

**ST LUCIE COUNTY FIRE DISTRICT  
FIRE PREVENTION CODE**

**RESOLUTION NO. 442-05**

**A RESOLUTION OF THE ST. LUCIE COUNTY FIRE DISTRICT, SPECIFICALLY AMENDING THE ST. LUCIE COUNTY FIRE PREVENTION CODE; AMENDING PROVISIONS TO UPDATE ADOPTED EDITIONS OF THE FLORIDA FIRE PREVENTION CODE, NFPA UNIFORM FIRE CODE AND THE LIFE SAFETY CODE; AMENDING DEFINITIONS; AMENDING PROVISIONS REGARDING CODE APPLICABILITY, FIRE PREVENTION BUREAU RESPONSIBILITIES, REVIEW REQUIREMENTS, SPECIAL HAZARD PROVISIONS, WATER SUPPLY, AND ACCESS REQUIREMENTS; ADDING REQUIREMENTS FOR ACCESS CONTROL KEY BOXES AND SWITCHES, AND FIRE ALARM SYSTEMS; REPEALING PRIOR INCONSISTENT RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

**WITNESSETH:**

**WHEREAS**, the St. Lucie County Fire District has determined that Chapter 633, Florida Statutes, Fire Prevention and Control, requires the St. Lucie County Fire District Board of Commissioners to adopt rules and regulations, and to provide for their enforcement for the health, safety and welfare of the people of St. Lucie County, Florida; and

**WHEREAS**, the Board has previously adopted a Fire Prevention Code for the St. Lucie County Fire District; and

**WHEREAS**, the Board has determined that it is in the best interest of St. Lucie County to amend that Fire Prevention Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the St. Lucie County Fire District, that the following is hereby adopted:

Section 1.     FIRE PREVENTION CODE.

- A.     This Code shall be known as the St. Lucie County Fire District Fire Prevention Code (hereinafter referred to as "Fire Prevention Code").
- B.     Except to the extent that they are hereinafter deleted, modified, and/or amended by this Resolution, the following are hereby adopted and incorporated as though fully set forth herein:
  - 1.     The Florida Fire Prevention Code (Rule Title 69A-60), 2004 Edition, and its incorporated standards and codes, or the most current edition thereof.
- C.     Not less than three (3) copies of the adopted issue of the Florida Fire Prevention Code shall be filed in the Fire Prevention Bureau and the

provisions thereof shall be controlling throughout St. Lucie County, Florida.

Section 2. DEFINITIONS.

A. Board of Commissioners.

Board of Commissioners shall refer to the St. Lucie County Fire Board of Commissioners.

B. Fire Chief.

Fire Chief shall refer to the Fire Chief of the St. Lucie County Fire District.

C. Fire Department.

Fire Department shall refer to the St. Lucie County Fire District.

D. Fire District.

Fire District shall refer to the St. Lucie County Fire District.

E. Fire Marshal.

Fire Marshal shall refer to a designated Fire Official selected by the Fire Chief to administer the St. Lucie County Fire District Bureau of Fire Prevention.

F. Fire Prevention Bureau.

Fire Prevention Bureau shall refer to the St. Lucie County Fire District Bureau of Fire Prevention.

G. Inspector.

Inspector shall include the Fire Marshal and any assistants to the Fire Marshal.

H. Investigator.

Investigator shall include the Fire Marshal and any assistants to the Fire Marshal.

I. NFPA.

NFPA shall refer to the National Fire Protection Association.

Section 3. VIOLATIONS.

It shall be unlawful for any person to violate this resolution, to permit or maintain such a violation, to refuse to obey any such provision or to fail or refuse to comply with any such provision or regulation except as variation may be allowed by the action of the Fire Marshal in writing. Proof of such unlawful act or failure 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 of the others.

Section 4. FIRE CHIEF.

