

Ordinance No. 2013-4288

An ordinance of the City of Sanford, Florida amending the *City Code of the City of Sanford* by substantially revising, amending and supplementing Chapter 42 of the *City Code*, relating to fire prevention and safety; adopting local amendments to the *Florida Fire Prevention Code*; providing for legislative findings and intent; providing for inspections, investigations, duties, obligations, enforcement, fire watches, required access for fire apparatus, fire lane standards, records, duties and obligations, sprinkler systems, standards, credits for assessments and impact fees, open burning, permitting, code enforcement, harmonization with other *City Code* provisions, penalties and fees; providing for implementing actions including the adoption of administrative rules; providing for conflicting ordinances and provisions of ordinances; providing for a savings provision; providing for codification; providing for severability and providing for an effective date.

Whereas, the City Commission of the City of Sanford provides fire protection and prevention services to the citizens of the City; and

Whereas, the City Commission of the City of Sanford recognizes the need to provide a minimum level of safety and protection to and within buildings and structures and other places; and

Whereas, the City Commission of the City of Sanford has determined that the health, safety and welfare of the citizens of the City and the general public is served by regulating fire safety standards such as those pertaining to a wide array of buildings and structures as well as those related to open burning; and

Whereas, the City Commission of the City of Sanford has determined that it is necessary to amend the *Florida Fire Prevention Code* applicable within the City of Sanford which shall regulate fire prevention standards within the City and shall supplement the requirements of the *Florida Fire Prevention Code*; and

CERTIFIED COPY
Janet R. Dougherty
City Clerk
City of Sanford, Florida

By: Angela R. Potts
Deputy City Clerk

Date: 4-24-13

Whereas, the Division of State Fire Marshal has completed the development of the 2007 edition of the *Florida Fire Prevention Code* with the base documents for the 2007 edition being the National Fire Prevention Association (NFPA throughout the remainder of this Ordinance) # 11, *Uniform Fire Code*, and NFPA 1012, *Life Safety Code*, 2006 editions; and

Whereas, the Division of State Fire Marshal will continue to work with the Florida Fire Code Advisory Council and the Florida Building Commission to make the *Florida Fire Prevention Code* as coordinated as possible when used in conjunction with the *Florida Building Code* ; and.

Whereas, the City Commission intends for the provisions of Chapter 590, *Florida Statutes*, and Chapter 633, *Florida Statutes*, be aggressively enforced within the City Limits of the City of Sanford; and

Whereas, the City Commission of the City of Sanford is particularly concerned with the dispersion of smoke and its adverse affects within the City Limits of the City of Sanford; and

Whereas, Article II, Section 7(a), *Constitution of the State of Florida*, provides, in pertinent part, that “[i]t shall be the policy of the State to protect its natural resources...(and) [a]dequate provision shall be made by law for the abatement of air...pollution...”.

1 The basic “Fire Code” which provides requirements to establish a reasonable level of fire safety and property protection in new and existing buildings. The NFPA is an international member organization whose mission is to reduce the worldwide burden of fire and other hazards by providing and advocating consensus codes and standards, research, training, and education.

2 The *Life Safety Code* is the most widely used source for strategies to protect people based on building construction, protection, and occupancy features that minimize the effects of fire and related hazards. Unique in the field, it is the only document that covers life safety in both new and existing structures. Provisions are included for all types of occupancies, with requirements for egress, features of fire protection, sprinkler systems, alarms, emergency lighting, smoke barriers,

Now, therefore, be it enacted by the People of the City of Sanford, Florida:

Section 1. Legislative findings and intent. A new section of the *City Code of the City of Sanford* is created to read as follows:

(a). The City Commission of the City of Sanford hereby adopts and incorporates into this Ordinance the recitals (whereas clauses) to this Ordinance, the City staff report and City Commission agenda memorandum relating this Ordinance.

(b). The City of Sanford has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance and the substantive provisions of this Ordinance comply with the requirements and provisions of State law.

(c). This Ordinance is consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Sanford*.

