

# Myakka City Fire Control District Ordinance 10-01



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# **PREAMBLE**

## **Section 1: Introduction**

An Ordinance to provide the Myakka City Fire Control 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 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 Myakka City Fire Control District shall be responsible for the enforcement of the Fire Prevention Code of Myakka City Fire Control District. To assist in the performance of the responsibilities and duties placed upon the Fire Marshal of Myakka City Fire Control District the Division of Fire Prevention, Inspection and Investigation is hereby established, to be under the control of the Fire Chief.
- 2.2** The Division of Fire Prevention, Inspection and Investigation (hereinafter referred to as the Division) within the Myakka City Fire Control District shall operate under the supervision of the Fire Marshal of the Myakka City Fire Control District. The Fire Marshal shall be responsible for the direct administration and enforcement of the Myakka City Fire Control District Fire 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 Myakka City Fire Control 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 Myakka City Fire Control 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 the Myakka City Fire Control District to investigate and recommend to the Fire Chief, such additional rules and regulations or amendments to existing rules and regulations as he may deem necessary for safeguarding life and property against fire.

**3.4** The Fire Marshal shall prepare for his/her assistant's 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 the Myakka City Fire Control District, herein after referred to as the "Code". One or more copies shall be on file in the Administrative Office of the Myakka City Fire Control District located at 26636 SR 70 E. Myakka City, FL 34251 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 3-1 of NFPA No. 1.
- 5.1.1 Approved Fire Hydrant:** An approved fire hydrant shall mean a fire hydrant connected to a Manatee County 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 Stortz 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 (A.H.J.):** The Myakka City Fire Control District through the Fire Chief or his designated State Certified Inspector.
- 5.1.3 Building Code:** The Florida Building Code as identified in Florida Statute 553.73.
- 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 NFPA or NFIPA:** The National Fire Protection Association as referenced in the Standard Building Code. NFPA or NFIPA Standard No. (\_\_\_\_) or Code No. (\_\_\_\_) shall mean the referenced code or standard as compiled and published by the National Fire Protection Association.
- 5.1.7 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 the Myakka City Fire Control District.
- 5.1.8 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.

- 5.1.9 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.
- 5.1.10 Two (2) Sided Access:** Full, clear and unobstructed access meeting the clearances as specified within Section 16, along the full length or width of two (2) accessible sides of a structure.
- 5.1.11 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.
- 5.1.12 Unit:** A room or group of rooms within a multi-family structure designed for occupation by one family only.

#### **Section 6: Recognition of Florida Fire Prevention Code**

This Code recognizes the Florida Fire Prevention Code as adopted by the State of Florida pursuant to F.S. 633.0215. The same are 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 the Myakka City Fire Control District 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, when applicable.

#### **Section 7: Recognition of Building Code**

This Code recognizes and incorporates, as fully as if set out herein, the Florida Building Code as identified in Section 5. 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.

#### **Section 8: Recognition of the Manatee County Land Development Code**

This Code recognizes and incorporates, as fully as if set out at length herein, 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.

## **Section 9: Application**

- 9.1** 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.
- 9.2** 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 Standards as referenced in Chapter 633 F.S.
- 9.3** The provisions of this Code do not apply to those buildings or structures specifically under the Uniform Standards of the State, as set forth in Chapter 633 F.S. except as provided therein.
- 9.4** 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.
- 9.5** Existing buildings that are occupied at the time of adoption of the Code may be continued in use provided:
- (1) The occupancy remains the same, and,
  - (2) No serious life safety hazard exists that would constitute an imminent threat, and,
  - (3) The building was not previously under review for Code compliance.
- 9.6** 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.
- 9.7** 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.
- 9.8** 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.

# ADMINISTRATION

## **Section 10: Authority**

- 10.1** 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.
- 10.2** This act shall be deemed an exercise of the police powers of the Myakka City Fire Control District for the preservation and protection of the public health, peace, safety, and welfare, and all the provisions of the Myakka City Fire Control District Code shall be liberally construed for that purpose.