- A. The Fire Chief shall be responsible for the enforcement of the Fire Prevention Code. The Fire Chief may assign qualified members of the Fire District as inspectors as shall from time to time be necessary. To assist in the performance of the responsibilities and duties placed upon the Fire Chief, a Bureau of Fire Prevention in the Fire District is hereby created.
- B. The Bureau shall operate under the supervision of the Fire Chief. The Fire Chief shall designate a Fire Official of the Fire District as Fire Marshal. The Fire Marshal shall be the administrator of the Bureau of Fire Prevention. The Fire Marshal shall be responsible for the direct administration and enforcement of the Fire Prevention Code as may be directed by the Fire Chief.
- C. The Fire Marshal shall be appointed on the basis of examination or other method of determining qualifications. The Fire Chief may also designate such number of technical inspectors as shall from time to time be authorized by the Board of Commissioners. Such technical inspectors shall be selected through an examination or method to determine their fitness for the position.

Section 5. FIRE PREVENTION BUREAU.

- A. It shall be the duty of the personnel of the Fire Prevention Bureau to enforce this and all resolutions of the Fire District. The provisions of this code are applicable to:
  - 1. The inspection of buildings, processes, equipment, systems, and other fire and related life safety situations;
  - 2. The investigation of fires, explosions, hazardous material incidents, and other related life safety situations;
  - 3. All aspects of development review including site plans, construction plans, drawings, specifications for life safety systems, fire protection systems, access requirements, water supplies, processes, and hazardous materials, and other fire and life safety issues;

4. The fire safety education of responsible parties and the general public;
  5. Existing occupancies and conditions, the design and construction of new buildings, remodeling of existing buildings, additions to existing buildings and change of occupancy;
  6. The storage, use, processing, handling, and review of hazardous materials;
  7. The design, alteration, modification, construction, maintenance, and testing of fire protection systems and equipment;
  8. Hazards from outside fires in trash, building debris, yard waste, forest and vegetative debris, and other materials deemed hazardous;
  9. The regulation and control of special events including, but not limited to, fireworks displays, exhibits, trade shows, amusement parks, haunted houses, and other similar special occupancies; and
  10. The interior finish, decorations, furnishings, and other combustibles that contribute to fire spread, fire load and smoke production.
- B. The personnel of the Bureau shall have such other powers and perform such other duties as are set forth in other sections of this resolution and as may be conferred and imposed from time to time by law.
- C. The Fire Chief may delegate any powers or duties under this resolution to the Fire Marshal. The Fire Chief shall prepare instructions for the Fire Marshal and the Fire Marshal's assistants.

Section 6. FIRE MARSHAL APPROVAL.

Before permits may be issued as required by this Fire Prevention Code, the Fire Marshal or the Fire Marshal's assistants shall inspect and approve the plans, systems, processes, vehicles, buildings, or storage places to be used for any such purpose.

Section 7. DEVELOPMENT REVIEW PROCESS.

- A. The Fire Prevention Bureau shall review all new developments including, but not limited to, Developments of Regional Impact, Master Planned Unit Developments, Planned Unit Developments, Planned Non-Residential or Mixed Use Developments, residential or commercial subdivisions, multi-family residential projects, and all large and small-scale commercial, industrial, and educational projects for compliance with this Fire Prevention Code, as adopted.
- B. The Development Review process shall require developers, contractors, property owners or their designated representatives to make separate application for review in accordance with the provisions of this section. In order to streamline the review process, and to the greatest extent possible, the Fire Prevention Bureau will coordinate with the City of Fort Pierce,

City of Port St. Lucie, and St. Lucie County and fully participate in their respective Site Plan/Development Review Committees and Building Plan Review processes.

- C. The Development Review process consists of the initial Development Review and subsequent Building Plan(s) Review and shall utilize the following guidelines:

1. Development Review

- a. Application shall be made to the St. Lucie County Fire District on the prescribed form available from the Fire Prevention Bureau.
- b. Review fees shall be paid at the time of application.
- c. Upon completion of the review, the applicant shall receive written notification of the results with an explanation of the findings. A copy will also be forwarded to the City of Fort Pierce, City of Port St. Lucie, or St. Lucie County as appropriate. Incomplete submittals, those not approved, or those approved with conditions, where no written acknowledgement of those conditions has been received by the District, shall not proceed to the Building Plan Review stage.