Section 2. Revisions to Chapter 42, of the City Code. The provisions of Chapter 42, Articles I, II, and III *City Code of the City of Sanford* are substantially revised and amended to read as follows, and a new Article IV of said Chapter 42 is added to read as follows:

ARTICLE I. IN GENERAL

Sec. 42-1. Purpose - adopting and amending Chapter 42, City Code, relating to fire prevention and safety codes.

(a). This Chapter provides the City of Sanford, its citizens and the general public with rules and regulations to apply and implement in order to improve public safety by promoting the control of fire hazards; regulating the installation, use and maintenance of diverse types and forms of equipment; regulating the use of buildings, structures, premises and open areas; providing for the abatement of fire hazards; establishing additional and supplemental responsibilities and procedures for code enforcement; and setting forth the standards for compliance and achievement of these objectives.

and special hazard protection.

(b). This Chapter shall be known, and may be cited as, the "*Sanford Fire Prevention and Safety Code*" and is referred to in this Chapter from time-to-time as "this Code". This Code adopts the most recent version of the *Florida Fire Prevention Code*, which is administered by the Florida Department of Financial Services, Division of State Fire Marshal, Bureau of Fire Prevention, as amended herein.

(c). The City hereby adopts the codes specified in Section 633.025, *Florida Statutes*, and recognizes them as minimum fire safety standards as set forth in Florida law as set forth in the provisions of this Ordinance.

(d). Any person who summons, or in any way causes to be summoned, City personnel to a site by means of any alarm, or seeks an inspection of any premises, of whatsoever type or nature or for whatsoever reason, recognizes that the City shall not be liable for any resulting actions or events pertaining to the City's means or methods of responding to the alarm or conducting an inspection regardless of the circumstances, actual or perceived, at the site at the time of arrival at the site of the alarm or at the time of the inspection and regardless of processes, procedures or protocols that may have been pertinent to any particular event or circumstance. Said persons shall also be deemed to recognize that the provisions of the City's codes and ordinances relating to the payment of fees shall be applicable to their actions and to the costs and fees associated with false alarms.

Sec. 42-2. Violation of Code.

(a). It is prohibited and 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 Chief or Fire Marshal in writing. Proof of such unlawful act or failure to correct such violations shall be prima facie evidence that the owner or other person in control of the premises is the violator.

(b). Prosecution or lack thereof of an owner, occupant or the person in charge of the premises shall not be deemed to relieve any other person of the obligation to comply with this Code.

(c). In order to protect the public safety, the Fire Chief and Fire Marshal shall have the power to close and secure any premises, building or structure and to secure and disable utilities including water, electrical, natural gas and liquefied gas.

(d). The City may enforce the provisions of this Code by means of the code enforcement processes and procedures of the City and by seeking any remedy available under controlling law.

Sec. 42-3. Enforcement; Fire Department.

(a). This Code shall be enforced by the Fire Department with such assistance from City code enforcement personnel as may be directed by the City Manager, and shall be administered under the direct supervision of the Fire Marshal who shall be designated by the Fire Chief with the concurrence of the City Manager.

(b). The Fire Marshal shall be appointed on the basis of examination or by any method so designated by the City to determine qualifications. The Fire Chief shall also designate fire safety inspectors/investigators as shall be necessary to assist in the enforcement of this Code and to investigate suspicious fires and other appropriate events. Fire inspectors shall be selected through examination or by any other method designated by the City to determine qualifications.

Sec. 42-4. Duties of the Fire Department; delegations.

(a). The Fire Department shall enforce the laws, codes and ordinances, of or applicable to, the City including, but not limited to, those standards and codes adopted in this Ordinance and shall perform its duties to accomplish the following:

- (1). The prevention of fires;
- (2). The prevention of hazardous or unsafe conditions;
- (3). The investigation for the cause, origin, and circumstances of any fire occurring within the City;
- (4). To assist in the criminal investigation of any suspicious fire occurring within the City;
- (5). Conduct fire watches in accordance with the controlling provisions of the publications of the NFPA;
- (6). The promotion of fire safety awareness and education;
- (7). The promotion and verification of numerical address posted on any new or existing commercial or residential building; and
- (8). To exercise and implement all other powers and perform all other duties as set forth in this Chapter or as imposed by law.

