6.5 The provisions of this Code, as far as they are substantially the same as existing provisions of law relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactment.

6.6 The adoption of this Code or the repeal of any other existing provision of law, including regulations or orders, shall not be construed to alter any time limit which may have been imposed by any existing law, regulation or order of the Fire Marshal or other authority relating to compliance with such limits.

6.7 If any provision of this Code is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, it shall not affect the validity of the remaining provisions of this Code.

6.8 Land Use and Zoning Regulation. In Manatee County the land use entitlement and approval process is administered, interpreted, and implemented by the Board of County Commissioners and its designees (the "Approval Process"), and may be administered, interpreted and implemented by Manatee County irrespective of the provisions of this Ordinance. No provision of this Ordinance shall be deemed to constitute a separate and/or additional land use entitlement or approval process by the Southern Manatee Fire Rescue District. In events of conflict between this ordinance and the Approval Process, pursuant to Florida Statutes 191.006, the District Ordinance shall not conflict with any ordinances of the local general-purpose government.

ADMINISTRATION

Section 7: Authority

7.1 This Code shall be administered and enforced by the Fire Official designated by the governing authority of this jurisdiction as having this responsibility. They

shall meet those qualifications as may be set forth by the jurisdiction as being necessary to effectively administer this Code.

7.2 This act shall be deemed an exercise of the enforcement power of Southern Manatee Fire Rescue District for the preservation and protection of the public health, peace, safety and welfare, and all provisions of the Code shall be liberally construed for that purpose.

FIRE PREVENTION REGULATIONS

Section 8: Unnecessary/False Alarms

8.1 The purpose of this section shall be to regulate and control the malfunctioning, negligence, or unintentional act resulting in the unnecessary response of emergency vehicles. In the case of unnecessary/false alarms, the AHJ shall cause an investigation to be made and keep a record of the number of unnecessary/false alarms on file.

8.1.1 For the purpose of this Section, the definition of "twelve-month period" shall mean the twelve months immediately prior to the most recent fire alarm activation this department responded to which has been determined to be a nuisance or false alarm.

8.2 Persons owning, managing or otherwise being in charge of the premises shall be responsible for regulating and controlling the use and maintenance of an automatic fire alarm system for those premises. The transmission of an excessive number of unnecessary/false alarms, as defined herein as the result of malfunctions, negligence or unintentional acts resulting in the unnecessary response of emergency vehicles shall constitute a violation of this Code. The owner, manager, or person in charge shall, after the performance of an investigation by the AHJ as to the causes for each such unnecessary/false alarm, be responsible for such violation and may be assessed a service fee pursuant to this section. An excessive number of unnecessary/false alarms for any premises within the District is defined as four (4) or more such unnecessary/false alarms within any given twelve (12) month period.

8.2.1 For the first (1) through third (3) unnecessary/false alarms, inclusive, as set forth in Section 8 of this Code, occurring in any given twelve (12) month period, a warning shall be issued in writing.

8.2.2 For the fourth (4) and fifth (5) unnecessary/false alarms in the same twelve (12) month period, a fee of $100.00 shall be assessed.

8.2.3 For the sixth (6) and seventh (7) unnecessary/false alarms in the same twelve (12) month period, a fee of $250.00 shall be assessed.

8.2.4 All unnecessary/false alarms in excess of seven (7) in the same twelve (12) month period shall be assessed a fee of $500.00 for each alarm.

8.3 The fees outlined within paragraphs 8.2.2 through 8.2.4 shall apply to any alarm systems which generate an unnecessary or false alarm signal of any kind which results in fire department response. Those fines shall be imposed upon the first unnecessary or false alarm and are purposefully exempt from the stipulations outlined within paragraph 8.2.1.

8.3.1 In the event an unnecessary/false alarm is the result of a fire system service company or fire alarm monitoring company failing to place a system in the test mode or otherwise insure the prevention of the dispatch of all fire alarm signals during maintenance, testing or for any other reason, the servicing or monitoring company may be assessed a fine of not less than $100.00 per occurrence.

8.4 Construction Related Nuisance Alarms.

8.4.1 Any contractors, subcontractors, or other construction related fields (i.e., painting, pressure washing, etc.) resulting in a false and/or nuisance alarm shall be assess a fine of not less than $100.00 per occurrence.