2. Building Plan(s) Review

- a. Application shall be made to the St. Lucie County Fire District on the prescribed form available from the Fire Prevention Bureau.
- b. Review fees shall be paid prior to the plans being returned to the Building Departments of the City of Fort Pierce, City of Port St. Lucie, or St. Lucie County as appropriate.
- c. Upon completion of the Building Plan(s) Review, the plans will be stamped by the Fire District's Plans Examiner, the written results will be attached, and the plans will be returned to the respective Building Department. Incomplete submittals, those not approved, or those approved with revisions required, where no written acknowledgement of those revisions has been received by the District, shall not be released to the respective Building Department.

Section 8. REVIEW EXPIRATION.

- A. Development Review approvals shall expire coterminous with the approval by appropriate local building/zoning authority, unless

construction has commenced. Re-submittals (due to approval expiration) shall follow the same process as the original submittal.

- B. Building Plan(s) Review approvals shall expire coterminous with the approval by appropriate local building/zoning authority, unless construction has commenced. Re-submittals (due to approval expiration) shall follow the same process as the original submittal.
- C. All Fire Protection System permits shall expire three (3) months from the date of permit issuance, unless an initial fire inspection has been completed. Re-submittals (due to permit expiration) shall follow the same process as the original submittal.
- D. All other permits (tent, fireworks display, etc.) shall expire on the date specified on the permit.
- E. Requests for extensions of approvals and permits shall be made in writing at least one (1) week prior to the expiration date. Extensions shall be at the discretion of the Office of the Fire Marshal.

Section 9. INSPECTIONS BY FIRE MARSHAL.

The Fire Marshal shall inspect or cause to be inspected all new premises in conjunction with the Development Review process, and all existing premises on a periodic basis, and shall make such orders as may be necessary for safeguarding life and property from fire and for the enforcement of the laws and resolutions governing the same.

Section 10. HAZARDOUS CONDITIONS.

- A. Whenever an inspection shall find in any building, or upon any premises or other places, conditions deemed hazardous to life or property from the threat of fire including, but not limited to, combustible or explosive matter or dangerous accumulations of rubbish or unnecessary accumulation of waste paper, boxes, shavings, or any highly flammable materials especially liable to fire, and which is so situated as to endanger property; or shall find obstruction to or in fire escapes, stairs, passageways, doors, or windows, liable to interfere with the operations of the fire department or egress of occupants in case of fire, the inspector shall order the same to be removed or remedied, and such Order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to the appeals procedure provided for in the Fire Prevention Code.
- B. Any owner or occupant failing to comply with such Order within a reasonable period after the service of said Order shall be liable to penalties as hereinafter provided.

- C. The service of any such Order may be made upon the occupant of the premises to whom it is directed, either by delivering a copy of same to such occupant personally, or leaving it with any adult person in charge of the premises, or, in case no such person is found, upon the premises by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises. Whenever it may be necessary to serve such an Order upon the owner of the premises, such Order may be served either by delivering to and leaving with the said person a copy of the Order, or if the owner is absent from the jurisdiction of the officer making the Order by mailing such copy by certified mail to the owner's last known post office address.

Section 11. INVESTIGATIONS OF FIRES.

- A. The Bureau of Fire Prevention shall investigate, when deemed necessary, the origin, cause, and circumstances of every fire occurring in St. Lucie County by which property has been destroyed or damaged and, so far as possible, shall determine whether the fire is the result of carelessness or design. The Fire Marshal or his designated personnel shall take charge immediately of the physical evidence, shall notify the proper authorities designated by law to pursue the investigation of such matters and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case.
- B. Each such report shall be in a form as prescribed by the Fire Marshal and shall contain a statement of all facts relating to the cause, origin and circumstances of such fires, the extent of the damage thereof and the insurance upon such property, and such other information as may be required, including the injury, death, or rescue of persons.

