

RESOLUTION NO. 2008-06

A RESOLUTION AMENDING THE 2007 EDITION OF THE FLORIDA FIRE PREVENTION CODE AS ADOPTED BY THE STATE LEGISLATURE FOR THE EAST NAPLES FIRE CONTROL & RESCUE DISTRICT BY AMENDING ADOPTED STANDARDS AND CODES PERTAINING TO AMENDMENTS TO THE ADOPTED FIRE CODES, SPECIFICALLY NFPA 1, 2006 EDITION; AMENDMENTS TO THE ADOPTED LIFE SAFETY CODE, SPECIFICALLY NFPA 101, 2006 EDITION; PROVIDING FOR THE INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statute §633.025(1) establishes the Florida Fire Prevention Code and the Life Safety Code, as adopted by the State Fire Marshal as the state minimum code; and

WHEREAS, Florida Statute §633.0215(2), requires that the State Fire Marshal shall adopt the current editions of National Fire Protection Association's Standard 1, Fire Prevention Code, and 101 Life Safety Code; and

WHEREAS, Florida Statute §633.025(4) enables a special district with fire safety responsibilities to adopt more stringent fire safety standards or alternative requirements where, as here, a determination has been made that there is a need to strengthen the requirements of the minimum fire safety code adopted and enforced by the special district; and

WHEREAS, the East Naples Fire Control and Rescue District was created by a special Act, Chapter 2000-444, Laws of Florida, as amended by chapter 2004-433 Laws of Florida, and is "a special district with fire safety responsibilities"; and

WHEREAS, the Board of Commissioners of the East Naples Fire Control and Rescue District, pursuant to the provisions of Chapter 2000-444 of the Laws of Florida, as amended by chapter 2004-433 Laws of Florida, is authorized to promulgate rules and regulations for the prevention of fire and for fire control in the district; and

WHEREAS, the East Naples Fire Control and Rescue District Board of Commissioners hereby determines upon its review of local conditions, which review demonstrates that local conditions justify more stringent requirements than those specified in the minimum fire and life safety code for the protection of life and property

or justify requirements that meet special situations arising from historic, geographic, or unusual conditions - that local amendments to the statewide minimum code are needed and will serve a public purpose; and

WHEREAS, as required by Florida Statutes §633.0215, the State Fire Marshal has recently adopted a new edition of the Florida Fire Prevention Code; and

WHEREAS, in accordance with Florida Statutes §633.025(4)(a) a properly advertised public hearing was held and all interested persons were afforded the opportunity to provide any comments; and

WHEREAS, the amendments to the statewide minimum code set forth below are essential to maintain an established and effective level of fire prevention and protection.

NOW, THEREFORE BE IT RESOLVED BY THE EAST FIRE CONTROL AND RESCUE DISTRICT BOARD OF FIRE COMMISSIONERS that:

SECTION ONE: The following text is adopted;

Section 1-1. East Naples Fire Control and Rescue District Fire Protection and Prevention Code Adopted.

The standards and Code sections of the "National Fire Codes", as published by the National Fire Protection Association (NFPA), as adopted by the rules of the Division of the State Fire Marshal sectionA-3.012, 69A-60.005 or referenced by the 2006 edition of NFPA 1 or NFPA 101 and those listed below by standard number and edition and as amended herein, are hereby adopted by reference intended to protect the health, safety, common interest, and convenience of the citizens, visitors, and residents of Collier County, Florida.

<u>NFPA Code</u>	<u>Standard</u>	<u>Edition</u>	<u>Description</u>
423		1999	<i>Const. and Protection of Aircraft Engine Test Facilities</i>
513		1998	<i>Motor Freight Terminals</i>

Section 1-2. Amendments to Fire Codes.

The "National Fire Codes, NFPA 1, Fire Prevention Code, 2006 Edition," is hereby amended by local amendment as follows:

(A) CHAPTER 1 ADMINISTRATION AND ENFORCEMENT

1. BOARD OF APPEALS

1.10 BOARD OF APPEALS

Will operate and be comprised as set forth in the Collier County Land Development Code, Chapter 8.05.00, except that the Collier County Fire Marshal's Association may recommend those two members one of whom would be an architect or engineer and one whom must be a fire protection specialist for consideration by the Board of County Commissioners.

(1) NOTICE OF VIOLATIONS, PENALTIES

1.16.4 Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant of this code or violates any condition attached to a permit, approval, or certificate shall be subject to the penalties established by this jurisdiction. Nothing herein contained is intended to prevent the Independent Fire Districts of Collier County from taking such other lawful action in any court of competent jurisdiction as the District deems necessary to prevent or remedy any violation. Such other lawful action shall include, but shall not be limited to, any equitable action for injunctive relief or action at law for damages. The Independent Fire Districts of Collier County shall have the power to enforce the provisions of this Code and ordinances by means of the Collier County Code Enforcement Boards.