(b). The Fire Chief may delegate any powers or duties under this Chapter to the Fire Marshal or such other appropriate delegatee. The Fire Marshal may delegate powers or duties to other appropriate personnel.

Sec. 42-5. Fire watches.

(a). A fire watch shall be required by the Fire Marshal when any new or existing commercial building or structure or multifamily building or structure is lacking adequate fire

safety features, as determined by the Fire Marshal, including, but not limited to, the following conditions: lack of working fire alarm; lack of continuous water in the fire sprinkler system; a fire alarm is out of service due to electrical problems and reset can not be achieved; a fire alarm can not function due to weather related emergencies; when a building or structure is lacking proper exit access, exit discharge, or exit passage ways; lack of any other means of proper fire protection; or when a commercial buildings or structure including, but not limited to, restaurants, churches and storage occupancies, or industrial occupancy properties lack proper fire protection including, but not limited to, fire extinguishers, paint suppression booths or kitchen hood suppression systems, or hood cleanliness is not maintained in any kind of system including, but not limited to, F.M.[®] 2003 Halons systems.

(b). Fire watches shall be conducted by appropriate personnel of the Fire Department, a qualified and certified security agency or property representative approved by the on call fire inspector. The owner of the property shall be responsible meeting all requirements of the fire watch. The Fire Department shall be compensated \$40.00 per hour, with a 4-hour minimum charge for accomplishing a fire watch if utilized or such other rate (and under such other conditions) as the City Commission may establish by adoption of a resolution.

(c). Fire watches are inspections of a nature that requires long durations of observation and evaluation of circumstances present at a particulate premise.

3 Chemically known as heptafluoropropane, is an alternative fire suppression system agent manufactured in the United States by Great Lakes Chemical Corporation. DuPont[™] also manufactures heptafluoropropane (HFC-227ea) and markets to the fire protection industry under the trademark FE-227[™]. It is a replacement for the ozone depleting Halon 1301 used extensively before 1994.

Sec. 42-6. Investigation of fires.

The Fire Department shall investigate the cause, origin and circumstances of every fire occurring within the City, by which property has been destroyed or damaged and, insofar as possible, shall determine whether the fire was the result of carelessness or design or is of a suspicious or criminal nature. Once the fire is determined to be arson related, a law enforcement agency such as the Police Department or the Florida Department of Financial Services, Division of State Fire Marshal shall be notified to consider prosecution under controlling State law.

Sec. 42-7. Addressing.

Buildings and structures shall be addressed in accordance with the Uniform Building Numbering System in effect in Seminole County; provided, however, that commercial address numbers shall be 6" in size and shall be contrasting in color and newly constructed residential address numbers shall comply with the *Florida Building Code*.

Sec. 42-8. Record keeping.

The Fire Department, under the direction and supervision of the City Clerk, shall maintain records of all fires and all of the facts surrounding each fire occurring within the City. The records shall be stored in a secured locked area and maintained in accordance with the controlling requirements of State law such as those set forth in Chapter 119, *Florida Statutes*, and Chapter 257, *Florida Statutes*.

Sec. 42-9. Periodic inspections.

(a). The Fire Department shall inspect, or cause to be inspected all commercial premises located within the City. These inspections shall be accomplished on an annual

basis and whenever the City is made aware of hazardous or unsafe conditions within such buildings or structures. These inspections are necessary for the enforcement of the laws, codes and ordinances as may be listed within this Chapter and for the safeguarding of life and property from fire.

(b). The following occupancies, at a minimum, shall be inspected semi-annually at unannounced times by the Fire Marshal to verify general fire safety, occupancy loads, and cooking suppression cleanliness, and fire protection:

- (1). Restaurants (greater than 50 occupant load);
- (2). Night clubs;
- (3). Bars;
- (4). Bowling alleys; and
- (5). Movie theaters.

