
ORDINANCE NO. 2014 – 01

MANATEE COUNTY, FLORIDA

**FIRE PREVENTION CODE FOR THE SOUTHERN MANATEE FIRE
RESCUE DISTRICT**

ADOPTED: DECEMBER 11, 2014

ORDINANCE 2014-01

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 2011-01; 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 & Rescued 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,

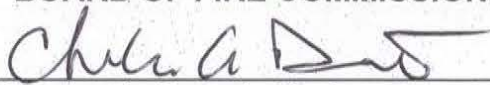
NOW, THEREFORE, BE IT RESOLVED by the Board of Fire Commissioners of the Southern Manatee Fire and Rescue District of Manatee County, Florida, that:

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 2014-01 shall be recorded with the Manatee County Clerk of Court.
4. All prior ordinances in conflict with Ordinance 2014-01, including but not limited to Ordinance 2011-01, are hereby repealed.
5. In the event any part of Ordinance 2014-01 is invalidated or deemed unconstitutional, such a determination shall not affect the validity of the remainder of this Ordinance.
6. Ordinance 2014-01 shall take effect January 2, 2015.

DULY ADOPTED on the first reading and public hearing on the 20th day of November, 2014.

DULY ADOPTED at the second reading and public hearing this the 11th day of December, 2014.

**SOUTHERN MANATEE FIRE & RESCUE DISTRICT
BOARD OF FIRE COMMISSIONERS**



Charles A. Durant, Chairman

ATTEST:



Melanie A. Marken, Secretary

EXHIBIT 1



**Southern Manatee Fire Rescue
Fire Prevention Code
2015**

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PREAMBLE

Section 1: Introduction

An Ordinance to provide Southern Manatee Fire Rescue 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 the procedures for code enforcement; and setting forth the standards for compliance and achievement of these objectives.

Section 2: Division 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 shall be responsible for the enforcement of the Fire Prevention Code of Southern Manatee Fire Rescue. To assist in the performance of the responsibilities and duties placed upon the Fire Marshal of Southern Manatee Fire Rescue the Division of Fire Prevention, Inspection and Investigation is hereby established, to be under the control of the Fire Chief.
- 2.2 The Division within Southern Manatee Fire Rescue shall operate under the supervision of the Fire Marshal of Southern Manatee Fire Rescue. The Fire Marshal shall be responsible for the direct administration and enforcement of the Southern Manatee Fire Rescue 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.

Section 3: Duties and Responsibilities

- 3.1 It shall be the duty of the Fire Marshal and his/her designees to enforce all rules and regulations of the District.
- 3.2 These duties shall consist of, but not be limited to, the following:
 - (1) The prevention of fires;
 - (2) The storage and use of explosives and flammables;
 - (3) The installation and maintenance of automatic and other fire alarm systems, and fire extinguishing equipment;

- (4) The maintenance and regulation of fire escapes;
- (5) The means and adequacy of exits in case of fire from buildings and all other places in which numbers of persons work, live, or congregate from time to time for any purpose;
- (6) The investigation of the cause, origin, and circumstances of fires;
- (7) The maintenance of fire cause and loss records.

3.3 It shall be the duty of the Fire Marshal of Southern Manatee Fire Rescue to investigate and recommend to the Fire Chief, such additional rules and regulations or amendments to existing rules and regulations as he/she may deem necessary for safeguarding life and property against fire.

3.4 The Fire Marshal shall prepare for his/her assistants instructions and forms for their use in the reports required by these rules and regulations.

3.5 The Fire Marshal shall inspect or cause to be inspected all premises on a periodic basis, and shall make such orders as may be necessary for the enforcement of the laws and rules and regulations governing the same and for safeguarding of life and property from fire.

3.6 The Fire Marshal and his/her designees shall have such other powers and perform such other duties as are set forth in other sections of this Code and as may be conferred and imposed from time to time by law.

GENERAL PROVISIONS

Section 4: Title

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

Section 5: Definitions

5.1 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 Chapter 3, Section 3-2 of NFPA No. 1.

