

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANFORD, FLORIDA AMENDING CHAPTER 9 OF THE CITY CODE PERTAINING TO FIRE PREVENTION AND SAFETY BY ADOPTING LOCAL AMENDMENTS TO THE FLORIDA FIRE PREVENTION CODE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR RATIFICATION OF ACTIONS; PROVIDING FOR PLANS REVIEW, INSPECTION, FALSE ALARM AND PERMIT FEES AS ESTABLISHED BY THE CITY COMMISSION; PROVIDING FOR REGULATION OF AUTOMATIC SPRINKLER SYSTEMS IN AIRCRAFT ROW HANGERS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, CONFLICTS, AND EFFECTIVE DATE.

WHEREAS, the City of Sanford, Florida provides fire protection and prevention services to the citizens; and

WHEREAS, the City of Sanford, Florida recognizes the need to provide a minimum level of safety and building protection within structures; and

WHEREAS, Emergency Ordinance Number 3776 was enacted by the City Commission on February 24, 2003; and

WHEREAS, the provisions of Ordinance Number 3691 were intended to become effective on January 2, 2002, but the Ordinance was inadvertently written otherwise.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF SANFORD, FLORIDA:

SECTION 1. LEGISLATIVE FINDINGS/INTENT. The above recitals (whereas clauses) are adopted as the intent and findings of the City Commission.

SECTION 2. APPLICABILITY/RATIFICATIONS OF ACTS. It is hereby determined by the City Commission that the requirements herein set forth apply to all pertinent actions since January 2, 2002 and the City hereby ratifies all administrative actions since January 2, 2002 which were taken in implementation of the provisions of Ordinance Number 3691. Additionally, the City Commission hereby ratifies its action in enacting Emergency

Ordinance Number 3776.

SECTION 3. CHAPTER 9 (FIRE PREVENTION). That Chapter 9 of the “City Code of the City of Sanford, Florida” is hereby amended to read as follows:

ARTICLE I. IN GENERAL

Sec. 9-1. Purpose - Adopting and amending chapter 9, fire prevention and safety codes.

(a) This chapters shall provide the City of Sanford with rules and regulations to improve public safety by promoting the control of fire hazards; regulating the installation, use and maintenance of equipment; regulating the use of structures, premises and open areas; providing for the abatement of fire hazards; establishing the responsibilities and procedures for code enforcement; and setting forth the standards for compliance and achievement of these objectives.

(b) This chapter shall be known as the Sanford Fire Prevention and Safety Code. This Code adopts, the Florida Fire Prevention Code, 2001 Edition, save and except those portions such as are hereinafter deleted, modified, or amended by Article IV of this chapter. The same are hereby adopted and incorporated as fully as if set out at length herein. One copy of said code shall be filed in the office of the building official fire marshal as a matter of permanent record and the matters and contents therein are made a part of this chapter by reference as fully and completely as if set forth herein.

(c) This chapter shall adopt and enforce the codes specified in Florida Statutes, Section 633.025, and shall recognize them as minimum fire safety standards as set forth by the Florida Legislature.

(d) This chapter shall amend, included or supersede all codes and ordinances currently contained and set forth in Chapter 9, Fire Prevention and Protection, of the Sanford City Code.
(Ord. No. 3214, § 2, 6-13-94)

Sec. 9-2. Violation of Code.

It shall be unlawful for any person to violate this code, to permit or maintain any violation of this code, to refuse to obey any provision thereof, or to fail or refuse to comply with any such provision or regulation except as may be allowed by the action of the fire official in writing. Proof of such unlawful act or failure to correct such violations shall be deemed prima facie

evidence that such act is that of the owner or other person in control of the premises. Prosecution or lack thereof of either the owner, occupant, or the person in charge shall not be deemed to relieve any other person.
(Ord. No. 3214, § 2, 6-13-94)

Sec. 9-3. Enforcement; division of fire prevention.

