

## ORDINANCE NO. 02-12

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 96, "FIRE SAFETY AND EMERGENCY SERVICES", BY AMENDING 96.16, "CERTAIN CODES ADOPTED BY REFERENCE", TO COMPLY WITH THE STATE OF FLORIDA'S UPDATED CHANGES IN THE FIRE PREVENTION CODE STANDARDS; PROVIDING A SAVING CLAUSE, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.

**WHEREAS**, the City Commission follows certain NFPA codes in relation to minimum fire safety standards and the Florida Fire Prevention Code;

**WHEREAS**, the City Commission of the City of Delray Beach, Florida, desires to update its Code of Ordinances to reflect recent changes in the Fire Prevention Code Standards.

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

**Section 1.** That Section 96.16, "Certain Codes Adopted by Reference" of the Code of Ordinances of the City of Delray Beach, Florida, is hereby amended to read as follows:

### **Sec. 96.16. CERTAIN CODES ADOPTED BY REFERENCE.**

(A) The City adopts by reference and incorporates into this Code as though fully set out herein, that certain code, as it may from time to time be amended, known as the Florida Fire Prevention Code, and the incorporated standards.

(B) The City adopts by reference and incorporates into this Code, as though fully set out herein, those specific codes and standards, from the Florida Fire Prevention Code. In addition to the codes adopted by the Florida Fire Prevention Code, the City of Delray Beach adopts National Fire Protection Association codes listed below and as they may be amended:

NFPA	18	2006	Wetting Agents
NFPA	170	2006	Fire Safety Symbols
NFPA	326	2005	Safeguarding Tanks and Containers
NFPA	408	2004	Aircraft Hand Portable Fire Extinguishers
NFPA	423	2004	Construction and Protection of Aircraft Engine Test Facilities

NFPA	496	2003	Purged and Pressurized Enclosures for Electrical Equipment
<del>NFPA</del>	<del>502</del>	<del>2004</del>	<del>Road Tunnels, Bridges, and Limited Access Highways</del>
NFPA	720	2005	Household Carbon Monoxide Warning Equipment
<del>NFPA</del>	<del>780</del>	<del>2004</del>	<del>Installation of Lightning Protection Systems</del>
<del>NFPA</del>	<del>820</del>	<del>2003</del>	<del>Fire Protection in Wastewater Treatment and Collection Facilities</del>
<del>NFPA</del>	<del>914</del>	<del>2001</del>	<del>Fire Protection in Historic Structures</del>
NFPA	1141	2003	Planned Building Groups
<del>NFPA</del>	<del>1962</del>	<del>2003</del>	<del>Care, Use and Service Testing of Fire Hose Including Connections and Nozzles</del>
NFPA	1961	2002	Fire Hose

The City hereby adopts the following amendments to the Fire Prevention Code of the National Fire Protection Association, N.F.P.A. Pamphlet No. 1, included in the Florida Fire Prevention Code, adopted in this article:

- (1) Section 13.3.2 is amended to include the following language:

Approved automatic fire sprinkler systems as hereinafter defined shall be installed throughout hereinafter constructed buildings and structures or appropriate sections thereof:

- (a) The following buildings of an institutional or educational character; all hospitals, ambulatory, surgical or treatment centers, nursing homes, homes for the aged, convalescent centers, rehabilitation facilities, day care centers caring for more than 12 clients under 1 year of age, adult congregate living facilities, and all occupancies and uses of similar nature to those herein stated, without regard to the type of construction or height of the building or structure involved.
- (b) All new construction involving wood or partial wood frame buildings or structures which are 2 stories or more than 20 feet in height as measured from finish ground floor grade to the underside of the topmost roof assembly. Single-family homes, duplexes and townhouses shall be exempt from this requirement except as provided in section (d) below. For reconstruction or rehabilitation of existing structures where the total area of the additional/renovation included in the modification does not exceed 50 percent of the area of the building, the work shall be considered exempt from this requirement.



- (c) All buildings or structures regardless of the type of construction which are 3 or more occupied stories or have three (3) or more unoccupied stories as deemed required by the authority having jurisdiction (AHJ). Occupied story is defined by N.F.P.A. 101 the Life Safety Code as a story occupied by people on a regular basis. Stories used exclusively for mechanical equipment rooms, elevator penthouse, and similar spaces are not occupiable stories.
- (d) All buildings or structures regardless of the type of construction which are in excess of 12,000 square feet per floor, or an aggregate of 12,000 square feet if there is unprotected communication between floors or intermediate spaces.
- (e) All portions or sections of buildings or structures which are below grade or which constitute the basement area of a building or structure regardless of square footage of floor area or type of construction. The automatic fire sprinkler systems herein referred to and the installation thereof which is required by this ordinance shall be as contained in and provided for with the applicable standard specified for this section under appendix A of this Fire Prevention Code.

- (2) Section 13.2.2.2 is amended to include the following language:

All hereafter constructed buildings and structures more than 3 stories in height or 36 feet in height or all buildings more than 2 stories in height and more than 30,000 square feet per floor level, shall be equipped with approved Class 1 standpipes to provide reasonable safety to persons and property.

For purposes of this section, height is measured from finish ground floor grade to the underside of the topmost roof assembly.

- (3) Section 13.2.3 is amended to include the following language:

All systems, equipment, tanks, piping, devices, appliances, controls, or storage facilities over which the code contains regulatory provisions, or which are required by any other law, shall be maintained in operative condition at all times to provide the service for which installed.

All fire sprinkler, standpipe, and fire pump systems shall be annually inspected, serviced, and maintained under a written service contract with service companies licensed by the State of Florida to provide such services and which possess a current occupational license for the City of Delray Beach providing for regular maintenance and testing of the systems in accordance with the applicable standards specified under Appendix A of this Fire Prevention Code and N.F.P.A. 13A, N.F.P.A. 14A and N.F.P.A. 25.

The service company performing the maintenance and tests shall forward a written report to the Fire-Rescue Department indicating the nature of any repairs, modifications, and/or corrections completed by the service company, the date and time of such tests and inspections and any other information which may be required by the fire-rescue services department. In addition, a copy of the service report must be maintained on the premises, and it shall be subject to inspection by the Fire-Rescue Department at anytime.

- (4) Section 13.3.1.7 is amended to include the following language:

Valves on connections to water supplies, sectional control and isolation valves, and other valves in supply pipes to sprinklers and other fixed water based fire suppression systems shall be supervised by an approved Central station signaling service.

- (5) Section 13.7.1.1 is amended to include the following language:

Remote monitoring locations shall not be permitted to verify fire alarm signals prior to reporting them to the Fire-Rescue Department.


**Section 2.** That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

**Section 3.** That all ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed.

**Section 4.** That this ordinance shall become effective immediately upon its passage on second and final reading.

**PASSED AND ADOPTED** in regular session on second and final reading on this 17<sup>th</sup> day of January, 2012.

  
VICE-MAYOR

ATTEST:  
  
City Clerk

First Reading 1/3/2012

Second Reading 1/17/2012