5.1.1 Approved Fire Hydrant: An approved fire hydrant shall mean a fire hydrant connected to a water main of not less than six (6) inches in diameter and shall meet the performance standards as established in the Manatee County Comprehensive Plan, and shall have one (1) 4 1/2 inch and

two (2) 2 ½ inch hose connections or a Storz connection with two (2)- 2 ½ inch hose connections. All hydrant installations shall be approved by the Manatee County Utilities Department as pertains to availability of water pressure, volume and reliability of water service.

- 5.1.2 Authority Having Jurisdiction AHJ:** The Southern Manatee Fire Rescue District through the Fire Chief or his/her designated State Certified Inspector.
- 5.1.3 Building Code:** The Florida Building Code as identified in Section 553.73, Florida Statutes (F.S.), as amended from time to time..
- 5.1.4 Fire Department Access Road:** The road or other means developed to allow access and operational setup for firefighting and rescue operations.
- 5.1.5 Fire Lane:** The road or other means developed to allow access and operational setup for firefighting and rescue operations.
- 5.1.6 Impairment:** The deficiency of a fire protection system as defined in NFPA 25.
- 5.1.7 NFPA:** The National Fire Protection Association as referenced in the Florida Building Code. NFPA Standard No. (____) or Code No. (____) shall mean the referenced code or standard as compiled and published by the National Fire Protection Association.
- 5.1.8 National Fire Code:** The compilation of the National Fire Protection Association codes, standards, recommended practices and manuals published by the National Fire Protection Association and as adopted by Southern Manatee Fire Rescue.
- 5.1.9 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.
- 5.1.10 Remote access:** an access area used for emergency vehicles into either a residential subdivision or commercial plaza that is located as far as practical from the principle entrance.
- 5.1.11 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.
- 5.1.12 Substantially Altered:** A structural alteration increasing the square footage of an existing building by 50% or more, or increasing the square footage of an existing building such that the square footage of the entire building exceeds the table limits of Table 1 shall be considered a substantial alteration. 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, or elimination, moving or construction of new partitions within 50% or more of the square footage of an existing building, may be considered a substantial alteration. Substantial alterations shall not include inter-alia, repairs to roofs or walls, interior or exterior painting or redecoration, air

conditioning or heating systems repairs or replacement, modernization of kitchens or bathrooms, gas, water, sewer, and electrical systems.

5.1.13 Two (2) Sided Access: Full, clear and unobstructed access meeting the clearances as specified within Section 13, along the full length or width of two (2) accessible sides of a structure.

5.1.14 Unfriendly Fire: Any fire that is determined to be unauthorized burning of any nature or a fire that is out of control or poses a potential threat to life or property.

5.1.15 Unit: A room or group of rooms within a multi-family structure designed for occupation by one family only.

Section 6: Recognition

6.1 Florida Fire Prevention Code. This Code recognizes the Florida Fire Prevention Code as adopted by the State of Florida pursuant to Section 633.202, F.S., 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 codes of the National Fire Codes shall be filed in the office of Southern Manatee Fire Rescue and the provisions thereof shall be controlling within the limits of that district. Whenever the Florida Fire Prevention Code as referenced herein and this Fire Prevention Code address an identical issue, the more stringent fire protection provision shall apply unless otherwise prohibited by applicable Florida law.

6.2 Florida Building Code. This Code recognizes and references the Florida Building Code as identified in Section 5.1.3. Whenever the Florida Building Code is referenced herein, and this Fire Prevention Code addresses an identical issue, the more stringent fire protection provision shall apply unless otherwise prohibited by applicable Florida law.

6.3 Manatee County Land Development Code. 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 provision shall apply unless otherwise prohibited by applicable Florida law.

6.4 Manatee County Utilities Standards. This 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 provision shall apply unless otherwise prohibited by applicable Florida law.