(a) The fire prevention and safety code shall be enforced by the fire prevention division of the Sanford Fire Department and shall be administered under the direct supervision of the fire marshal, who shall be so designated by the fire chief.

(b) The fire marshal shall be appointed on the basis of examination or by any method so designated by the fire chief to determine qualifications. The fire chief shall also designate fire safety inspectors/investigators as shall be necessary to assist in the enforcement of the fire prevention and safety code and to investigate suspicious fires. Such inspectors shall be selected through an examination or by any other method so designated by the fire chief to determine qualifications.
(Ord. No. 3214, § 2, 6-13-94)

Sec. 9-4. Duties of the fire prevention division.

It shall be the duty of the fire prevention division to enforce laws and ordinances of the City of Sanford, including but not limited to those standards and codes adopted and listed in section 9-1 of this ordinance, and to perform the following:

- (a) The prevention of fires;
- (b) The prevention of hazardous or unsafe conditions;
- (c) The investigation of the cause, origin, and circumstances of any fire occurring within the city limits;
- (d) The criminal investigation of any suspicious fire occurring within the city limits;
- (e) The promotion of fire safety awareness and education.

The fire prevention division shall have other powers and perform other duties as set forth in other sections of this chapter, as well as other duties imposed by law. The fire chief may delegate any powers or duties under this chapter to the fire marshal.
(Ord. No. 3214, § 2, 6-13-94)

Sec. 9-5. Investigation of fires.

The fire prevention division shall investigate the cause, origin and circumstances of every fire occurring within the city limits of Sanford, by which property has been destroyed or damaged and, so far as possible, shall determine whether the fire was the result of carelessness or design and/or of a suspicious or criminal nature.
(Ord. No. 3214, § 2, 6-13-94)

Sec. 9-6. Record keeping.

The fire prevention division shall maintain records of all fires and all of the facts surrounding each fire occurring within the City of Sanford.
(Ord. No. 3214, § 2, 6-13-94)

Sec. 9-7. Periodic inspections.

The fire prevention division shall inspect, or cause to be inspected all commercial premises located within the city limits. These inspections shall be done on an annual basis and whenever the division is made aware of hazardous or unsafe conditions within such buildings. These inspections are necessary for the enforcement of laws and ordinances as may be listed within this chapter and for the safeguarding of life and property from fire.
(Ord. No. 3214, § 2, 6-13-94)

Cross reference - Right of entry of city officers and employees, § 1-11.

Sec. 9-8. Compliance with codes; service of warnings or orders.

Whenever any inspector or member of the fire prevention division shall find in any building, or upon any premise within the city limits, any condition deemed to be in violation of the codes and ordinances listed herein, or any condition deemed to be unsafe or hazardous which may be considered a threat to life or property, said inspector shall order the occupant or owner of said building or premise to remove or correct such violations or hazards and such orders shall be complied with immediately or within a reasonable time period as specified by said inspector.

The service of such order may be made upon the owner or occupant of any building or premise found to be in violation and may be either verbal or written. If a written warning or citation is issued, it may be delivered personally to the owner or occupant or to any person in charge of the building or premise, or a copy of the order or warning may be affixed in a conspicuous

place as close to the entrance as possible. If any inspector is unable to personally serve the owner or occupant found to be in violation, a copy of the warning or citation may be sent by certified mail to said person.

Any owner or occupant failing to comply with such an order or with any of the provisions of the Sanford Fire Prevention and Safety Code shall be subject to the penalties as provided herein.
(Ord. No. 3214, § 2, 6-13-94)

Sec. 9-9. Penalties.

Any person who shall violate any of the provisions of the Sanford Fire Prevention and Safety Code or who shall fail to comply with any orders issued therewith; or shall build in violation of any details, statements, 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 fire marshal or by a court of competent jurisdiction within the time period specified herein, shall severally for each and every violation and noncompliance, respectively, be subject to the penalties set forth in Section 125.69, Florida Statutes. The imposition of a penalty for violations shall not excuse the violation nor shall the violation be permitted to continue, and all such person cited shall be required to correct or bring into compliance such violations within a reasonable time period. When not otherwise specified, for each ten (10) days that prohibited violations are permitted to continue thereafter, a separate offense shall be considered to have been committed.

