

**ORDINANCE NO. 5292**

**PROPOSED ORDINANCE 12-004**

**AN ORDINANCE RELATING TO FIRE PROTECTION; MAKING FINDINGS; ADOPTING THE FLORIDA FIRE PREVENTION CODE, 2010 EDITION, WITH MODIFICATIONS; REPEALING ORDINANCE 5072; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the State of Florida Fire Marshal has adopted, by promulgated rule under Rule 69A-60 Florida Administrative Code, the Florida Fire Prevention Code, 2010 Edition; and

**WHEREAS**, the Florida Fire Prevention Code applies uniformly throughout the State, with such local amendments as municipalities and counties may make to the Code in order to strengthen the protections afforded by the Code; and

**WHEREAS**, the City Commission wishes to adopt the Florida Fire Prevention Code, 2010 Edition, with the amendments set forth herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:**

**SECTION 1.** The findings of fact set forth above are hereby adopted and made a part hereof.

**SECTION 2.** Ordinance 5072 of the City of Lakeland is hereby repealed.

**SECTION 3.** The Florida Fire Prevention Code, 2010 Edition, which incorporates NFPA 1, Uniform Fire Code, 2009 Edition, published by the National Fire

Protection Association, Inc., the NFPA 101, Life Safety Code, 2009 Edition, published by the National Fire Protection Association, Inc., and Chapter 69A of the Florida Administrative Code, is hereby adopted by the City of Lakeland, subject to the modifications set forth herein, and shall apply with the same force and effect as any other ordinance of the City. The violation of this ordinance shall constitute a municipal ordinance violation punishable as provided in section 1-14 of the City Of Lakeland Code or as otherwise provided by law or ordinance. One copy of the 2010 Edition of the Florida Fire Prevention Code, together with one copy of this Ordinance, shall be kept on file in the office of the City Clerk for public use, inspection and examination. The 2010 Edition of the Florida Fire Prevention Code, together with the modifications herein provided, shall be known as the "Fire Code of the City of Lakeland, Florida".

**SECTION 4.** NFPA 1, Uniform Fire Code, 2009 Edition, adopted by this Ordinance, is amended, altered and changed in the following respects:

Section 1.12.8 is created to read as follows:

*1.12.8. Permit fees.*

1.12.8.1 Required annual fire inspection permit fees shall be collected via the permitted entities, electric utility bill. In situations where the Fire Department would be required to invoice, failure to renew any annual permit within 30 days of being invoiced will result in double fees.

1.12.8.2 Permit and miscellaneous service fees shall be as follows:

**PERMIT FEE SCHEDULE**

Operation Fee		Description
Aerosol Products	To store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of	75.00

	500 lbs (226.8 kg)	
Aircraft Fuel Servicing	To provide aircraft fuel servicing	75.00
Aircraft Hangers	For servicing or repairing aircraft	75.00
Aircraft Refueling Vehicles	To operate aircraft refueling vehicles	75.00
Airport Terminal Buildings	To operate	75.00
Ammonium Nitrate	For storage	75.00
Amusement Parks	For construction, alteration or operation of amusement park fire protection safety features	75.00
Asbestos Removal	For the removal of asbestos	75.00
Automatic Fire Suppression Systems	For installation (sprinkler system).....  Other systems installation (hood, paint, halon, FM200, etc...  Modification (fire sprinkler system less than fifty (50) heads)..  Modifications (other systems).....	200.00 per 25,000 sq. ft  150.00 per system  100.00  75.00
Automobile Wrecking Yards	To operate automobile wrecking yards	75.00
Automotive Fuel Servicing	To provide automotive fuel servicing	75.00
Battery System	To install or operate stationary lead-acid battery systems having an electrolyte capacity of more than 100 gal (379 L) in sprinklered buildings or 50 gal (189L) in nonsprinklered buildings	75.00
Business occupancies	Per NFPA 101 definition less than 12,000 sq. ft. per floor...  12,000 sq. ft. or more per floor...	N/C  75.00