## **Section 11: Right of Entry; Implied Consent**

- 11.1** 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.
- 11.2** The Fire Marshal 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 shall assess reasonable fees.

## **Section 12: Approval of Plans and Installations**

- 12.1** The Fire Marshal or his/her designee shall examine the submitted plans for evidence of compliance with this Code. The Fire Marshal or his/her designee may require tests or other investigations to be conducted by an agency satisfactory to the jurisdiction when an appliance, device, equipment, or system intended for installation does not specifically meet the requirements of this Code. The tests or investigations shall be based on nationally accepted test standards or principals.
- 12.2** A complete set of all plans, drawings, and specifications (including but not limited to site, building, alarm, sprinkler, standpipe, hood exhaust and suppression) shall be submitted to the Division. Failure to do so will result in the issuance of a Stop Work Order to be enforced until required material is provided.

12.3 All fire alarm, sprinkler system, hood and extinguishing system drawings shall be submitted and approved prior to commencement of any work on each respective system. Such system design criteria shall be included with full architectural plan submittal.

12.4 Shop drawings shall be submitted and approved prior to installation.

12.6 **Penalty.** See Section 30

## **FIRE PREVENTION REGULATIONS**

### **Section 13: Reporting Hazardous Conditions; Maintaining Hazard**

13.1 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.

13.2 No person shall knowingly maintain a fire hazard.

13.3 **Penalty,** see Section 30

### **Section 14: Unnecessary/False Alarms**

14.1 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 authority having jurisdiction shall cause an investigation to be made and keep a record of the number of unnecessary/false alarms on file.

14.2 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.

14.2.1 For the first through third unnecessary/false alarm, inclusive, as set forth in Section 15 of this Code, occurring in any given twelve month period, a warning shall be issued in writing;

- 14.2.2** For the fourth and fifth unnecessary/false alarms in the same twelve month period, a fee of \$100.00 shall be assessed.
- 14.2.3** For the sixth and seventh unnecessary/false alarms in the same twelve month period, a fee of \$250.00 shall be assessed.
- 14.2.4** All unnecessary/false alarms in excess of seven in one twelve month period shall be assessed a fee of \$500.00 for each alarm.
- 14.3** The fees outlined within paragraphs 14.2.1 through 14.2.4 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 14.2.
- 14.3.1** 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 15: Required Access for Fire Apparatus**

- 15.1** All premises, including existing premises, that Myakka City Fire Control District 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.
- 15.1.2** 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 to at least two (2) full and accessible sides of all commercial, professional, industrial and multi-family occupancy buildings. This access shall comply with the following, unless otherwise approved by the A.H.J:
- 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.
- 15.2** All fire and emergency access shall be constructed of an impervious surface to meet the minimum city or county roadway standards.
- 15.3** Emergency access shall be identified as to location with signage stating “Emergency Fire Access” or as required by the A.H.J.
- 15.4** 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.

## **15.5 Traffic Calming Devices:**

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

**15.5.2** 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.

## **15.6 Automatic Vehicle Access Control Gates:**

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

**15.6.2** 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.

**15.6.3** Each system shall have as a minimum for operation:

1. 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.
2. 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 2 above). The gate(s) shall remain in the fully open position until power is restored.

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

**15.6.5** 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.

**15.6.6** 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.

**15.6.7** 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.

## **15.7 Fire Lanes**

**15.7.1** Fire lanes, where required by the A.H.J., shall meet the requirements of Section 730 of the Manatee County Land Development Code (as adopted July 25, 1990 and in accordance with Manatee County Ordinance 91-23) and NFPA 1. Where the Manatee County Land Development Code and NFPA 1 address identical issues, the more stringent fire protection feature shall apply.

**16.7.2** Penalty: Section 30

## **Section 16: Key Box and Lock Systems**

**16.1** 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 Division.

**16.1.1** Installation height of key box shall be maximum of six (6) feet or as approved by the Authority Having Jurisdiction.

**16.1.2** New buildings requiring a key box shall have a recessed style box installed, unless otherwise approved by the authority having jurisdiction.