Section 12. RECORD KEEPING.

The Fire Marshal shall compile and keep a record of all fires and of all the facts concerning the same, including injuries, deaths, rescue of persons, and statistics as to the extent of such fires and the damage caused thereby, and whether such losses were covered by insurance, and if so, in what amount. Such records shall be made daily from the reports made by the technical inspectors under the provisions of this Resolution. All such records shall be public to the extent required by the Florida Public Records Law.

Section 13. ANNUAL REPORTS.

The Fire Marshal shall make an annual report of the activities of the Bureau of Fire Prevention and shall transmit this to the Board of Commissioners through the Fire Chief. The reports shall contain all proceedings under the Fire Prevention Code with such statistics as the Fire Chief may wish to include therein.

Section 14. AMENDMENTS.

The Fire Chief or the Fire Marshal may, from time to time, recommend any amendments to the Fire Prevention Code.

Section 15. APPLICABILITY.

The provisions of the Fire Prevention Code shall apply equally to both public and private property and to all structures and their occupancies, except as otherwise specified.

Section 16. LIBERAL CONSTRUCTION.

This Resolution shall be deemed an exercise of the police powers of the St. Lucie County Fire District for the preservation and protection of the public health, safety, and welfare and all the provisions of the Fire Prevention Code shall be liberally construed for that purpose.

Section 17. PENALTIES.

- A. Any person who shall violate any of the provisions of the Fire Prevention Code hereby adopted 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, 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 fixed herein shall for each and every violation and non-compliance, respectively, be guilty of a misdemeanor punishable by a fine of not more than \$500.00 nor more than 365 days imprisonment or by both.
- B. The imposition of a penalty for any violation shall not excuse the violation nor shall the violation be permitted to continue. All such violations or defects shall be corrected within a reasonable time, and when not otherwise specified, the application of the above penalty shall not be held to prevent the enforced removal or prohibited condition.
- C. The Fire Marshal, or his representative, may present any violation of the Fire Prevention Code, or appeal thereof, to the Code Enforcement Board of the appropriate municipality or local governmental entity, provided the members of such Boards are not officers, agents, or employees of the municipality or local governmental entity.

Section 18. BOARD OF APPEALS.

- A. Any person who has an adverse action taken under this Fire Prevention Code may appeal to the Board of Commissioners during their regular



monthly meeting, if applied for at least seven (7) calendar days in advance of the meeting.

- B. Appeals shall be in writing to the Fire Chief and will be placed on the agenda by the Fire Chief.
- C. If the Board of Commissioners deems it advisable, it may appoint a Board of Appeals, pursuant to the following rules. A Board of Appeals may be established consisting of members and alternate members who shall be appointed by the Board of Commissioners by reason of education, experience, and knowledge and are deemed to be competent to sit in judgment on matters concerning the Fire Prevention Code.
- D. Board members shall not be officers, agents, or employees of the jurisdiction. All members and any alternate members shall be appointed and shall serve in accordance with the terms and conditions of the Board of Commissioners. The Board shall establish rules and regulations for conducting its business and shall render all decisions and findings in writing to the Board of Commissioners, with a copy to the appellant.
- E. No more than one of said members or their alternates shall be engaged in the same business, profession, or line of endeavor. No member of the Board of Appeals shall sit in judgment on any case in which the member, personally, is directly interested.
- F. The Board of Appeals shall meet whenever directed by the Board of Commissioners to interpret the provisions of this Fire Prevention Code and to consider and rule on any properly filed appeal from a decision of the authority having jurisdiction, giving at least five days' notice of hearing, but in no case shall it fail to meet on an appeal within 30 calendar days of the filing of notice of appeal. All of the meetings of the board shall be open to the public.

Section 19. SPECIAL HAZARD PROVISIONS.