Section 7: Application

- 7.1 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.
- 7.2 The provisions of this Code do not apply to one or two-family dwellings in the 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 Firesafety Standards as provided for under Section 633.206, F.S., as amended from time to time.
- 7.3 The provisions of this Code do not apply to those buildings or structures specifically under the Uniform Firesafety Standards of the State of Florida, as set forth in Section 633.206, F.S., as amended from time to time, except as provided therein.
- 7.4 The provisions of this Code shall be complied with whenever a building is built, or a building or occupancy is considered to be substantially altered. Compliance with this code may be required when a new owner, renter or lessee assumes control of a building, unit or business or if there is a change in the occupancy classification. Only those requirements whose application would be clearly impractical in the judgment of the authority having jurisdiction shall be modified.
- 7.5 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.
- 7.6 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.
- 7.7 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.
- 7.8 **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 Statute 191.006, the District's Ordinance shall not conflict with any ordinance of the local general purpose government.

ADMINISTRATION

Section 8: Authority

- 8.1** This Code shall be administered and enforced by the Fire Official designated by the governing authority of this jurisdiction as having this responsibility. For purposes of this Code, this Fire Official is called the Fire Marshal. He/She shall meet those qualifications as may be set forth by the jurisdiction as being necessary to effectively administer this Code.
- 8.2** This act shall be deemed an exercise of the enforcement powers of Southern Manatee Fire Rescue for the preservation and protection of the public health, peace, safety, and welfare, and all the provisions of the Southern Manatee Fire Rescue Code shall be liberally construed for that purpose.

Section 9: Right of Entry; Implied Consent

- 9.1** Any application for or acceptance of any permit requested or issued pursuant to this Code, 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 inspection required by this section.
- 9.2** The Fire Chief may detail fire department personnel for stand-by duties to those places of assembly or other locations where it is deemed necessary for fire safety reasons or where there is a likelihood of Code violations being prevalent which may create hazardous situations. Generally, this right would be exercised where large crowds are expected in places of assembly or during the visit of dignitaries. When necessary for fire department personnel and or fire apparatus to be assigned for such detail, the Fire District may assess reasonable fees.

Section 10: Approval of Plans and Installations

- 10.1** The Fire Marshal or his/her designee shall examine the submitted plans for evidence of compliance. Submitted plans must meet the requirements as set forth in NFPA 1, 1.14 and any other applicable Codes and Standards.
- 10.2** Failure to submit drawings and perform work without an approved permit will result in the issuance of a Stop Work Order to be enforced until required material is provided.
- 10.3** Penalty. See Section 26.

FIRE PREVENTION REGULATIONS

Section 11: Reporting Hazardous Conditions; Maintaining Hazard

- 11.1** Any person, upon discovering evidence of spontaneous heating or other abnormal heating of any merchandise, commodity, cargo, shipment, or other material of any kind in any building, marine vessel, appliance, apparatus, tank, or open stack or pile, or any person, upon discovering or being appraised of any uncontrolled hazardous leak or hazardous material or combustible or flammable liquid spill, shall immediately notify the Fire Department via 911.
- 11.2** No person shall knowingly maintain a fire hazard.
- 11.3** Penalty, see Section 26.

Section 12: Unnecessary/False Alarms

- 12.1** 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 alarm, the authority having jurisdiction shall cause an investigation to be made and keep a record of the number of unnecessary/false alarms on file.
- 12.1.1** 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 fire department responded to which has been determined to be a nuisance or false alarm.
- 12.2** 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 Ordinance. The owner, manager or person in charge shall, after the performance of an investigation by the authority having jurisdiction 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.
- 12.2.1** For the first (1) through third (3) unnecessary/false alarms, inclusive, as set forth in Section 12 of this Code, occurring in any given twelve month period, a warning shall be issued in writing.
- 12.2.2** For the fourth (4) and fifth (5) unnecessary/false alarms in the same twelve month period, a fee of \$100.00 shall be assessed.
- 12.2.3** For the sixth (6) and seventh (7) unnecessary/false alarms in the same twelve month period, a fee of \$250.00 shall be assessed.

12.2.4 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.