Candles, Open Flames and Portable Cooking	To use in connection with assembly areas, dining areas of restaurants or drinking establishments	75.00
Carnivals and Fairs	To conduct the events	175.00
Cellulose Nitrate Film	For storage, handling or use	75.00
Cellulose Nitrate Plastic	To store or handle more than 25 lb (11.3 kg)	75.00
Clean rooms	For construction, alteration or operation	75.00
Combustible Fibers	For storage or handling of combustible fibers greater than 100 ft <sup>3</sup> (2.8m <sup>3</sup> )	75.00
Combustible Material Storage	To store more than 2500 ft (70.8m) gross volume	75.00
Commercial Rubbish Handling Operation	To operate	75.00
Compressed Gasses	To store, use or handle compressed gases in excess of the amounts listed in NFPA 1, Table 1.12.7 (b). When the compressed gases in use or storage exceed the amounts listed in Table 1.12.7 (b), a permit is required to install, repair damage to, abandon, remove, place temporarily out of service, close or substantially modify a compressed gas system. For additional permit requirements for compressed gases facility closures, see 63.1.2.	75.00
Consumer Fireworks (1.4G)	For the sale, on-site handling, manufacture and storage of consumer fireworks (1.4G) and for the storage of consumer fireworks in excess of the amounts listed in table 1.12.7(d)	75.00
Covered Mall Buildings	Annual requirements for facilities that utilize mall area for exhibits or displays with 4 conditions. (See 20.1.5.5.1)	75.00
Crop Maze	To operate a crop maze	75.00

Cryogenics	To produce, store or handle cryogenics in excess of amounts Listed in Table 1.12.7(c)  <i>Exception: Where federal or state regulations apply or for fuel systems of a vehicle.</i>	75.00
Cutting and Welding Operation	For operations within a jurisdiction	75.00
Display Fireworks (1.3G)	Discharge of display fireworks within the Jurisdiction  Additional shoots	150.00  same
Dry cleaning Plants	To engage in business of dry cleaning or to change to a more hazardous cleaning solvent	75.00
Dust-Producing Operations	To operate a grain elevator, flour mill, starch mill, feed mill or plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, etc.	75.00
Exhibit and Trade Shows	For operation of all exhibits and trade shows held within a jurisdiction	75.00
Explosives	Manufacture, sell, dispose, purchase, storage, use, possess or transport or explosives within the jurisdiction. For additional permit requirements for blasting operations, see 65.9.2	75.00
Fire Alarm and Detection Systems and Related Equipment	Installation or modification of fire alarm and detection systems and related equipment (1)  modification of systems ( 20 or less devices)	200.00 per 25,000 sq. ft.  100.00
Fire Hydrants and Water Control Valves	To use a fire hydrant or operate a water control valve intended for fire protection purposes	75.00
Fire Pumps and Related Equipment	Installation of or modifications to fire pumps, jockey pumps, controllers, and generators	75.00

Flame Effects	Use of flame effects before an audience	150.00
Flammable and Combustible Liquids	1. To use or operate, repair or modify a pipeline for the onsite transportation of flammable or combustible liquids	75.00
	2. To store, handle or use Class I liquids in excess of 5 gal (189 L) in a building or in excess of 10 gal (37.9L) outside of a building. <i>Exception to item (2): A permit is not required for the following: (a) The storage or use of Class I liquids in the fuel tank or a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant unless such storage in the opinion of the chief would cause an unsafe condition. (b) The storage or use of paints, oils, varnishes, or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.</i>	75.00
	3. To store, handle or use Class II or Class III-A liquids in excess of 25 gal (94.6L) in a building or in excess of 60 gal (227.1 L) outside a building. <i>Exception to item (3): Fuel oil used in connection with oil-burning equipment.</i>	75.00
	4. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.	75.00
	5. To install, construct, alter or operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used	75.00 per tank/vehicle
	6. To install, alter, remove, abandon, place temporarily out of service or otherwise dispose of a flammable or combustible liquid tank	75.00 per tank
	7. To change the type of contents stored in flammable or combustible liquid tank to a material other than those for which the tank was designed and constructed.	75.00