Section 9: Required Access for Fire Apparatus

9.1 Fire and emergency access may be required by the Fire Marshal and shall meet or exceed the access requirements of NFPA 1 Chapter 18, unless otherwise approved by the AHJ. Provide at least two (2) accessible sides of all commercial, professional, industrial and multi-family occupancy buildings.

9.2 Automatic Vehicle Gates:

9.2.1 Plans for each automatic gate system shall be submitted to the District for review and approval prior to the initiation of any construction.

9.2.2 When in the fully open position, gates shall allow not less than fifteen (15) feet horizontal clear space, including any roadway surface, as measured from inside curb to inside curb. A vertical clear space of not less than thirteen (13) feet six (6) inches shall also be required.

9.2.3 Each system shall have as a minimum for operation:

A. Remote access through the use of electronic openers. These openers shall be set to the current frequency and code for use by the Fire District as well as Manatee County Department of Public Safety. This frequency and code shall be separate from and in addition to any frequency or code used by the occupants. The remote-control unit shall cause the gate to

begin opening operations when activated no less than ten (10) feet from the outer most edge of the gate.

B. In the event of power outages, a battery back-up system shall cause the gate(s) to be opened on the entry side of the complex to allow for emergency access (see item 9.2.2). The gate(s) shall remain in the fully open position until power is restored.

9.2.4 If the gate is to be used for emergency access only, signage shall be installed on both the interior and exterior of the gate indicating the gate is to be used for emergency access only and prohibiting parking.

9.2.5 In the event the gate becomes non-operational, the gate(s) shall be secured in the fully opened position until such time as the minimum requirements as outline above have been restored to a fully operational condition.

9.2.6 Upon initial acceptance of the automatic gate(s), fire department personnel shall mark the entry gate(s) with reflective tape markings. These markings shall be maintained by the property owner or management.

9.2.7 Where any vehicle access gate is installed expressly for emergency access, the gate shall be set back from the roadway a distance sufficient to allow emergency vehicles using said gate to be fully off the roadway while opening a manual gate or allowing an automatic gate to open.

9.2.8 No automatic vehicle access gate or cross bar used for entry control shall be placed in service until such time as the operating features have been inspected, tested and approved by this District.

9.3 Penalty. Section 17.

Section 10: Key Box / Lock Systems

10.1 Where a structure is equipped with a fire alarm system, sprinkler or standpipe system, or when required by the AHJ, an approved key box shall be required. The tumbler shall match the fire department key. The location of the key box shall be approved by the Bureau. Keys shall be provided to gain access to fire alarm panels, electrical room, sprinkler room, and any other area to which this department may require access. Where required, keys and locks shall be "mastered". Applications for the key box may be obtained from the District.

10.1.1 Installation height of the key box shall be a maximum of six (6) feet above finished grade or as approved by the AHJ.

10.1.2 New buildings requiring a key box shall have a recessed style box installed, unless otherwise approved by the AHJ.

10.2 In the event manual vehicle gates are installed which would impede access to a building, or complex of buildings, the gate shall meet the minimum requirements for access and clearances as specified in Section 9.2.2 of this Code.

10.2.1 If determined by the AHJ that any installed gate would impede the access to a building, complex or a fire hydrant, the owner, occupant or property management shall supply an approved lock box or pad lock keyed to the Fire District in which it is installed in order to facilitate access to the building, complex or hydrant.

10.2.2 Penalty, see Section 17.

Section 11: Storage and/or Use of Appliances Prohibited

11.1 No person shall place or maintain gas or propane cylinders on porches, breezeways or balconies or attached garages in multi-unit, multi-story buildings.

11.2 No person shall store or use any charcoal, gas or wood fired heaters, grills, barbecues, or smokers on porches, balconies, or breezeway of any multi-unit, multi-story buildings.

11.3 No person shall store or use any other heat producing device or appliance which is determined by the AHJ to be unsafe due to its application or use.

11.4 Penalty, See Section 17.

Section 12: Fire Alarm Systems

12.1 General Requirements

12.1.1 Approved fire alarm systems shall be installed in buildings as required by Section 23 Table 1 and as follows:

(1) Basements or cellars with ceilings less than fifty-four (54) inches above grade, or having a floor area exceeding 2,500 square feet, or when used as lounges or nightclubs, regardless of size.

