

ORDINANCE NO. 1223

AN ORDINANCE OF THE CITY OF MAITLAND, FLORIDA RELATING TO FIRE PREVENTION AND AMENDING THE MAITLAND CITY CODE; IMPLEMENTING THE FLORIDA FIRE PREVENTION CODE; ADOPTING THE FLORIDA FIRE PREVENTION CODE BY REFERENCE AND REFERENCED PROVISION OF NATIONALLY RECOGNIZED CODES; PROVIDING FOR THE GENERAL REGULATION OF FIRE PREVENTION ACTIVITIES WITHIN THE CITY OF MAITLAND; READOPTING LOCAL TECHNICAL AMENDMENTS AS PRESCRIBED BY FLORIDA STATUTE; PROVIDING FOR ADDITIONAL REPORTING REQUIREMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 1998 the Florida Legislature passed enabling legislation creating the Florida Fire Prevention Code; and

WHEREAS, the enabling legislation and Florida Statutes require the State Fire Marshal to adopt a new edition of the Florida Fire Prevention Code every third year; and

WHEREAS, the new edition of the Florida Fire Prevention Code becomes effective throughout the State of Florida on January 1, 2012; and

WHEREAS, the enforcement of the Florida Fire Prevention Code is the responsibility of local governments; and

WHEREAS, any local amendment to the Florida Fire Prevention Code adopted by a local government shall be readopted on a tri-annual basis in conjunction with the new edition of the Florida Fire Prevention Code; and

WHEREAS, the City of Maitland actively participates in the enforcement of fire safety regulations for the benefit of the public safety of its citizens; and

WHEREAS, the City of Maitland desires to maintain the local fire sprinkler and standpipe system requirements to provide for the safety and protection of our Citizens and their property;

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Maitland, Florida, as follows:

SECTION 1. Article II, "Fire Prevention and Protection Systems" of Chapter 6 of the Code of Ordinances of the City of Maitland is amended to read as follows (note: underlined words constitute the additions to the existing text of the *Fire Protection and Prevention Code*, ~~strikethroughs~~ constitute deletions to the existing text of the *Fire Protection and Prevention Code*, and asterisks (***) indicate a deletion from the existing text of the *Fire Protection and Prevention Code*, which is intended to remain unchanged):

ARTICLE II.

FIRE PREVENTION AND FIRE PROTECTION SYSTEMS

Sec. 6-14. Codes and Standards.

The Florida Fire Prevention Code, 2010 Edition is hereby recognized and incorporated by reference by the Maitland City Council for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion.

Those nationally recognized Codes and Standards as referenced and listed in 69A-60.005(2), Chapter 2, NFPA 1, 2009 edition and Chapter 2, NFPA 101, 2009 edition, shall also be recognized and incorporated as part of the Maitland Code.

Sec. 6-15 Additions and Amendments to the Codes and Standards

The identified sections of NFPA 1 as adopted in the Florida Fire Prevention Code, 2010 Edition and the Codes and Standards as reference in Chapter 2, NFPA 1 and/or Chapter 2, NFPA 101 as herein added, amended, or deleted as follows:

Sec. 6-16. Local Amendments to Florida Fire Prevention Code (NFPA 1).

(d) All access control gates, both new and existing, shall be continuously maintained in proper operating condition at all times. Power operated gates shall be inspected by a competent authority familiar with their operations at least once annually. Documentation of this inspection shall be kept by the property owner, property management, or a responsible party and a copy of the inspection report shall be forwarded to the Department via US mail, fax or e-mail within 30 days of the completion of the gate inspection.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. If any section, subsection, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity portion thereto.

SECTION 4. This ordinance shall become effective January 1, 2012.


ADOPTED by the City Council of the City of Maitland, Florida, this 12th day of December, 2011.

CITY OF MAITLAND, FLORIDA



MAYOR

ATTEST:



CITY CLERK

Sec. 6-16. Local Amendments to NFPA 1.

(h) 13.2.2.2 is amended to read: New buildings shall be equipped with a Class III standpipe system installed in accordance with the provisions of this section and NFPA 14, *Standard for the Installation of Standpipe, Private Hydrant, and Hose Systems*, where any of the following conditions exist:

- (1) More than two stories above grade.
- (2) More than 50 ft. (15 m) above grade and containing intermediate stories or balconies
- (3) More than one story below grade
- (4) More than 20 ft (6.1 m) below grade
- (5) All new parking garages

Exception: Multi-family dwelling buildings with exterior egress arrangements and/or townhouse style buildings shall be exempt from the requirements of this subsection.

(i) Automatic sprinklers shall be installed and maintained in full operating condition in the occupancies specified in this Code, Sec. 6-16 of the Maitland City Code of Ordinances, or in the codes or standards referenced in Chapter 2.

(j) All new commercial buildings three (3,000) thousand or more gross square feet in area shall be protected throughout by an approved automatic sprinkler system. Fire sprinkler systems required to be installed per Maitland City Code shall be electrically monitored through a supervising station fire alarm system. The required fire alarm systems supervising station agency shall be listed by a nationally recognized testing organization.

Exception: The provisions of this Code Section shall not apply to facilities which, in the opinion of the authority having jurisdiction, house occupancies or operations where the application of water as the extinguishing agent would increase rather than decrease the hazard to life or property. The authority having jurisdiction shall approve the type of protective system proposed for installation as an alternative to fire sprinkler protection.

Exception: Parking garages that meet the definition and criteria of "Open Parking Garage" as contained in the Florida Building Code, current edition, shall be exempt from the requirements of this subsection.

(k) All existing commercial buildings which were lawful before the effective date of this ordinance and that are of three thousand (3,000) or more gross square feet in area shall be permitted to continue in use as a nonconforming structure subject to the requirements of this section provided the following conditions are met:

1. For buildings less than 3,000 square feet, its nonconformity is not extended in size to greater than 3,000 square feet;
2. For buildings greater than 3,000 square feet, its non conformity is not extended at all;
3. It maintains its occupancy classification as defined by the Florida Fire Prevention Code adopted herein by reference, and

4. No interior repair, renovation, modification, reconstruction, refinishing, or replacement consisting of a dollar value equal to or greater than fifty (50) percent of the current assessed property value as assessed by the Orange County tax assessor's office. For the purpose of this section, to renovate, refinish or replace shall not mean initiatives solely intended to be of a cosmetic, aesthetic, ornamental or decorative nature.

Fire sprinkler systems required to be installed per Maitland City Code shall be electrically monitored through a supervising station fire alarm system. The required fire alarm systems supervising station agency shall be listed by a nationally recognized testing organization.

(1) Conversions of residential structures to commercial occupancy uses when such conversion is a facility of three thousand (3,000) or more gross square feet shall be protected throughout by an approved automatic sprinkler system. Fire sprinkler systems required to be installed per Maitland City Code shall be electrically monitored through a supervising station fire alarm system. The required fire alarm systems supervising station agency shall be listed by a nationally recognized testing organization.