	<u>Maximum Fee</u>	250.00
Fruit Ripening	To operate a fruit- ripening process	75.00
General Storage	Toi store materials indoors or outdoors, representing a broad range of combustibles, including plastics, rubber tires, and roll paper	75.00
Grandstands and Bleachers, Folding and Telescopic Seating	For construction, location, erection or placement of grandstands and bleachers, folding and telescopic seating	75.00
Hazardous Materials	To store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed In Table 1.12.7(d) or to install, repair, abandon, remove, place temporarily out of service, close or substantially modify a storage facility or other area regulated by Chapter 60 when the hazardous materials in use or storage exceed the amounts listed in Table 1.12.7(d)	75.00
High-Piled Combustible Storage	To use any building or portion thereof as a high-piled storage area exceeding 500 <sup>2</sup> ( 46.45m <sup>2</sup> )	75.00
High-Powered Rocketry	For the manufacturing, sale and use of high-powered rocketry	75.00
Hot Work Operations	For hot work. For additional permit requirements for hot work operations, see 41.1.5	75.00
Industrial Ovens and Furnaces	For operation of industrial ovens and furnaces covered by Chapter 51	75.00
Laboratories	For construction, alteration or operation	75.00
Liquefied Petroleum Gases	1. To store, use, handle or dispense LP-gas of 250 gal. or greater (water capacity)  2. To install or modify LP-gas systems	75.00 per tank
Liquid- or Gas-Fueled Vehicles	To display, compete or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings	75.00

Lumberyards and Woodworking Plants	For storage of lumber exceeding 100,000 board ft	75.00
Marine Craft Fuel Servicing	To provide marine craft fuel servicing	75.00
Mercantile occupancy	Per NFPA 101 definition and less than 12,000 sq. ft.	N/C
	12,000 or more sq. ft. per floor	75.00
Membrane Structures, Tents and Canopies – Permanent	For construction, location, erection or placement	75.00
Membrane Structures, Tents and Canopies – Temporary	To erect or operate an air-supported temporary membrane structure or tent having a canopy in excess of 400 ft (2) (37.2m (2)). <i>Exception: Temporary membrane structures, tents or canopy structures used exclusively for camping</i>	35.00 per tent
Motion Picture and Television Production Studio Sound Stages and Approved Production Facilities	To design, construct, operate, and maintain sound stages and approved production facilities used in motion picture and television industry productions	75.00
Multi-story Building	1 - 5 Stories.....	Per occupancy fee 200.00  300.00
	6 -10 Stories.....	
	Over 10 Stories.....	
Oil/Gas-Fueled Heating Appliances	To install oil- and gas-fired heating appliances	75.00
Open Burning	To conduct open burning. For additional permit requirements for open burning. see NFPA 1 (10.11.1)	250.00
Open Fires	For kindling or maintaining an open fire. For additional permit requirements for open burning, see NFPA 1 (10.11.2) and Florida Division of Forestry Guidelines	250.00



Organic Coatings	For operation and maintenance of a facility that manufactures organic coatings	75.00
Organic Peroxide Formulations	To store, transport on site, use or handle materials in excess of amounts listed in Table 1.12.7(c) and (d)	75.00
Outside Storage of Tires	To store more than 500 tires outside	75.00
Oxidizers	To store, transport on site, use or handle materials In excess of amounts listed in Table 1.12.7(c) and (d)	75.00
Parade Floats	To use a parade float for public performance, presentation, spectacle, entertainment or parade	N/C
Places of Assembly	To operate a place of assembly Occupancy load 50-500..... Occupancy load 501-1000..... Greater than 1000.....	75.00 150.00 250.00
Pyrotechnic Articles	For the manufacture, storage, sale or use of pyrotechnic articles within the jurisdiction	150.00
Pyrotechnics Before a Proximate Audience	For the display and use of pyrotechnic materials before a proximate audience	150.00 <u>1<sup>st</sup> show shoot</u>  70.00 <u>each additional shoot</u>
Pyroxylin Plastics	For storage, handling, assembly or manufacture of pyroxylin plastics	75.00
Private Fire Hydrants	For installation, modification or removal from service of any private fire hydrants	75.00
Refrigeration Equipment	To install or operate a mechanical refrigeration unit or system	75.00
Repair Garages and Service Stations	For operation of service stations and repair garages	75.00
Residential occupancies	occupancies of 3 or more units (multi-story bldg 5 stories or more not included, see high-rise building)	1.00 per unit per min 75.00 Max 300.00
Rocketry Manufacturing For the Rooftop Heliports	manufacturing of model rocket motors	75.00
	For construction, modification or operation of a roof top heliport	75.00