(2) All required fire alarm systems shall be annunciated and monitored.

(3) Fire alarm control panels or required annunciator shall be installed within six (6) feet of the primary entrance.

(4) Horn/Strobe lights shall be installed on the exterior of each building for which a fire alarm system is required so as to be easily seen from the

street and its location approved by the AHJ. The light shall be either red or white in color.

(5) Buildings which have water flow only, or are not required to have a fire alarm system installed, but have one installed as an equivalency, shall provide occupant notification to alert occupants of a fire or other emergency by means of audible and visible indicators and pull stations at required exits. Systems installed without a fire sprinkler system shall provide full area detection along with audible and visible indicators and pull stations at required exits or as required by AHJ.

(6) Outside stem and yoke (OS&Y) valves on fire line backflow preventers shall be equipped with tamper switches and secured through the use of chain(s) and lock(s).

Section 13: Fire Sprinkler and Standpipe Systems

13.1 General Requirements

13.1.1 Approved fire sprinkler systems shall be installed in buildings as required by Section 23 Table 1.

13.2 All sprinkler system installations shall be approved by the AHJ and all sprinkler system connections to the public water distribution facilities shall be approved by the Manatee County Utilities Department.

13.3 All fire department connections shall be located on the private property side of the fire line backflow preventer unless a specific exception is issued in writing by the AHJ. Such connection should be attached directly to the backflow preventer, and shall be 2½" or 5" Storz connection unless otherwise approved by the AHJ.

13.4.1 Hydrant location with respect to the fire department connection: A fire hydrant shall be located not more than fifty (50) feet from the fire department connection, as measured by normal route of travel or as otherwise approved by the AHJ.

13.5 Preplanned Sprinkler System Impairments

13.5.1 The requirements of the current edition of NFPA 25 and Florida Administrative Code (FAC) shall apply to fire sprinkler system impairments.

13.5.2 The AHJ shall be notified by the building/property owner, occupant, the impairment coordinator or the licensed contractor conducting the work which will cause the scheduled impairment, no less than three (3) business days prior to the scheduled impairment. This will allow the building owner, agent, contractor

or other responsible parties to notify the AHJ of all arrangements to ensure life safety is upheld.

13.6 Standpipes and/or Hose Connections

13.6.1 Standpipes and/or hose connections shall be required for building three (3) or more stories in height.

13.6.2 Locations for standpipes and/or hose connections shall be required at each level and shall be approved by the AHJ.

13.6.3 Hose connections shall be a 2½ inch connection with a 2½ inch to 1½ inch reducer.

13.6.4 Installations shall be in compliance with NFPA 14.

13.6.5 The AHJ may waive this requirement when firefighting access can be accomplished with pre-connected hose to remote locations from firefighting apparatus.

13.6.5.1 Any such waiver as outlined in 13.6.5 shall be authorized in writing from the AHJ and such waiver shall be acquired prior to initiation of any construction.

Section 14: Cease and Desist Order or Stop Work Order

14.1 Whenever the violation of any provision of this Code presents an immediate danger to life, safety or property or when any new construction or exiting building is occupied in whole or in part in violation of the provisions of this Code, or when any fire, explosion or other such disaster occurs and presents an immediate danger to life or property, the AHJ shall immediately post, or cause to be posted a Cease and Desist Order, Stop Work Order or other approved signage or documentation on the premises and shall suspend any and all use of the building, marine vessel, structure, or premises until such time that the danger to life or property has been removed or correction of the violation has been made.

14.2 If it is determined by the AHJ that a violation specified in this subsection exists, the AHJ or their designee may issue and deliver the person committing the violation an order to cease and desist from such violation, to correct any hazardous condition, to preclude occupancy of the affected building or structure, or to vacate the premises of the affected building or structure. Such violations include one or more of the following:

(1) A violation of any provision of this section, of any rule adopted pursuant there to, of any applicable Uniform Fire Safety standard adopted pursuant to Florida Law, which is not adequately addressed by an alternative requirement adopted on a local level.

(2) A substantial violation of an applicable minimum Fire Safety standard adopted pursuance to Florida Law, which is not reasonably addressed by any alternative requirement imposed at the local level, or an unreasonable interpretation of any applicable minimum fire safety standard, and which violation or interpretation clearly constitutes a danger to life, safety, or property.