(c). The Fire Marshal, after consultation with the City Manager and Fire Chief, may add to the types of occupancies that are subject to semi-annual and unannounced inspections.

Sec. 42-10. Compliance with codes; service of warnings or orders.

(a). Whenever any fire or code inspector or member of the Fire Department finds in any building, structure or premise within the City, occupied or not, a condition in violation of the laws, codes or ordinances enumerated herein or otherwise applicable to life or fire safety, the Fire Marshal shall have all code enforcement powers of the City to include the issuance of such reasonable orders relating to any condition that is determined to be unsafe or hazardous or which may be considered a threat to life or property, which orders may include, by way of example only, ordering the occupant or owner of said building,

structure or premise to remove or correct such violations or hazards and to require that such order be complied with immediately or within a reasonable time period as specified.

(b). The service of such order may be made upon the owner or occupant of any building, structure 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, structure or premise, or a copy of the order or warning may be affixed in a conspicuous place as close to the entrance of the building, structure or premise as possible. If any inspector is unable to personally serve the owner or occupant found to be in violation, a copy for the warning or citation may be delivered by certified mail to said person. Additionally, the service of such order and related documents may occur as provided in the applicable processes and procedures relative to a code enforcement action and, in such occasions, the code enforcement and building officials of the City shall assist the Fire Marshal.

Sec. 42-11. Additional obligations of property owners.

(a). Any owner or occupant of property within the City who moves into a new or existing commercial business location without paying the pertinent City local business tax and receiving a local business tax receipt shall be subject to code enforcement proceedings.

(b). Any owner or occupant of property within the City who leaves any commercial building or multifamily dwelling vacant for a period which exceeds 6 months shall provide written documentation (blue prints and or a formal letter) expressing the full intent of the building usage or re-development to the Fire Marshal. It is the duty of the owner of such vacant properties to ensure the property shall continue to be in compliance with this Code

during all periods of occupancy and vacancy and that the property is reasonably secure and protected from fire.

Sec. 42-12. Penalties.

(a). It is prohibited and unlawful for any person to violate any provision of this Chapter.

(b). Any violations of this Chapter may result in a further City of Sanford code enforcement action although the City Manager is hereby authorized to instruct the City Attorney to initiate and implement any code enforcement action, abatement action or other legal remedy available to the City under controlling law.

(c). Any "life safety" violations that arise under this Chapter that are immediate life safety in nature shall be subject to an immediate building closure and termination of all utilities.

ARTICLE III. AUTOMATIC FIRE SPRINKLER SYSTEMS

Sec. 42-13. Requirements.

(a). Automatic fire sprinklers are required throughout the City as follows:

1. (1). Buildings and structures constructed of 8,000 square feet shall be protected with an automatic fire sprinkler system.

(2). Each automatic fire sprinkler system installed shall be installed in accordance with the most recent Florida *Fire Prevention Code* and the *Florida Building Code*, as amended by the City. All Aircraft hangar occupancies shall comply with NFPA # 409.4

(b). The property owner of buildings or structures constructed with an automatic fire sprinkler system shall receive a 20% credit on the City's fire/rescue impact fees when

the automatic fire sprinkler system meets the controlling publications of the NFPA.

(c). Any new occupancy construction, which has a automatic fire suppression sprinkler system and is installed in a manner approved by the City, shall receive a 20% credit on the City fire/rescue impact fee.

ARTICLE IV. AMENDMENTS TO THE *FLORIDA FIRE PREVENTION CODE*

Sec. 42-14. Adoption of Codes.

The City of Sanford adopts by reference the *Florida Fire Prevention Code* as set forth by the State Fire Marshal's office and Chapter 633, *Florida Statutes*, and the controlling provisions of the *Uniform Fire Code* published by the NFPA.

Sec. 42-15. Requirements; Fire Lane Pavement Striping and Signage Standards.

(a). Premises which are required to include fire lanes shall comply with the following standards:

(1). 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 8' parallel to the curb. The perimeter lines and required striping within the perimeter shall be 4" wide with a 10" space between stripes. The stripes shall not be painted over or under any painted words.