12.3 The fees outlined within paragraphs 12.2.2 through 12.2.4 shall apply to commercial burglar alarm systems which generate an unnecessary or false alarm signal which results in fire department response. These fines shall be imposed upon the first unnecessary or false alarm and are purposefully exempt from the stipulations outlined within paragraph 12.2.1.

12.3.1 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.

Section 13: Required Access for Fire Apparatus

13.1 All premises, including existing premises, that Southern Manatee Fire Rescue may be called upon 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.

13.1.2 Fire and emergency access may be required by the Fire Marshal and shall meet or exceed the access requirements in 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. This access shall comply with the following, unless otherwise approved by the AHJ.

13.1.2.1 The access shall have a minimum/maximum distance from the building to the closest curb line or edge as follows:

One, two, and three story buildings - ten (10) feet minimum, fifteen (15) feet maximum;
four or more story buildings - fifteen (15) feet minimum, twenty-five (25) feet maximum.

13.2 All fire and emergency access shall be constructed of an impervious surface to meet the minimum city or county roadway standards.

13.3 Emergency access shall be identified as to location with signage stating "Emergency Fire Access" or as required by the AHJ.

13.4 Emergency access shall be kept unobstructed at all times and from any future growth, and shall be dedicated on the approved final site plan for the life of the building or complex.

13.5 Traffic Calming Devices:

13.5.1 Plans for each traffic calming device shall be submitted to the District for review and approval prior to the initiation of any construction and/or installation.

13.5.2 New speed bumps when installed, must comply with the following criteria:

- (1) Approved speed bumps shall have minimum twenty-four (24) inch long base with sloping falls, cresting at four (4) inch maximum height.
- (2) 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.

13.6 Automatic Vehicle Access Control Gates:

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

13.6.2 When in the fully open position, gates shall allow not less than fifteen (15) feet horizontal clear space including the 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.

13.6.3 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 fire districts as well as Manatee County Department of Public Safety. This frequency and code shall be separate from and in addition to any frequency and code intended for use by 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 open on the entry side of the complex to allow for emergency access (see item 13.6.2). The gate(s) shall remain in the fully open position until power is restored.

13.6.4 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.

- 13.6.5** In the event the gate becomes non-operational, the gate(s) shall be secured in the fully open position until such time as the minimum requirements as outlined above have been restored to a fully operational condition.
- 13.6.6** 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.
- 13.6.7** Where any vehicle access gate is installed which is used 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.
- 13.6.8** 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.
- 13.7** Penalty: Section 26.

Section 14: Key Box and Lock Systems

- 14.1** When 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 Division. Keys shall be provided to gain access to fire alarm panels, electrical room, sprinkler rooms and any other areas 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.
- 14.1.1** Installation height of key box shall be a maximum of six (6) feet above finished grade or as approved by the AHJ.
- 14.1.2** New buildings requiring a key box shall have a recessed style box installed, unless otherwise approved by the AHJ.
- 14.2** 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 13.6.2 of this Code.
- 14.2.1** 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 District in which it is installed in order to facilitate access to the building, complex or hydrant.

14.2.2 Penalty, see Section 26.

Section 15: Storage on Roofs, Fire Escapes, Porches, Breezeways and Balconies

15.1 No person shall place or maintain, on any roof or balcony used for egress purposes, any material or objects which may interfere with egress or fire department operations.

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

15.3 Penalty, see Section 26.

Section 16: Dumpster Location

16.1 All dumpsters and associated screening which consist of combustible fencing around the dumpster pads shall have a minimum separation from the nearest building or building overhang of ten (10) feet. Large commercial/industrial dumpsters, such as 20 or 40 yard containers may require a larger separation due to Building and Fire Codes. This minimum separation may be reduced or waived if the dumpster is protected by one or more fire sprinkler heads of a fire sprinkler system designed in accordance with sound engineering practices and as approved by Fire Marshal.

16.2 For the purposes of this Code, any bulk combustibles shall be treated the same as dumpsters with regards to the minimum spacing requirements.