Solvent Extraction	For storage, use, and handling	75.00
Spraying or Dipping of Flammable Finish	To conduct a spraying or dipping operation utilizing flammable or combustible liquids or powder coating: For installation or modification of any spray room, spray booth or preparation work station	75.00
Standpipe Systems	for installation, modification or removal from service of any standpipe system (2)	50.00 each in addition to sprinkler permit fee
Special Outdoor Events, Carnivals And Fairs	For the location and operation of special outdoor events, carnivals and fairs	175.00
Tar Kettles	For placement of a tar kettle, placement shall be obtained prior to the placement of a tar kettle	75.00
Tire-Rebuilding Plants	For the operations and maintenance of tire-rebuilding plant	75.00
Tire Storage	To use an open area or portion thereof to store tires in excess of 500 tires	75.00
Torch-Applied Roofing Operation	For the use of a torch for application of roofing materials	75.00
Wildland Fire-Prone Areas	For use of hazardous areas within fire-prone areas.	150.00
Wood Products	To store chips, bogged material, lumber or plywood In excess of 200 ft <sup>3</sup> (5.7m <sup>3</sup> )	75.00
Mobile Food Service Inspection	Per request	20.00
State License Inspections	Group homes, Daycares, foster care etc...	75.00
Commencement of work without proper permits/approvals	Or double permit fees whichever is greater	200.00
Commercial/multifamily construction plans review/check	Plans review/check fees	.05 Per sq ft min 150.00
Commercial/multifamily alteration plan review/check	Same as above	.05 Per sq ft min 100.00
Reinspection	For all field inspections	1 <sup>st</sup> n/c 2 <sup>nd</sup> &

		subseqt 50.00 each
Revised plans submittals	First resubmittal	n/c
	Second and subsequent resubmittal	20% of orig fee
Multi-use permits	Any combination of the above process	Highest two (2) permit fees

**Notes:**

1. **Maintenance** performed in accordance with this Code is not considered a modification and does not require a permit.
2. Permit is not issued for cooking and recreation fires.

**UNIT STANDBY:**

Rescue Unit - manned (2 employees)	Per four hour minimum Each additional hour or one-half hour fraction Each additional employee per four hour minimum Each additional hour or one-half hour fraction	actual cost
Fire Unit - manned (3 employees)	Per four hour minimum Each additional hour or one-half hour fraction Each additional employee per four hour min. Each additional hour or one-half hour fraction	actual cost
Fire Unit - manned (1 employee)	Per four hour minimum Each additional hour or one-half hour fraction Each additional employee per four hour minimum Each addition hour or one-half hour fraction	actual cost

Note: Standby and manpower charges may be waived for mutual aid request or when the provisions of this service are deemed by the Fire Chief to be a mutual benefit to the City Of Lakeland.

**MANPOWER:**

Special Code Enforcement Activities, Special Events, Fire Watch, and Other related activities	Charges are per person, two and one half hour minimum..... Each additional hour or one-half hour fraction.....	actual cost
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Sections 1.13.1-.5 are modified to read as follows:

**Section 1.13.1. Registration**

The Fire Official shall have the authority to require individuals or companies engaged in the following activities to register with the fire department before any permits are issued.

1. Use of explosives
2. Blasting or demolition operations
3. Fireworks displays
4. Installation of fixed automatic fire extinguishing systems
5. Installation of fire alarm or fire communication systems
6. Installation and removal of underground or above ground fuel tanks
7. Use of pyrotechnics before an audience

Section 1.13.2. Every individual or company applying for registration shall furnish proof of insurance and evidence of familiarity with the codes and standards for which they are registering. Any license or permit issued by the State for the operations listed in subsections 1.13.1.1.-7. shall be evidence of competency.