**16.2** 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 16.4 of this Code.

**16.2.1** 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.

**16.2.2** A pad lock keyed to the district in which it is installed shall be provided in order to facilitate access to the building or complex.

**16.2.3** Penalty, see Section 30

### **Section 17: Storage on Roofs, Fire Escapes, Porches, Breezeways and Balconies**

- 17.1** 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.
- 17.2** No person shall place or maintain gas or propane cylinders on porches, breezeways or balconies or attached garages in multistory buildings.
- 17.3** Penalty, see Section 30

### **Section 18: Dumpster Location**

- 18.1** All dumpsters shall be installed, spaced, placed and protected in accordance with Section 728 of the Manatee County Land Development Code.
- 18.2** For the purposes of this Code, any bulk combustibles shall be treated the same as dumpsters with regards to the minimum spacing requirements.
- 18.3** Penalty, see Section 30

### **Section 19: Festival Seating**

- 19.1** Festival seating as defined in the current edition of the Life Safety Code shall be prohibited in any building.
- 19.2** Penalty, see Section 30

### **Section 20: Marking of Occupancies for Emergency Use**

- 20.1** Addressing numbers shall comply with Section 742 of the Manatee County Land Development Code, as specified in Section 8 of this Code.
  - 20.1.1** Additional address numbering may be required by the AHJ in order to facilitate locating of a property from other than the primary means of access.
- 20.2** All numbers and letters shall be non-script.
- 20.3** All numbers and letters shall be of a contrasting color to their background.
- 20.4** Penalty, see Section 30

## **Section 21: Fire Alarm System Requirements**

### **21.1 General Requirements**

**21.1.1** 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 with six (6) feet of the primary entrance.
- (4) 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 authority having jurisdiction.
- (5) 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.
- (6) Buildings which are not required to have a fire alarm system but are installed as an equivalency shall have full area detection

### **21.2 Fire Alarm Requirements per Florida State Fire Marshal's Rules.**

**21.2.1** Fire alarm requirements for the occupancies and/or sub occupancies listed below shall be as specified within the Florida State Fire Marshal's Rules (also known as Florida Administrative Code 69A Rules) in addition to any/all requirements of NFPA 1, and NFPA 101.

1. Child Care Facilities
2. Residential Facilities for Individuals with Developmental Disabilities
3. Assisted Living Facilities
4. Residential Child Care Facilities
5. Residential Alcohol and Drug Abuse Treatment and Prevention Programs, Mental Health Residential Treatment Facilities and Crisis Stabilization Units
6. Hospitals and Nursing Homes
7. Correctional Facilities
8. Public Food Service Establishments
9. Migrant Labor Camps
10. Adult Family Care Homes

## **Section 22: Fire Sprinkler Systems**

### **22.1 General Requirements.**

**22.1.1** Approved fire sprinkler 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.

**22.2** 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 Myakka City Fire Control 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.

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

**22.4** 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.

### **22.5 Fire Sprinkler Requirements in Accordance With Florida State Fire Marshal Rules.**

**22.5.1** Fire sprinkler requirements for the occupancies and/or sub occupancies listed below shall be as specified within the Florida State Fire Marshal's Rules (also known as Florida Administrative Code, Chapter 69A) in addition to any/all requirements of NFPA 1, and NFPA 101.

1. Child Care Facilities
2. Residential Facilities for Individuals with Developmental Disabilities
3. Assisted Living Facilities
4. Residential Child Care Facilities
5. Residential Alcohol and Drug Abuse Treatment and Prevention Programs, Mental Health Residential Treatment Facilities and Crisis Stabilization Units
6. Hospitals and Nursing Homes
7. Correctional Facilities
8. Public Food Service Establishments
9. Migrant Labor Camps
10. Adult Family Care Homes

## **22.6 Scheduled Sprinkler System Impairments**

**22.6.1** The requirements of appropriate changes of the current edition of NFPA 25 shall apply to fire sprinkler system impairments

**22.6.2** 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

**22.6.2.1** 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.

**22.6.2.2** This shall allow the building owner, agent, contractor or other responsible parties to notify the AHJ of all arrangements to ensure life safety is upheld.