(3) A building or structure which is in a dilapidated condition and as a result thereof creates a danger to life, safety or property.

(4) A building or structure which contains explosive matter or flammable liquids or gases constituting a danger to life, safety or property.

14.3 If, during the conduct of a fire safety inspection authorized by Florida Law, it is determined that a violation described in this section exists which poses an immediate danger to the public health, safety or welfare, the AHJ may issue an order to vacate the building in question, which order shall be immediately effective and shall be an immediate final order. With respect to a facility under the jurisdiction of a District School Board or Community College Board of Trustees, the order to vacate shall be issued jointly be the District Superintendent or College President and the AHJ.

14.4 The AHJ may seek an injunction in the circuit court of Manatee County to enforce an order issued pursuant to this subsection

14.5 Penalty: see Section 17.

Section 15: Mobile Food Dispensing Vehicle (MFDV)

15.1.1 Mobile and/or temporary cooking operations shall be inspected prior to operation at each event/location within the district.

15.1.2 Cooking equipment used in mobile and/or temporary cooking concessions, such as trucks, trailers and/or buses shall comply with NFPA 1, NFPA 10, NFPA 96, FFPC, FAC 5K and/or FAC 61C, as applicable.

15.1.3 Each vendor shall be properly licensed by the Florida Department of Business and Professional Regulation (DBPR), Division of Hotels and Restaurants and/or the Florida Department of Agriculture, Division of Food Safety.

15.2 Penalty: See Section 17.

Section 16: Certificate of Inspection

16.1 No building shall be occupied in whole or in part without the approval of, and the issuance of a Certificate of Inspection Report being completed and filed by the AHJ.

16.2 Penalty: see Section 17.

Section 17: Penalty

17.1 Any person who shall violate one of the provisions of this Code or the National Fire Codes, as adopted by the District 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, statement, specifications, or plans submitted or approved thereunder; or shall operate not in accordance with the provision 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 AHJ or by a court of competent jurisdiction within the time fixed herein shall severally for each and every violation and non-compliance, respectively be punished by a fine of not more than $250.00 a day with each day of the violation constituting a separate offense.

17.2 The imposition of a penalty for a 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 removed of prohibited conditions.

Section 18: Previous Rules, Regulations and Codes Repealed

All formal rules and regulations or parts thereof conflicting or inconsistent with the provisions of these rules and regulations or of the Code hereby adopted are hereby repealed.

Section 19: Board of Appeals

Whenever any person, firm or corporation is of the opinion that they have been aggrieved, pursuant to Chapter 69A-60, Florida Fire Prevention Code, they may seek relief from such decision(s) as interpreted by the Fire Marshal from the Manatee County Fire Prevention Code Board of Appeals.

Section 20: Rural Water Supply

20.1 In all developments, the adequacy of fire protection services, water capacity, hydrant locations, fire lanes and maneuvering area are subject to the approval of the Fire Marshal with the requirements set forth herein determined as a minimum provision.

20.2 All dry hydrants shall be installed in accordance with the requirements of NFPA 1142 as referenced in the FFPC.

20.3 Dry hydrants shall be installed in all new developments which meet any of the following criteria:

(1) All developments which cannot have the water distribution system extended.

(2) Any property either commercial or residential buildings as determined by the AHJ.

(3) When, in the opinion of the AHJ, access to or distance from other dry hydrants would hamper or impair firefighting operations.

20.4 Approved Fire Hydrant: An approved fire hydrant under this section shall mean a fire hydrant connected to an approved rural static water supply. Dry hydrants shall meet the construction requirements of NFPA 1142 and shall meet the performance standards established therein. In addition, exposed piping shall be made of iron and painted red. Dry hydrant connections shall have one (1) 4 ½ inch hose connection. All hydrant installations shall be approved by the District as pertaining to the availability of water capacity, volume and reliability of water service.

20.5 Rural water supplies shall meet or exceed the requirements of NFPA 1142.

(1) Such supplies shall be engineered and certified by a licensed engineer. For private water supply a written water use agreement shall be entered with the District to use of such supply both on and off premises.