Section 1.13.3. Individuals or companies not licensed or permitted by the State shall show proof of their experience and training by written examination, with a passing grade of 80% or greater. If the applicant cannot demonstrate competency by written examination, a permit shall not be issued. The applicant is permitted to reapply for examination after 10 days. (See section 1.12.7 for applicable fees.)

Section 1.13.4. A certificate of competency shall be in the form of an identification card issued for a period of three years. Application for renewal shall be filed in the same manner as the original. The fire official may require re-examination.

Section 1.13.5. The fire official shall be permitted to revoke or suspend a certificate of competency issued by the department if any violation of this code is found upon inspection or where any false statements or misrepresentations are submitted in the application on which the approval was based.

Section 13.1.5.1 is created to read as follows:

13.1.5.1\_Written reports containing all deficiencies that are not corrected shall be filed with the fire official within five days of completion of annual maintenance or repair of any fire protection system.

Section 13.3.2.28 is created to read as follows:

13.3.2.28 This section applies to any construction of a new or modified structure except where other more stringent requirements are established by another code, ordinance or other regulation of the City.

- (1) Automatic sprinkler equipment shall be installed in:
  - (a) Any building having three or more stories, as referenced in F.S. 553.895.
  - (b) Any enclosed structure exceeding 12,000 square feet per floor gross area.
- (2) Any repair garage or parking garage two stories or more will be required to have Class I or Class III wet standpipe systems.
- (3) Dry standpipe systems shall not be permitted within the City except for areas subject to freezing, as determined by the fire official.
- (4) An automatic sprinkler system shall consist of such equipment as is necessary to ensure it is in proper operating condition, including electrical connections to a UL listed central monitoring station capable of providing notice of any closed water supply valve or other condition adversely affecting the system and notice of any flow of water in the system. The system shall be capable of immediately providing an alarm to a central monitoring station in case of fire and being restored to operative condition subsequent to any failure of the system.
- (5) Location of Fire Department Connections shall be approved by the Fire Official. An approved fire hydrant shall be located within 100 feet of the fire department connection. The distance shall be measured along the road surface.

Section 18.2.2.1 is modified to read as follows:

*Section 18.2.2.1.1* Access boxes shall be installed on all existing buildings which have automatic fire sprinkler systems or fire alarm systems required by this Code. Key boxes shall be approved by the fire department. As an option, a representative may respond within one hour of notification with

keys which allow complete access. However, this option shall not be available upon a change in the ownership of a business occupying a building subject to this Section and an access box shall be installed with reasonable promptness upon such change. For the purposes of this Section, a change in the ownership of a business means a change in the majority ownership of such business.

Section 18.2.2.1.2 Access boxes shall contain keys to all rooms containing fire alarm control panels, annunciator panels, sprinkler risers and any common areas.

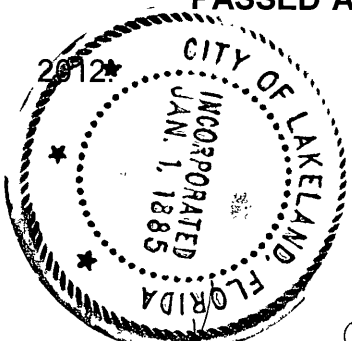
Section 18.2.2.1.3 All new construction which has automatic fire sprinkler systems or fire alarm systems shall include installation of access boxes approved by the fire department.

**SECTION 5.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6.** If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

**SECTION 7.** This ordinance shall take effect immediately upon its passage.

**PASSED AND CERTIFIED AS TO PASSAGE** this 6<sup>th</sup> day of February, A. D.



*Gow B. Fields*  
GOW B. FIELDS, MAYOR

ATTEST: *Kelly S. Koos*  
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: *Timothy J. McCausland*  
TIMOTHY J. McCAUSLAND  
CITY ATTORNEY