The provisions of Sanford City Ordinance 3098 (sections 18-80 - 18-91 of the Sanford Code of Ordinances) may also be used for enforcement of any violation of the Florida Fire Prevention Code.
(Ord. No. 3214, § 2, 6-13-94)

ARTICLE II. PLANS REVIEW, INSPECTION, FALSE ALARM, AND PERMIT FEES

Sect. 9-10. Inspection and false alarm fees.

The fire chief or his designees shall charge the fees as established in a resolution adopted by the City Commission, which shall be paid prior to any permit being issued or inspection being performed.

ARTICLE III. AUTOMATIC FIRE SPRINKLER SYSTEMS

Sec. 9-11. Requirements.

Automatic fire sprinklers shall be required through the city as follows:

- (1) Throughout every building where combustible materials are used, manufactured, stored, or sold if:

Of Type I (fire resistive) construction as defined by the Florida Building Code:

1. Total area of all floors exceeds twelve thousand (12,000) square feet; or
2. More than one (2) stories in height and the total area of all floors exceeds ten thousand (10,000) square feet; or
3. More than three (3) stories in height regardless of floor area.

- (b) Of less than Type I construction; and

1. Total area of all floors exceeds eight thousand (8,000) square feet; or
2. More than one (1) story in height and the total area of all floors exceeds ten thousand (10,000) square feet; or
3. More than three (3) stories in height regardless of floor area.

- (2) Throughout every public garage, excluding parking ramps, if:

- (a) Of Type I construction and total floor area exceeds ten thousand (10,000) square feet.
- (b) Of less than Type I construction and total floor area exceeds six thousand (6,000) square feet.

- (3) Throughout every hotel, motel, condominium, townhouse, apartment house and dormitory, if:

- (a) Of Type 1 (fire resistive) construction as defined by the Florida Building Code and more than four (4) stories in height.
- (b) Of less than Type 1 (fire resistive) construction and more than three (3) stories in height.
- (c) Of less than Type V (ordinary) construction as defined by the Florida Building Code and more than two (2) stories in height.

- (4) Throughout bowling alleys and restaurants of total floor {area} exceeding six thousand (6,000) square feet.
- (5) Throughout all buildings occupied or used as places of public assembly having a stage arranged for theatrical, operatic, or similar performances, excepting only the auditorium foyers, lobbies and the immediate vicinity of automatic stage ventilators, if the building is less than Type II construction as defined by the Florida Building Code, and regardless of the type of construction or whether there is a stage, if the place of public assembly is located above the first floor.
- (6) In the basements, kitchens, shops and other spaces where combustible materials are stored or handled, of schools, public buildings, hospitals, and institutional buildings when such buildings are over two (2) stories in height or the total floor area exceeds ten thousand (10,000) square feet.
- (7) All buildings over seventy-five (75) feet in height.
- (8) All buildings in excess of twenty thousand (20,000) square feet regardless of location or type construction.
- (9) Group H (hazardous) occupancy throughout entire building except where the application of water may constitute a life hazard or increase the severity of a fire.
- (10) Aircraft row hangers shall comply with NFPA 409, Standard on Aircraft Hangers, not the requirements of Article III.

The requirements above shall be considered cumulative and in addition to the requirements of the Florida Fire Prevention Code and the Florida Building Code. In case of conflict discrepancy between Codes, the more stringent requirements shall apply.
(Ord. No. 3214, § 2, 6-13-94)

ARTICLE IV. AMENDMENTS TO THE FLORIDA FIRE PREVENTION CODE

Sec. 9-12. Amendments to the Florida fire prevention code.