16.3 Penalty, see Section 26.

Section 17: Festival Seating

17.1 Festival seating as defined in the current edition of the Life Safety Code shall be prohibited in any building.

17.2 Penalty, see Section 26.

Section 18: Marking of Occupancies for Emergency Use

18.1 Prior to the issuance of a Certificate of Occupancy or Completion, the structure for the principal use shall have its assigned structure address number clearly posted on the structure or in the case of a structure which is not visible from the road or is set back from the road more than 100 feet, the numbers shall be placed on a sign or mailbox near the driveway entrance and shall be clearly visible from the road. In addition to the number being posted at the driveway entrance, it shall also be placed on the structure. Numbers 3" in height (minimum) for residences and 6" in height (minimum) for businesses shall be used.

18.1.1 Additional address numbering may be required by the AHJ in order to facilitate the locating of a property from other than the primary means of access.

18.2 All numbers and letters shall be non-script.

18.3 All numbers and letters shall be of a contrasting color to their background.

18.4 Penalty, see Section 26.

Section 19: Fire Alarm System Requirements

19.1 General Requirements

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

- (1) Basements or cellars with ceilings less than fifty-four (54) inches above grade, or having floor areas 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 remote annunciator shall be installed within six (6) feet of the primary entrance.
- (4) Within residential and condominium occupancies, each unit shall have one (1) rate-of-rise heat detector. The rate-of-rise heat detector shall be tied into the building fire alarm system as required by Table 1 or as required by the AHJ.
- (5) Required fire alarm systems shall have a sufficient number of sounding devices so that they will be audible in any normally habitable area. The audibility shall be determined by the AHJ.
- (6) 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 Fire Marshal. The light shall be either red or white in color.
- (7) Buildings which are not required to have a fire alarm system but are installed as an equivalency shall have full area detection.

Section 20: Fire Sprinkler Systems

20.1 General Requirements.

20.1.1 Approved fire sprinkler systems shall be installed in buildings as required by Table 1 and as follows:

- (1) Basements or cellars when used as bars, dance halls, discotheques, lounges, assemblies or nightclubs, regardless of size.

20.2 All sprinkler system installations shall be provided with an approved backflow preventer of the double check valve type. Such preventer shall be as approved by the Fire Marshal of the Southern Manatee Fire Rescue District. All fire line backflow preventers shall be located at either the front property line of the development parcel, easily visible and not obscured by landscaping or other site improvements, or in the case of commercial shopping centers and similar types of developments, at or along the access way at the rear of the building complex. Other locations or provisions will not be permitted unless a specific exception is issued in writing by the Fire Marshal.

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

20.4 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 Fire Marshal. Such connection should be attached directly to the backflow preventer, and the project representative shall verify with the Fire Marshal whether a typical 2 1/2" Siamese connection with National Standard Threads or a 5" Storz connection will be required.

20.5 Scheduled Sprinkler System Impairments

20.5.1 The requirements of the current edition of NFPA 25 shall apply to fire sprinkler system impairments.

20.5.2 As NFPA 25 does not currently specify a time frame for notifying the AHJ of scheduled impairments, this section of this local ordinance shall specify those requirements.

20.5.3 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.

Section 21: Standpipes Required

- 21.1** Buildings more than three (3) stories in height or fifty feet or more in height and any other structures that in the opinion of the authority having jurisdiction are inaccessible to firefighting equipment, shall be equipped with standpipes and 2.5 inch value fire department hose connections at each floor level, of Type III installation in accordance with NFPA 14.
- 21.2** All 2½ inch valved fire department hose connections with or without hoses, at the discretion of the AHJ, shall be located in the exit access within ten (10) feet of the exit door. Valves without hoses shall be installed not less than three (3) feet or more than five (5) feet above the finished floor, as directed by the AHJ.
- 21.3** Standpipes shall be provided as a supply with individual 2½ inch or five (5) inch Storz fire department connections as required by the AHJ. These connections shall by pass any fire pump.
- 21.4** The water supply for standpipes shall meet the requirements of NFPA for minimum acceptable flow and residual pressure.