(2). 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 inches (4") wide and shall be painted in yellow thermoplastic or an equivalent substitute. Each repeated phrase shall be painted not more than 100' apart.

⁴ The stated purpose of NFPA # 409 is: "... to provide a reasonable degree of protection from fire for life and property in aircraft hangars, based on sound engineering principles, test data, and field experience."

(3). Fire lane signs shall be installed not more than 100' apart and shall contain the words "FIRE LANE - NO PARKING". The background and lettering of signs shall have a high intensity reflective facing.

(4). Pavement lettering and signs shall be staggered in location so that each is not more than one hundred feet (100') apart.

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

(6). Fire hydrants on inside parking lot areas shall have the curbing painted 90 degrees in front of the fire hydrant with the words "FIRE LANE - NO PARKING" 4" wide and a sign stating "NO PARKING OR STANDING".

(7). Fire Hose Connection manifolds on an inside parking lot area shall have the curbing painted 90 degrees in front of the manifold with the words "FIRE LANE - NO PARKING" 4" wide and a sign stating "NO PARKING OR STANDING".

(8). Fire lanes, fire hydrants and fire hose connection devices shall be no more than 250' from the principle building or structure.

(9). It is prohibited and unlawful for any person to park motor vehicles on or otherwise obstruct any fire lane.

(10). Fire Hydrant placement shall start at the entrance to each development.

(b). The requirements of Federal law shall prevail over any City requirement set forth in this Chapter or any other provision of the *City Code* in the event of conflict or preemption.

ARTICLE V. Fire Alarm Monitoring Requirements.

Sec. 42-16 Fire Alarm Monitoring Requirements.

(a). All buildings constructed within the City which are required to be provided with an automatic fire sprinkler system or which add a fire alarm system of any kind shall be monitored by a central station installed according to the controlling publications of the NFPA with the following occupant notification features:

(1). A pull station located at the main entrance with a horn strobe which location shall be attended and have a one key access Knox key access receptacle and two (2) dedicated phone lines or an equivalent technology computer based transmission of monitoring approved technology by the Fire Marshal using the UL Standards⁵ or with NFPA # 72⁶ as guidance and as a source of standards to evaluate proposals that are of a technically acceptable quality as approved by the City.

(2). Fire Alarm monitoring shall be compliant with the controlling publications of the NFPA including, but not limited to, the National Fire Alarm Code as published by the NFPA and the *Florida Fire Prevention Code*.

(3). Any new fire alarm pull station installed shall be protected with a tamper deterrent false alarm cover that sounds a local alarm (battery tamper notification)

(4). The owner of property having any existing fire alarm pull station that has more than 3 false alarms from any pull station, regardless of cause, shall install tamper

⁵ UL Standards encompass UL's extensive safety research, scientific expertise and uncompromising focus on quality. With over a century of experience and the development of more than 1,000 Standards, UL continues to break new ground in its mission to help create a safer, more sustainable world.

⁶ NFPA # 72 provides the latest safety provisions to meet society's changing fire detection, signaling, and emergency communications demands. In addition to the core focus on fire alarm systems, NFPA # 72 includes requirements for mass notification systems used for weather emergencies; terrorist events; biological, chemical, and nuclear emergencies

deterrent false alarm cover(s) that sounds a local alarm at each location throughout each building or structure (battery tamper notification).

(b). Buildings less than 8,000 square feet in size, when new, renovated or undergoing a change of occupancy, shall install interconnected smoke detectors which are hard wired with battery back up.

Article VI. Impact Fee Credits.

Sec. 42-17. Requirements for Impact Fee Credits.

(a). Each parcel that is subject to a fire public safety facilities impact fees may be granted a credit applied to the fire public safety facilities impact fees calculated for the buildings or structures located on the parcel based on one of the following factors:

(1). Parcels containing buildings equipped with a functioning and properly designed, fully automated fire suppression system with the property owner providing proof of proper operation and maintenance annually to avoid a revocation of the fire public safety facilities impact fees credit in which case a municipal lien shall be placed upon the property in the event of non-payment.