(B) CHAPTER 1 ADMINISTRATION AND ENFORCEMENT

(1) OCCUPANCY

All tenants and occupants shall obtain a "Notice of Fire Compliance" certificate from the appropriate fire district prior to the occupancy and use of a new or existing building as evidence of compliance with the Collier County Fire Prevention and Protection Code. Such original certificate shall be displayed in a prominent location within the structure, building, or portion thereof.

Exception: Occupants of one and two family dwellings and residential tenants in multi-family buildings are exempt from the requirement of obtaining a "Notice of Fire Compliance".

(2) PLANS REVIEW

1.14.6 Where required by the Fire District, pre-fire plans shall be provided to the District prior to Building "Notice of Fire Compliance" being issued.

(3) COST OF PERMIT

1.12.21 COST OF PERMIT

See Fire District Ordinance or fee resolution as adopted or maybe amended time to time.

(C) CHAPTER 13 FIRE PROTECTION SYSTEMS

13.3.1.2.1 All Automatic fire extinguishing systems, installed voluntarily, arbitrarily or otherwise, shall provide an adequate means (stub-out) for future fire sprinkler protection on lanais, balconies and canopies in residential occupancies.

13.3.1.7.1.1 Valves connections to water supplies, sectional control and isolation valves, and other valves in supply pipes to sprinklers and other fixed water-based fire suppression systems, other than 13D systems installed in one and two family dwellings, shall be supervised by Central station, proprietary or remote station signaling service complying with NFPA 72. Each alarm panel shall electrically monitor all fire sprinkler control valves of the fire sprinkler system it monitors. All control valves in 13D systems shall be chained and locked in the open position.

Add to Section 13.3.2.1.1 to read as follows:

Automatic fire extinguishing systems shall be provided, in accordance with appropriate NFPA Fire Sprinkler standard when required by this Code, or referenced codes and standards listed in Chapter 2; and in all new residential occupancies containing

more than four (4) living units; and when otherwise required by Collier County or the East Naples Fire Control and Rescue District..

18.3.1.1 to read as follows;

Water supply shall comply with appendix H.

~~A reduction in required fire flow of 75 percent, as approved, shall be permitted when the building is protected throughout by an approved automatic sprinkler system. The resulting fire flow shall not be less than 1000 gpm (3785 L/min).~~

Revise H.5.2.1 to read as follows:

A reduction in required fire flow of 75 percent shall be permitted when the building is protected throughout by an approved automatic sprinkler system. The resulting flow shall not be less than 1000 gpm (3785 L/min.).

Revise H.5.2.2 to read as follows:

A reduction in required fire flow of 75 percent shall be permitted when the building is protected throughout by an approved automatic sprinkler system, which utilizes quick response sprinklers throughout. The resulting fire flow shall not be less than 600 gpm (2270 L/min).

18.3.1.1 The required size of the water mains, installed for fire protection, shall be determined by hydraulic calculation based upon a current fire flow test (not more than six months old). These calculations shall extend from the location of the flow test to each fire hydrant on site and shall indicate that the minimum required fire flow determined 18.3.1.1 is available. **This section is to be used for design purposes only. Actual fire flow availability will be determined at time of building permit application.**

13.5.3.2 A single, dedicated fire sprinkler backflow assembly, may serve a maximum of two buildings.

13.7.1.4.10.2.1 All fire sprinkler systems shall be monitored by a UL listed Remote or Central station monitoring agency.

Exception No 1: One and two family dwellings protected by 13D systems.

13.7.1.4.10.2.2 All fire sprinkler systems shall activate one or more monitored audio/visual device located on the exterior of the building. The number and location of the device(s) shall be approved by the authority having jurisdiction.

Exception: Single family dwellings.

Section 2. Amendments to the Life Safety Code.

NFPA 101 Code for Safety to Life from Fire in Buildings and Structures, 2006 Edition, is amended as follows:

(B) CHAPTER 9: BUILDING SERVICE AND FIRE PROTECTION EQUIPMENT

(1) SECTION 9.6 FIRE DETECTION, ALARM, AND COMMUNICATION SYSTEMS

(I) GENERAL

9.6.2.6.1 The authority having jurisdiction may approve and shall have the authority to require listed manual fire alarm box covers or listed double action pull stations to be installed where manual fire alarm systems are susceptible to malicious false alarms.

SECTION THREE: Reserved

SECTION FOUR: Conflict and severability.

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive provisions are intended to apply. If any phrase or portion of the Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion is deemed a separate, distinct and independent provision and such holding will not affect the validity of the remaining portion.

SECTION FIVE: Effective date.

This Resolution becomes effective upon the effective date of the 2007 Florida Fire Prevention Code.

PASSED AND DULY ADOPTED by the East Naples Fire Control & Rescue Board of Fire Commissioners of Collier County, Florida, this 22 day of JULY 2008

BY: 

Thomas G. Cannon, Chairman

BY: 

Richard Gibbons, Commissioner

BY: 

Angela S. Davis, Commissioner

BY: 

Karen M. Miller, Commissioner

BY: 

Robert A. Boyer, Commissioner