Section 22: Fire Protection Water Supply

- 22.1** In all developments, the adequacy of fire protection services, water pressure, hydrant locations, fire lanes and maneuvering areas shall be subject to the approval of the Fire Marshal with the requirements set forth herein determined as minimum provisions.
- 22.2** Fire hydrants shall be installed when in the opinion of the AHJ, access to or distance from public fire hydrants would hamper or impair firefighting operations.
- 22.3** Hydrant location with respect to the fire department connection: Whenever a proposed development will be required to install one or more fire hydrants as a condition of approval, a fire hydrant shall be located not more than fifty (50) feet from the fire department connection as measured by normal access routes, and as approved by the AHJ.

Section 23: Cease and Desist Order or Stop Work Order

- 23.1** Whenever the violation of any provision of this Code presents an immediate danger to life, safety or property or when any new construction or existing 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/or 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(s) has been made.

23.2 If it is determined by the AHJ that a violation specified in this subsection exists, the AHJ or his designee may issue and deliver to 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 are:

- (1) Except as set forth in paragraph 23.2(2), a violation of any provision of this section, of any rule adopted pursuant thereto, of any applicable Uniform Firesafety 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 firesafety standard adopted pursuant to Florida Law, which is not reasonably addressed by any alternative requirement imposed at the local level, or an unreasonable interpretation of an applicable minimum firesafety 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.

23.3 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 by the District Superintendent or College President and the AHJ.

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

23.5 Penalty, see Section 26.

Section 24: Fuel Oil, Kerosene or Wood Burning Heating or Fuel Oil, Kerosene or Wood Burning Cooking Appliances Prohibited

24.1 It shall be unlawful for any person to use, or operate within any building or structure located within the jurisdiction of Southern Manatee Fire Rescue:

- A. Any unvented fuel oil or kerosene burning appliance, including those with a woven wick, designed for heating purposes; and

- B. Any charcoal, gas, or wood fired heaters, grills, barbecues on balconies, porches or breezeways of multi-unit, multi-story buildings.
- C. Any other heat producing device or appliance which is determined by the authority having jurisdiction to be unsafe due to its application or use.

24.2 Penalty: see Section 26.

Section 25: Certificate of Inspection

25.1 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.

25.2 Penalty: see Section 26.

Section 26: Penalty

- 26.1 Any person who shall violate any 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 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 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.
- 26.2 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 27: Previous Rules, Regulations and Codes Repealed

27.1 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 28:
Table 1

Occupancy Classification	Fire Alarm and Fire Sprinkler Systems required under the following conditions:	Initiation of Fire Alarm Systems required as follows:	Annunciation and Monitoring of Fire Alarm Systems
Assembly	5,000 square feet or more or 2 stories or more. See sections 12.3.4 and 13.3.4 of NFPA 101**	Manual pull stations at the primary exit and not to exceed 200 foot travel distance; Flow switch	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	12 residential units or more or 3 stories or more or as defined in the FFPC	Manual pull stations at required exits; Flow switch or fire suppression systems. Rate of rise heat detector tied into building fire alarm system or as required by the AHJ *unless exempted by 633.202.	As outlined in NFPA 101**
Mercantile	10,000 square feet or more or 2 stories or more	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.	As outlined in NFPA 101**
Business	15,000 square feet or more or 2 stories and 10,000 square feet or more	Manual pull stations at required exits; Flow switch	As outlined in NFPA 101**
Industrial	10,000 square feet or more or 2 stories or more	Manual Pull Stations at required exits; Flow Switch and or Suppression Systems; area type Smoke Detection in all areas of air conditioned controlled space.	As outlined in NFPA 101**
Storage	10,000 square feet or more or 2 stories or more	Manual Pull Stations at required exits; Flow Switch	As outlined in NFPA 101**
High Hazard/Special	All buildings regardless of size	As required by the Authority Having Jurisdiction	As required by the Authority Having Jurisdiction

* Section 903 of the Florida Building Code may also apply.

** Per currently adopted edition of the Florida Fire Prevention Code (FFPC).

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