(2). Parcels containing buildings that are otherwise designed to be more fire resistant due to unique building construction.

(b). No parcel shall receive more than a twenty percent (20%) fire public safety facilities impact fees credit in terms of the a impact fees assigned to the buildings or structures located on the parcel and it shall be the burden of the property owner to prove, by clear and convincing evidence, that a credit should be awarded and the amount of the credit.

and other threats.

(c). Credits for fire public safety facilities impact fees may be granted to parcels whose fire flow impacts on the Fire Department impact fees are mitigated by a properly designed, functioning and fully automated fire suppression system or contain buildings that are otherwise designed to be more fire resistant due to unique building construction. The basis for these credits shall be as follows:

(1). Parcels that contain buildings and structures equipped with functioning and properly designed, fully automated fire suppression systems require less fire flow capacity to be provided by the City which may offset some of the costs which might otherwise be borne by the City.

(2). Inasmuch as the most recent edition of the controlling NFPA publication encourages the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety in place of those prescribed by the standard; property owners may provide technical documentation to the City to demonstrate equivalency and the system, method, or device is approved for the intended purpose.

(d). The City may reduce the water supply required by the controlling NFPA publication for manual fire-fighting purposes when a structure is protected by an automatic sprinkler system that fully meets the requirements of the controlling NFPA publications.

(e). For any building fully or partially protected by an automatic fire suppression system other than an automatic sprinkler system, the City shall determine the minimum water supply required for fire-fighting purposes and whether the sprinkler system provides built-in fire protection, lessening the fire suppression burden and the water supply need on the Fire Department. A water flow test may be required or requested to verify current water

main conditions with a processing service fee for fire inspectors to verify water flow of \$75.00 or such other amount established in a fee resolution adopted by the City Commission.

(f). Owners of parcels that contain buildings or structures that are designed to be more fire resistant due to unique building construction so as require less fire flow capacity from the City which may offset some of the costs which might otherwise be borne by the City. It shall be the burden of the owner to provide, by clear and convincing evidence, that the combustibility and fire resistance of the buildings or structures greatly influence the development and spread of a fire and reduces the amount of water needed to control and extinguish a fire.

(g). The International Organization for Standardization (ISO)⁷ standards and classifications into construction types shall be utilized by the City. The ISO's 6 construction categories are hereby adopted by the City as follows together with the Construction Classification Number is a series of numbers from 0.5 through 1.5 that are mathematical factors used in the formula to determine the total water supply requirements. The slowest burning or lowest hazard type of construction, fire-resistive, is construction classification 0.5. The fastest burning or highest hazard type of construction, wood frame, is construction classification 1.5:

(1). Construction Class 6 (0.6) (fire-resistive construction). Buildings constructed of any combination of the following materials:

- (A). Exterior walls or exterior structural frame;
- (B). Solid masonry, including reinforced concrete, not less than 4" in thickness;

⁷ The International Organization for Standardization is the world's largest developer and publisher of international

- (C). Hollow masonry not less than 12" in thickness;
 - (D). Hollow masonry less than 12", but not less than eight inches (8') in thickness, with a listed fire-resistance rating of not less than 2 hours;
 - (E). Assemblies with a fire-resistance rating of not less than 2 hours;
 - (F). Monolithic floors and roof of reinforced concrete with slabs not less than four inches (4') in thickness;
 - (G). Construction known as "joist systems" (or pan-type construction) with slabs supported by concrete joists spaced not more than 36 inches on centers with a slab thickness not less than 2";
 - (H). Floor and roof assemblies with a fire-resistance rating of not less than 2 hours; and
 - (I). Horizontal and vertical load-bearing protected metal supports (including prestressed concrete units) with a fire-resistance rating of not less than two (2) hours
- (2). Construction Class 5 (0.6) (modified fire-resistive construction). Buildings with exterior walls, floors, and roof constructed of masonry materials described above, deficient in thickness, but not less than 4"; or fire-resistive materials described above, with a fire-resistance rating of less than 2 hours, but not less than 1 hour.
- (3). Construction Class 4 (0.8) (masonry noncombustible construction). Buildings with exterior walls of fire-resistive construction (not less than one hour), or of masonry, not less than 4" in thickness and with noncombustible or slow burning floors and roof (including noncombustible or slow-burning roof decks on noncombustible or slow-burning supports, regardless of the type of insulation on the roof surface).

standards.