- A. The following special provisions are hereby adopted as set forth below:
  - 1. All new residential buildings which have an exterior wall side separation of less than twelve (12) feet and all new multi-family or multi-family, multi-story residential buildings which have an exterior wall side separation of less than twenty (20) feet must satisfy one of the following criteria:
    - a. Unobstructed stabilized access of at least twenty (20) feet in width must be provided between buildings for emergency vehicles at maximum intervals of two hundred (200) feet; or
    - b. All residential units shall be provided with an approved automatic sprinkler system in accordance with NFPA 13, 13D or 13R, as appropriate.

Section 20. MINIMUM SITE PLAN, WATER SUPPLY, FIRE HYDRANT, AND ACCESS REQUIREMENTS .

- A. The Fire Marshal shall evaluate the adequacy of water supplies for firefighting purposes and shall evaluate all sources and delivery systems within St. Lucie County, Florida, consistent with the fire risk and the fire department capabilities. Adequacy of supply for fire fighting shall be established by determining minimum rates of fire flows to control potential fires in structures and exposures within the county. The fire flow rates are based on estimates of the number of hose streams needed to control potential fires in a given structure or group of structures subject to fire.
- B. Site Plan Submittal
1. Site Plans submitted in accordance with this Fire Prevention Code shall include the size, layout, and offsite connections for the water distribution system and the location of all existing and proposed fire hydrants within one thousand (1,000) feet of the proposed project.
  2. Site Plans shall also include the type of construction as indicated in the most current edition of the Florida Building Code; the proposed height and the gross square footage of proposed and existing building(s) on and within one hundred (100) feet that are adjacent to the property site; the distance from property lines; the exterior wall dimensions and the distance between buildings located on the same lot.
  3. Site Plans shall include all necessary fire department access roadways and fire lanes as determined by the Fire Marshal.
    - a. At least 13 feet 6 inches nominal vertical clearance shall be provided and maintained over the full width of all means of access.
    - b. Minimum roadway pavement width (two-way traffic) shall be twenty (20) feet for one or two story buildings and twenty four (24) feet for buildings three or more stories in height.
    - c. Minimum roadway pavement width (one-way traffic) shall be twelve (12) feet for one story buildings; twenty (20) feet for two story buildings; and twenty four (24) feet roadway clearance for buildings three or more stories in height.
    - d. Parking lot roadway clearance (two-way traffic) shall be twenty six (26) feet between rows of parking stalls.

- e. Parking lot roadway clearance (one-way traffic) shall be twenty four (24) feet between rows of parking stalls.
- f. Dead end roadways serving commercial or residential occupancies must include a cul-de-sac when the roadway length exceeds one hundred-fifty (150) feet. "Y" or "T" type turnaround arrangements are permitted.
- g. The minimum cul-de-sac radius shall be fifty (50) feet measured to the edge of roadway pavement.
- h. All roadways shall have a minimum clearance of ten (10) feet from the building exterior walls.
- i. More than one fire department access road or fire lane shall be provided when it is determined by the Fire Marshal that access by a single road or fire lane may be impaired by vehicle congestion, conditions of terrain, climatic conditions, building characteristics, fire behavior, or other factors that could limit access.

C. Minimum Size of Water Mains

- 1. Water main size shall be in accordance with St. Lucie County Ordinance No. 00-17 or Ft Pierce City Ordinance No. K-02, as applicable.
  - a. The minimum size of water mains for supplying water for fire fighting purposes shall be six (6) inches.
  - b. The minimum size of water mains supplying hydrants on a dead end main shall be eight (8) inches.
  - c. The maximum number of hydrants located on a dead end main shall be one (1).
  - d. Grid or Tee systems shall be supplied by a minimum of an eight (8) inch looped main. Exceptions may be granted based on the capacity of the water distribution system but in no case shall the main size be less than six (6) inches.
  - e. The minimum size water main(s) shall be determined by the needed fire flow as established by the Fire Marshal and based on the current Insurance Service Office (ISO) requirements.

D. Hydrant Spacing and Fire Flows

- 1. Hydrant Spacing shall be in accordance with St. Lucie County Ordinance No. 00-17 or Ft Pierce City Ordinance No. K-02, as applicable.