(2) Cisterns or ground storage vessels shall have a capacity as determined by NFPA 1142. Such vessels shall have the capability to be refilled or topped off automatically at a rate of not less than 50 gallons per minute from a reliable water supply. Dry hydrants for cisterns shall be painted orange and the capacity of the tank stenciled on the barrel in black to indicate a limited water supply.

20.6 Other Water Supplies. Those water supplies approved for use with a fire protection system and standard fire hydrants are as follows:

(1) Pressure tanks shall be installed in accordance with NFPA 22 and shall have a capacity of not less than 3,000 gallons. Such vessels shall have the capability to be refilled or topped off automatically at a rate of not less than 100 gallons per minute from a reliable water supply. A standard fire hydrant shall be installed on the system to allow for external use. Such hydrants shall be painted orange and the capacity of the tank stenciled on the barrel in black to indicate a limited water supply. A written water use agreement shall be entered with the District for the use of such water supply both on and off premises.

(2) Elevated gravity tanks shall be installed in accordance with NFPA 22 and shall have a capacity of not less than 3,000 gallons. Such vessels shall have the capability to be refilled or topped off automatically at a rate of not less than 100 gallons per minute from a reliable water supply. A standard fire hydrant shall be installed on the system to allow for external use. Such hydrants shall be painted orange and the capacity of the tank stenciled on the barrel in block to indicate a limited water supply. A written water use agreement shall be entered with the District for the use of such supply both on and off premises.

Section 21 – Alternate Fire Extinguisher Placement

21.1 Application. This alternative to fire extinguisher placement shall apply to multi-unit residential buildings only.

21.2 Where, in the opinion of the AHJ, it is difficult or impractical to have fire extinguishers inside each residential unit inspected and tagged annually, as required by FFPC, and then verified by the District, the AHJ may require that the fire extinguishers be installed on the exterior of the structure.

21.3 All other requirements of NFPA 10 shall be maintained.

21.4 Penalty. See Section 17.

Section 22: Change of Use/Occupancy.

22.1 The District shall only conduct its inspection when there is a change of use/occupancy after the Manatee County Zoning Department and the Building Development Services have already inspected the premises to ensure the structure(s) is/are properly zoned and in compliance with applicable Florida Building Codes.

Section 23: Table 1

Occupancy Classification	Fire Alarm and Fire Sprinkler Systems required under the following conditions:	Initiation of Fire Alarm Systems Required and follows:	Annunciation and Monitoring of Fire Alarm Systems
Assembly	5,000 square feet or more or 2 stories or more, or as required by the FBC. See sections 12.3.4 and 13.3.4 of NFPA 101**	Manual pull station at all required exits and not to exceed 200 foot travel distance; flow switch, or as required by the FBC.	As outlined in NFPA 101**
Educational	2 stories or more or as outlined in NFPA 101**	As outlined in NFPA 101**	As outlined in NFPA 101**
Residential	3 stories or more or as defined in the FFPC, or as required by the FBC.	Manual pull stations at required exits; flow switch or fire suppression systems *unless exempted by 633.202, or as required by the FBC.	As outlined in NFPA 101**
Mercantile	10,000 square feet or more or 2 stories or more, or as required by the FBC.	Manual pull stations at required exits; Flow switch; area type smoke detection in all spaces where commodity may be stored over 12 feet above finish floor level, as determined by the AHJ, or as required by the FBC.	As outlined in NFPA 101**
Business	15,000 square feet or more or 2 stories and 10,000 square feet or more, or as required by the FBC.	Manual pull stations at required exits; Flow switch, or as required by the FBC.	As outlined in NFPA 101**
Industrial	10,000 square feet or more or 2 stories or more, or as required by the FBC.	Manual pull stations at required exits; Flow Switch and/or suppression systems; area type smoke detection in all area of air conditioned controlled space, or as required by the FBC.	As outlined in NFPA 101**
Storage	10,000 square feet or more or 2 stories or more, or as required by the FBC.	Manual pull stations at required exits; Flow switch, or as required by the FBC.	As outlined in NFPA 101**
High Hazard/Special	All buildings regardless of size	As required by the AHJ	As required by the AHJ

*Section 903 of the Florida Building Code may also apply
** Per currently adopted edition of the Florida Fire Prevention Code (FFPC).