(4). Construction Class 3 (0.8) (noncombustible construction). Buildings with exterior walls, floors, and roof of noncombustible or slow-burning materials supported by noncombustible or slow-burning supports (including noncombustible or slow-burning roof decks on noncombustible or slow-burning supports, regardless of the type of insulation on the roof surface).

(5). Construction Class 2 (1.0) (joisted-masonry construction). Buildings with exterior walls of fire-resistive construction (not less than 1 hour, or of masonry, and with combustible floors and roof.

(6). Construction Class 1 (1.5) (wood frame construction). Buildings with exterior walls, floors, and roof of combustible construction, or buildings with exterior walls of noncombustible or slow-burning construction, with combustible floors and roof.

(h). It is in the City's interest to encourage the proper operation and maintenance and continued existence of fire suppression systems or construction of buildings that are otherwise designed to be more fire resistant due to unique building construction because the City receives benefits from the reduction in the need for fire flow in the form of reduced costs.

(i). The amount of the credit for parcels with buildings with a properly designed, functioning and fully automated fire suppression system or contain buildings that are otherwise designed to be more fire resistant due to unique building construction is determined by the ratio of the reduction to the total water supply requirements between ordinary construction versus non-combustible construction (20%) and the ratio of the reduction to the total fire impact fee requirements between non-combustible construction versus fire resistive construction (20%).

Article VII. Open Burning.

Sec. 42-18. Open Burning and Related Activities Permitting.

(a). Open Burning for land clearing operations and or site development shall require a permit and approval from the Division of Forestry and shall comply with the rules of the Florida Department of Agriculture and Consumer Services relating to open burning and other controlling laws, rules and regulations.

(b). Recreational burning shall comply with Section 590.11, *Florida Statutes*, and other controlling law and no permit is required by the Fire Department including, but not limited to, outside fire places and non-combustible containers.

(c). The Fire Department shall charge a processing and inspection for open burning burn permit of \$150.00 or as otherwise established by the City Commission by adoption of a resolution if City inspections occur in the processes and procedures in effect under controlling State law.

Article VIII. Implementing Administrative Actions.

Section 3. Implementing Administrative Actions. A new section of the *City Code of the City of Sanford* is created to read as follows:

The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to include, but not be limited to, the adoption of administrative rules.

Section 4. Harmonization between Chapter 42 and Chapter 74. A new section of the *City Code of the City of Sanford* is created to read as follows:

Sec. 74-191. Harmonization with Chapter 42.

The provisions of this Chapter and the provisions of Chapter 42 shall be applied in harmony and read in *pari materia* in order to give the provisions thereof their fullest effects.

Section 5. Conflicts/Repealer.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

Section 6. Savings.

The prior actions of the City of Sanford in implementation of Chapters 42 and 74 of the *City Code of the City of Sanford* and related fire safety and life safety matters and the collection of impact fees, by whatever name, as well as all code enforcement activities of the City relating to fire safety and impact fees administration are hereby ratified and affirmed.

Section 7. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 8. Codification.

This Ordinance shall be codified in the *City Code of the City of Sanford*; provided, however, that Sections 5, 6, 7, 8 and 9 shall not be codified. The Code Codifier is granted broad and liberal authority to change section numbers in the current *City Code* and take other appropriate actions as set forth in Section 1-10 of the *City Code*.

Section 9. Effective Date.

This Ordinance shall take effect immediately upon passage and adoption.

Passed and adopted this 22nd day of April, 2013.

City Commission of the City of
Sanford, Florida
Seminole County, Florida



Jeff Triplett, Mayor

Attest:



Janet Dougherty, City Clerk

Approved as to form and
legality:



William L. Colbert, Esquire
City Attorney

LONNIE N. GROOT
ACA