- a. The maximum spacing between fire hydrants shall be six hundred (600) feet for fire flows requiring one thousand (1,000) gallons per minute (gpm).
  - b. The maximum spacing between fire hydrants shall be one thousand (1,000) feet for fire flows requiring five hundred (500) gpm.
  - c. Additional fire hydrants shall be required for buildings protected with an automatic fire sprinkler system.
  - d. The required fire flows for hose streams shall be added to the automatic fire sprinkler demand for buildings protected with an automatic fire sprinkler system.
2. The minimum fire flow is five hundred (500) gallons per minute.
  3. All hydrants within one thousand (1,000) feet of a building in combination may be credited for the total required fire flow.
  4. Hydrants shall be located no more than 15 ft. from the curb of roadways or from the edge of pavement. Clearances of seven and one half feet (7 ft. -- 6 in.) in front of and to the sides of fire hydrants, with a four-foot (4 ft.) clearance to the rear of hydrants shall be maintained.

E. Access Control

1. Where automatic vehicle control access gates are used, an approved access control key switch shall be obtained through the Fire Prevention Bureau and shall be installed by the owner, contractor, or their agent on the access control panel for the gate. A means to open the gate manually upon loss of power must also be provided.
2. All structures (other than one and two-family dwellings) equipped with automatic fire sprinkler systems and any others deemed necessary by the Fire Marshal, shall have an approved access key box installed in an acceptable location. Installation height of the access key box shall be a maximum of six (6) feet above the finished floor level. The access key box shall contain all keys necessary to gain access to fire alarm panels, electrical rooms, sprinkler rooms and any other areas to which the St. Lucie County Fire District may require access. These keys shall be stamped or engraved to identify the locations of the locks they open. Applications for the access key box must be obtained from the Fire Prevention Bureau.

Section 21. FIRE ALARM REQUIREMENTS.

- A. Where fire department notification is required by the Florida Fire Prevention Code, the fire alarm shall be arranged to transmit the alarm automatically via a listed central station service (as provided in NFPA 72, National Fire Alarm Code) approved by the Fire Marshal.

- B. Fire alarm panels shall be located in an area designated by the Fire Marshal and shall be immediately available to Fire District personnel at all times. Fire alarm panels shall not be located outdoors.
- C. The replacement of a fire alarm panel due to damage, age, or any other reason shall be considered a new installation and is subject to the new requirements of the Florida Fire Prevention Code.

Section 22. PERMIT, PLANS EXAMINATION, AND INSPECTION FEES.

The Board of Commissioners is authorized to impose fees for permits, plans examination, and inspections.

Section 23. PRIOR INCONSISTENT RESOLUTIONS REPEALED.

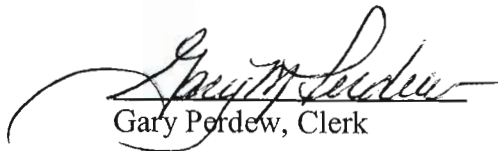
All previous formal resolutions or parts thereof in conflict or inconsistent with the provisions of this Resolution or of the portions of the Fire Prevention Code defined herein are hereby repealed.

Section 24. EFFECTIVE DATE.

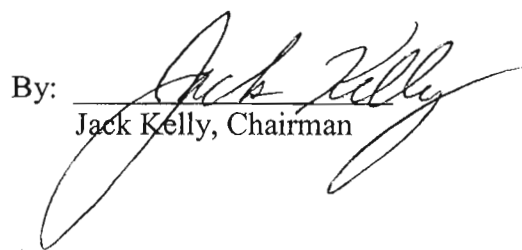
This Resolution shall take effect immediately as provided by law.

**DONE AND ADOPTED** in Regular Session this 21<sup>st</sup> day of September, 2005.

**ATTEST:**

  
Gary Perdue, Clerk

**ST. LUCIE COUNTY FIRE DISTRICT**

By:   
Jack Kelly, Chairman