NFPA 1, of The Florida Fire Prevention Code of the National Fire Protection Association is amended and changed in the following respects:

Article III of this chapter is the local amendment to Sections 7-3.2.3 through

7-3.2.19 of NFPA 1 and the appropriate sections of NFPA 101 referenced therein.

1. Required access for fire apparatus.

All premises which the fire department may be called upon to protect in case of fire and which are not readily accessible from public roads shall be provided with suitable gates, access roads, and or fire lanes so that all buildings on the premises are accessible to fire apparatus. Fire apparatus access roads shall be at least twenty (20) feet in width, and of stabilized material. The road edge closest to the building shall be at least ten (10) feet from the building. Any dead end road more than three hundred (300) feet long shall be provided with a turn around at the closed end at least ninety (90) feet in diameter.

It shall be unlawful for any person to park motor vehicles on, or otherwise obstruct fire apparatus access roads.

2. Fire Lane Pavement Striping and Signage Standards.

Buildings and sites which are required to include fire lanes shall comply with the following standards:

- (a) Pavement Striping: Fire lane pavement striping shall be yellow and painted of thermoplastic or an equivalent substitute. The perimeter of the striping shall begin at the curb and extend to a width of eight (8) feet parallel to the curb. The perimeter lines and required striping within the perimeter shall be four (4) inches wide with a ten (10) inch space between stripes. The stripes shall not be painted over or under the painted words required below.
- (b) Painted Letters on Pavement: The words "FIRE LANE - NO PARKING" shall be painted within the perimeter of the fire lane striping. The stroke of each letter shall be four (4) inches wide and shall be painted in yellow thermoplastic or an equivalent substitute. Each repeated phrase shall be painted not more than one hundred (100) feet apart.
- (c) Signs: Fire lane signs shall be installed not more than one hundred (100) feet apart and shall contain the words "FIRE LANE - NO PARKING". The background and lettering of signs shall have a high intensity reflective facing.
- (d) Relationship of Pavement Lettering and Sign Locations: Pavement lettering and signs shall be staggered in location so that each are not

more than fifty (50) feet apart.

- (e) Curb Painting: All curb facing shall be painted yellow for the entire length of the fire lane using a thermoplastic material or an equivalent substitute.

It shall be unlawful for any person to park motor vehicles on or otherwise obstruct any fire lane.

~~3.~~ Monitoring Required.

All buildings constructed within the city which are required to be provided with an automatic fire sprinkler system shall be monitored by a central station installed to the specifications of NFPA 72 National Fire Alarm Code as referenced in Chapter 32 of NFPA 1 of the Florida Fire Prevention Code.

SECTION 4: CODIFICATION.

It is the intention of the City Commission of the City of Sanford, Florida, and it is hereby ordained that the provisions of this Ordinance, except for Sections 4, 5, 6, and 7, shall become and be made a part of the Code of Ordinances of the City of Sanford, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance," may be changed to "Section," "Article," or other appropriate word.

SECTION 5: SEVERABILITY If any section or portion of a section of this Ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to impair the validity, force or effect of any other action or part of this Ordinance.

SECTION 6: CONFLICTS All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby revoked.

SECTION 7: EFFECTIVE DATE That this Ordinance shall become effective immediately upon passage and adoption.

PASSED and ADOPTED this _____ day of _____, 2003.

MAYOR BRADY LESSARD

ATTEST:

JANET R. DOUGHERTY, CITY CLERK

As the City Commission of the City
of Sanford, Florida.

As the City Commission of the
City of Sanford, Florida

CERTIFICATION

I, Janet R. Dougherty, City Clerk of the City of Sanford, Florida, do hereby certify that a true and correct copy of the foregoing Ordinance No. _____, PASSED and ADOPTED by the City Commission of the City of Sanford, Florida, in the _____ day of _____, 2003, was posted at the front door of the City Hall in the City of Sanford, Florida, on the _____ day of _____, 2003.

As the City Clerk of the City of
Sanford, Florida