**Table 1**

<b>Occupancy Classification</b>	<b>Fire Alarm and Fire Sprinkler Systems required under the following conditions:</b>	<b>Initiation of Fire Alarm Systems required as follows:</b>	<b>Annunciation and Monitoring of Fire Alarm Systems</b>
Assembly	5,000 square feet or more or 2 stories or more. See sections 12.3.4 and 13.3.4 of NFPA 101 (2006 edition)	Manual pull stations at the primary exit and not to exceed 200 foot travel distance; Flow switch	As outlined in NFPA 101 (2006 edition)
Educational	2 stories or more or as outlined in <u>NFPA 101 (2006 edition)</u>	As outlined in NFPA 101 (2006 edition)	As outlined in NFPA 101 (2006 edition)
Residential	12 residential units or more or 3 stories or more. *	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	As outlined in NFPA 101 (2006 edition)
Mercantile	10,000 square feet or more or 2 stories or more	Manual pull stations; 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 (2006 edition)
Business	15,000 square feet or more or 2 stories and 10,000 square feet or more	Manual pull stations; Flow switch	As outlined in NFPA 101 (2006 edition)
Industrial	10,000 square feet or more or 2 stories or more	Manual Pull Stations; Flow Switch and or Suppression Systems; area type Smoke Detection in all areas of air conditioned controlled space.	As outlined in NFPA 101 (2006 edition)
Storage	10,000 square feet or more or 2 stories or more	Manual Pull Stations; Flow Switch	As outlined in NFPA 101 (2006 edition)
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.

### **Section 23: Standpipes Required**

- 23.1** Buildings more than three 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 2½ inch valved fire department hose connections at each floor level, of Type III installation in accordance with NFPA 14.
- 23.2** All 2½ inch valved fire department hose connections with or without hoses, at the discretion of the authority having jurisdiction, 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 A.H.J.
- 23.3** Standpipes shall be provided as a supply with individual 2½ inch or five (5) inch Storz fire department connections as required by the A.H.J. These connections shall bypass any fire pump.

### **Section 24: Fire Protection Water Supply.**

- 24.1** 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.
- 24.2** Fire hydrants shall be installed in all new developments which meet any of the following criteria:
- (1) When, in the opinion of the authority having jurisdiction, access to or distance from public fire hydrants would hamper or impair firefighting operations.
- 24.2** 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 25: Cease and Desist Order or Stop Work Order**

- 25.1** 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 authority having jurisdiction 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.
- 25.2** If it is determined by the authority having jurisdiction that a violation specified in this subsection exists, the authority having jurisdiction 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 (2), a violation of any provision of this section, of any rule adopted pursuant thereto, of any applicable uniform fire safety standard adopted pursuant to s. 633.022 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 pursuant to s. 633.025 which is not reasonably addressed by any alternative requirement imposed at the local level, or an unreasonable interpretation of an applicable minimum fire safety standard, and which violation or interpretation clearly constitutes a danger to life safety.
- (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.

**25.3** If, during the conduct of a fire safety inspection authorized by FS. 633.081 and 633.085, it is determined that a violation described in this section exists which poses an immediate danger to the public health, safety, or welfare, the authority having jurisdiction may issue an order to vacate the building in question, which order shall be immediately effective and shall be an immediate final order.

**25.4** The authority having jurisdiction may seek an injunction in the circuit court of Manatee County to enforce an order issued pursuant to this subsection.

**25.5** Penalty, see Section 30

## **Section 26: Board of Appeals**

Whenever any person, firm or corporation is of the opinion that they have been aggrieved, pursuant to NFPA 1 Section 1-7.6.1, they may seek relief from such decision(s) as interpreted by the Fire Marshal from the Manatee County Fire Marshal Appeals Board as established by Chapter 85-461 FS, and Section 1-10 of the Manatee County Code of Ordinances.

