ORDINANCE 11-26

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING CHAPTER 10, OF THE JUPITER CODE OF ORDINANCES, RENAMING IT "FIRE PREVENTION, PROTECTION, AND COMMUNITY RISK REDUCTION DIVISION"; PROVIDING FOR AMENDMENTS TO ARTICLE I, TO CREATE NEW REGULATIONS IN SECTIONS 10-1 THROUGH 10-3 AND DESIGNATING A TOWN FIRE MARSHAL AS THE AUTHORITY HAVING JURISDICTION; PROVIDING FOR THE AMENDMENT OF ARTICLE II SECTION 10-19 ENTITLED "FIRE PREVENTION CODE" AND CREATING SECTION 10-20 PERTAINING TO UNIFORM SAFETY STANDARDS AND SECTION 10-21 REGARDING ACCESS TO GATED SUBDIVISIONS OR PLANNED UNIT DEVELOPMENTS; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 633, Florida Statutes, establishes statewide minimum fire safety standards and authorizes municipalities to adopt and enforce the Florida Fire Prevention Code; and

WHEREAS, the Town Council of the Town of Jupiter (Town) desires to ensure that uniform, consistent fire prevention and life safety regulations are administered within the Town's corporate limits; and

WHEREAS, the establishment of a Fire Prevention and Community Risk Reduction Division under the direction of the Fire Marshal will enhance the Town's fire safety, public education, and enforcement capabilities; and

WHEREAS, the Town Council finds it in the best interests of its residents to adopt updated fire codes and standards, and to ensure that there is adequate emergency access to gated communities within the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AS FOLLOWS:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Council.

Section 2. Articles I and II of Chapter 10 of the Code of the Town of Jupiter, Florida is hereby amended as follows:

CHAPTER 10. FIRE PREVENTION ~~AND PROTECTION,~~ PROTECTION, AND COMMUNITY RISK REDUCTION DIVISION.

ARTICLE I. – ~~IN GENERAL~~ FIRE PREVENTION BUREAU

Sec. 10-1. Division established.

The Fire Chief shall designate a Fire Marshal as the authority having jurisdiction over the Fire Prevention Bureau, known as the Fire Prevention, Protection, and Community Risk Reduction Division within the Jupiter Fire Rescue Department. The Fire Marshal shall be responsible for the enforcement of fire codes within the Town. To assist in the performance of the responsibilities and duties placed upon the Fire Marshal, the Fire Prevention, Protection, and Community Risk Reduction Division, which shall be responsible for ensuring fire prevention, inspections, and investigations in the Town, is hereby established.

Sec. 10-2. Schedule of inspection fees, permit fees, and other charges.

All fees shall be in accordance with the schedule created by the Jupiter Fire Rescue Department, which shall be maintained in the Office of the Town Clerk.

Sec. 10-3. Repeal of inconsistent county provisions.

All prior resolutions, ordinances, or interlocal agreements that granted fire prevention, inspection, and code enforcement authority to Palm Beach County Fire Rescue within the Town, including the adopted Palm Beach County Fire Code, as amended, are hereby repealed, effective on October 1st, 2026. As of October 1, 2026, the Jupiter Fire Rescue Department shall have full authority and jurisdiction for fire prevention, inspection, and fire code enforcement within the incorporated limits of the Town.

ARTICLE II. – STANDARDS

Sec. 10-19. Fire prevention code adoption and enforcement.

~~There is hereby adopted the Florida Fire Prevention Code, 2004 edition, and the county fire code, together with all amendments thereof hereafter issued. The town adopts the codes by reference and incorporates them into this Code as though fully set out herein.~~

(a) Adoption. In accordance with sections 633.202 and 633.208, Florida Statutes, the Florida Fire Prevention Code, adopted by the State Fire Marshal in Rule Chapter 69A-60, Florida Administrative Code, as amended from time to time, including the Florida editions of NFPA 1 Fire Code and NFPA 101 Life Safety Code, is hereby adopted by reference as the fire safety code of the Town. It is intended that the Florida Fire Prevention Code shall operate in conjunction with the Florida Building Code.

(b) Enforcement. The Town is authorized to and shall enforce the Florida Fire Prevention Code in the Town as the minimum fire safety code, requiring inspection of all new buildings and periodic inspection of existing buildings subject to the Code.

Sec. 10-20. Uniform Fire Safety Standards – Adoption and Enforcement.

The Uniform Fire Safety Standards, established by the Florida Department of Financial Services pursuant to F.S. § 633.022, are hereby adopted as the fire safety standards of the Town.

Sec. 10-21. Access to Gated Subdivisions or Developments.

Existing subdivisions or planned unit developments which maintain gated security access to subdivision units and properties, the subdivision's community association shall provide Jupiter Fire Rescue with an approved key access system. Where the Authority Having Jurisdiction determines that a gate or access control system delays, restricts, or fails to provide reliable fire rescue access, the system shall be modified or equipped with an approved emergency access system to ensure immediate entry New gate installations, in new subdivisions, or planned unit developments, having one or more gates providing access that are not manned 24/7/365, a Click2Enter "C2E" system shall be installed as the primary access system for fire rescue's access into the subdivision or planned unit development by a Jupiter Fire Rescue approved key switch system shall be installed as a secondary (redundant) emergency access system to provide entry in the event the primary access system fails or is not operational. These systems shall simultaneously open all gates to provide for a fire department vehicle access lane. The gates shall remain open until restored to their normal position by the Jupiter Fire Rescue Department. The

location of the control units shall be determined by the Authority Having Jurisdiction. If at any time the primary or secondary access system is not functioning, all gates providing access shall be left in the open position until such time they are repaired.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Codification. The sections of the ordinance may be a part of the Code of the Town of Jupiter, Florida and may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

Section 5. Effective Date. This ordinance shall take effect immediately upon its execution.

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Upon First Reading this 2nd day of June 2026, the foregoing Ordinance was offered by Councilor Dan Guisinger, who moved its adoption. The motion was seconded by Vice-Mayor Phyllis Choy, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR JIM KURETSKI	X	
VICE-MAYOR PHYLLIS CHOY	X	
COUNCILOR RON DELANEY	X	
COUNCILOR DAN GUISINGER	X	
COUNCILOR MALISE SUNDSTROM	X	

Upon Second Reading this 16h day of June 2026, the foregoing Ordinance was offered by Councilor Dan Guisinger, who moved its adoption. The motion was seconded by Councilor Ron Delaney, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR JIM KURETSKI	X	
VICE-MAYOR PHYLLIS CHOY	Absent	
COUNCILOR RON DELANEY	X	
COUNCILOR DAN GUISINGER	X	
COUNCILOR MALISE SUNDSTROM	X	

The Mayor thereupon executed on this 22 day of June, 2026

TOWN OF JUPITER, FLORIDA

ATTEST:

BY: _____
JIM KURETSKI
MAYOR

_____
MERRIANE LAHMEUR,
TOWN CLERK

(TOWN SEAL)

_____
THOMAS J. BAIRD, ESQ.
Approved as to form and
legal sufficiency