

**PROPOSAL TO THE 7<sup>th</sup> EDITION OF FLORIDA FIRE PREVENTION CODE**

**PART I**

**TRANSMIT TO:**

Division of State Fire Marshal  
Casia Sinco  
200 E. Gaines Street  
Tallahassee, FL 32399-0342

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<b>DSFM USE ONLY</b>
Log # <u>7-3 (Amended)</u>
Date Rec'd <u>6/17/19</u>

NOTE: If you need further information on this process, please contact the Fire Prevention Bureau at 850/413-3619.

Please review the evaluation criteria (Part II) and Fiscal Impact Statement before completing this proposal. A separate submittal is required for each proposed amendment.

Type or print legibly in black ink.

Date 6/12/19 Proponent: Cheryl Edwards Tel. No. (863)834-8261

E-Mail cheryl.edwards@lakelandgov.net

Company Lakeland Fire Department

Street Address 701 E. Main Street

City Lakeland State FL Zip 33801

Organization Represented (if any) \_\_\_\_\_

Local Ordinance No. \_\_\_\_\_ Jurisdiction \_\_\_\_\_ Section/Paragraph \_\_\_\_\_

NFPA Standard No. and edition year NFPA 1, 2018 edition Section/Paragraph 1.10

Indicate One (Designate by "X" at the end of the line):

- 1.  Revise section to read:
- 2.  Add new section to read:
- 3.  Delete section without substitution:
- 4.  Delete section and substitute the following:

Proposal (underline proposed new wording or strike-through the wording to be deleted):

See attachment.

Statement of Problem and Substantiation for Proposal (Note: State the problem that will be resolved by your recommendation; give the specific reason for your comment including copies of tests, research papers, fire experience, etc. If more than 200 words provide an abstract and describe the source document.) (Must be filled in to be considered):

Per NFPA 1:1.10.1 a Board of Appeals is to be established to rule on matters relating to the fire code and its enforcement. Many jurisdictions have not established a board and rely on an informal process, thus, are not actually adhering to the code. While having an appeals process is important and necessary, there should be options on how to meet the requirement. Establishing and maintaining a Board of Appeals can be labor and time intensive, causing a hardship for smaller departments. Allowing for options on how to best deal with appeals will allow jurisdictions to customize the process to meet the communities needs.

Cheryl Edwards  
Signature (Required)

Cheryl Edwards  
Printed Name

**To be considered, proposals must be received by July 1, 2019**

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## PART II

<b>FLORIDA FIRE PREVENTION CODE</b>	<b>EVALUATION CRITERIA</b>
	<b>LOG NUMBER</b>

The base codes for the Florida Fire Prevention Code shall be NFPA-1, 2018 and NFPA-101, 2018

IMPACT (select one)	STATEWIDE: <input checked="" type="checkbox"/>	COUNTY:	CITY:
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Describe the geographical area of impact: All of the jurisdictions within the State would be impacted by this change, but it would be a positive impact.

1. The proposal shall identify the code section or local ordinance to be modified.
2. The proposal (Part I and Part II) along with Financial Impact Statement may be submitted electronically; however, a hard copy is required as follow-up.

Submit this evaluation with each proposed amendment.

1. How does the proposal strengthen the base code to enhance safety in Florida?

The proposal allows jurisdictions to establish an appeal process that meets the needs of the community.

2. Is the proposal easy to understand and how does it contribute to a user-friendly code?

Yes, allows for options in establishing an appeals process so jurisdictions can meet the needs of the community.

3. Document the proposal's technical merit and how it is supported by a scientific basis?

NA

4. Describe how will the proposal be enforceable?

Many more jurisdictions will be able to meet this requirement of the Code. Jurisdictions could be required to list the appeals process in ordinances, on websites, etc.

5. How does the proposal affect Florida's diverse conditions such as climate, construction and population?

By allowing for options, this will allow jurisdictions to meet the needs of the community. By allowing for more informal processes, the appeal can move more quickly to a resolution.

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## Fiscal Impact Statement

Provide the estimated cost of the proposed amendment to the Florida Fire Prevention Code for each of the following questions. Cost data should be accompanied by a list of assumptions and support documentation.

1. Will the proposed amendment have an impact on the local entity relative to the implementation and enforcement of the proposed amendment?

None

Minimal, Provide a brief explanation:

Other, Provide an explanation for estimate and methodology used:

2. Will the proposed amendment have an impact on the business/property owner relative to the cost of compliance with the proposed amendment?

None

Minimal, Provide a brief explanation:

Other, Provide an explanation for estimate and methodology used:

3. Will the proposed amendment have an impact on small counties or small cities?

*(A "small city" is defined by section 120.52, F.S., as any municipality that has an un-incarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by section 120.52, F.S., as any county that has an un-incarcerated population of 75,000 or less according to the most recent decennial census.)*

No adverse impact on small cities or small counties

Minimal, Provide a brief explanation:

Other, Provide an explanation for estimate and methodology used:

### Provide a good faith estimate of the number and types of affected persons/entities:

- (1) The number of individuals and entities likely to be required to comply with the rule: All - currently have to, just do not.
- (2) A general description of the types of individuals likely to be affected by the rule: Easier for smaller jurisdictions to comply.

1.10.1 Establishment of Fire Code ~~Board of Appeals Process~~. ~~A Board of Appeals method of appeals shall be established to rule on matters relating to the fire code and its enforcement. If a Fire Code Board of Appeals is formed as method of appeal, the Fire Code Board of Appeals shall comply with sections 1.10.1.1 through 1.11.2.~~

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~~A.1.10.1 The method of appeal may be a simple process, such as appealing to the person in the jurisdiction authorized to enforce the laws and rules of the State Fire Marshal under Florida Statute 633.118, or as complex as a local Fire Code Board of Appeals.~~