## **Section 27: Fuel Oil, Kerosene or Wood Burning Heating or Fuel Oil, Kerosene or Wood Burning Cooking Appliances Prohibited**

**27.1** It shall be unlawful for any person to use, or operate within any building or structure located within the jurisdiction of Myakka City Fire Control District:

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

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

27.2 Penalty: see Section 30

### **Section 28: Certificate of Inspection**

28.1 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 authority having jurisdiction.

28.2 Penalty: see Section 30

### **Section 29: Radio Communications**

29.1 In all new buildings and structures minimum radio signal strength for fire department communications shall be maintained at a level acceptable to the AHJ. This shall be 800mhz frequency or as determined by the AHJ.

### **Section 30: Penalty**

30.1 Any person who shall violate any of the provisions of this Code or the National Fire Codes, as adopted by the Myakka City Fire Control 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 authority having jurisdiction 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 as set by the Manatee County Fire Code Enforcement Board, as established by Chapter 85-461, F. S., of not more than \$250.00 a day with each day of the violation constituting a separate offense.

30.2 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 31: Rural Water Supply**

- 31.1** In all developments, the adequacy of fire protection services, water capacity, hydrant locations, fire lanes, and maneuvering areas are subject to the approval for the Fire Marshal with the requirements set forth herein determined as a minimum provision.
- 31.2** All dry hydrants shall be installed in accordance with the requirements of NFPA Standard 1142 as referenced in the Florida Fire Prevention Code.
- 31.3** Dry hydrants shall be installed in all new developments which meet any of the following criteria:
- (1) All developments which can not 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.
- 31.4** Approved Fire Hydrant: An approved fire hydrant under this section shall mean a fire hydrant connected to a 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 hydrants connections shall have one (1) 4 ½ inch hose connection. All hydrant installations shall be approved by Myakka City Fire Control District as pertaining to the availability of water capacity, volume and reliability of water service.
- 31.5** 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 Myakka City Fire Control District to the use of such supply both on and off the 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.
- 31.6** 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 3000 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 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 MCFD to the use of such supply both on and off the premises.

- (2) Elevated gravity tanks shall be installed in accordance with NFPA 22 and shall have a capacity of not less than 3000 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 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 Myakka City Fire Control District to the use of such supply both on and off the premises.

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# MYAKKA CITY FIRE CONTROL DISTRICT

## ORDINANCE 10-01

### Fire Prevention Code

Whereas, the Myakka City Fire Control District is a tax supported special purpose district authorized under provisions of Florida Statute Chapter 191 and Manatee County Ordinance and is empowered by the Florida Legislature and Manatee County special powers; and,

Whereas, the Board of Fire Commissioners held a properly advertised public hearings on August 23rd and October 4th, 2007; and,

Whereas, the provisions of Chapter 191 provides that the Board of Fire Commissioners may exercise the power to have public education conducted to promote awareness of methods to prevent fire and reduce loss of life and property from fires and other public safety concerns; and,

Whereas, the provisions of Chapter 191 provides that the Board of Fire Commissioners may exercise the power to adopt and enforce fire safety standards and codes and enforce the rules of the State Fire Marshal; and,

Whereas, the provisions of Chapter 191 provides that the Board of Fire Commissioners may exercise the power to have an arson investigations and cause and origin investigations conducted.

Therefore be it witnessed the second reading of Ordinance 10-01 of the Myakka City Fire Control District, a uniform Fire Prevention Code of Manatee County establishing the Bureau of Fire Prevention and Inspection, establishing rules and regulations for fire prevention and safety, providing a penalty for failure to comply with said regulations, repealing Ordinance 07-03, and providing for an effective date of January 2, 2011.

ADOPTED THIS 4<sup>TH</sup> DAY OF OCTOBER, 2010 IN A SPECIAL MEETING OF THE BOARD OF FIRE COMMISSIONERS OF THE MYAKKA CITY FIRE DISTRICT.

  
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CHARLEY MATSON, COMMISSIONER

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ROB HENDRICKSON, COMMISSIONER

  
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CAMERON DAKIN, COMMISSIONER

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RICK RICHARDS, COMMISSIONER

  
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DAWN PARKER, COMMISSIONER