

ORDINANCE NO. 5869

PROPOSED ORDINANCE NO. 21-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATED TO FIRE PREVENTION; ADOPTING THE FLORIDA FIRE PREVENTION CODE, 7TH EDITION; ADOPTING LOCAL AMENDMENTS TO SAID CODE; PROVIDING FOR THE ADOPTION OF FEES BY RESOLUTION; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the general laws of the State of Florida require the State Fire Marshal to adopt by rule the Florida Fire Prevention Code and to update to a new edition of said Code every third year; and

WHEREAS, the Florida Fire Prevention Code, as adopted by the State Fire Marshal, applies uniformly across the state; however, local jurisdictions may make local amendments in order to strengthen the protections afforded by the Code and to conduct the business of administering the Code as deemed fit by the local authority having jurisdiction; and

WHEREAS, the City Commission wishes to adopt the latest edition of the Florida Fire Prevention Code, 7th Edition, along with the following local amendments, which are deemed necessary and proper by the Lakeland City Commission to protect the public health, safety and welfare of the citizens of the City of Lakeland;

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

SECTION 1. The City Commission hereby repeals Ordinances 5703 and 5770, as well as Resolutions 5450 and 5596. The provisions of this Ordinance shall govern the City's adoption and administration of the Florida Fire Prevention Code.

SECTION 2. Under the general laws of the State of Florida, specifically F. S. 633.202 and 633.208, the Florida Fire Prevention Code as adopted by the State Fire Marshal is the minimum fire safety standard applicable statewide, notwithstanding whether a local government adopts said Code. However, local governments have the responsibility to administer and enforce said Code, and may amend certain provisions of that Code to apply more stringent standards under certain circumstances.

SECTION 3. The Florida Fire Prevention Code, 7th Edition, which incorporates NFPA 1, Uniform Fire Code, 2018 Edition, published by the National Fire Protection Association, Inc., NFPA 101, Life Safety Code, 2018 Edition, published by the National Fire Protection Association, Inc., and the Florida Administrative Code, Chapter 69A, is hereby adopted by the City of Lakeland, subject to such modifications as are set forth herein, and said Code shall apply with the same force and effect as any other ordinance of the City. The 7th Edition of the Florida Fire Prevention Code, together with modifications herein provided, shall be known as the "Fire Code of the City of Lakeland, Florida."

SECTION 4. A 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. However, this Section shall not limit any other enforcement remedies available to the City, including but not limited to Stop Work Orders or other orders as contemplated in the Fire Code, remedies available to the City's Code

Enforcement Board, or other civil or equitable relief as necessary and in coordination with the City Attorney's Office.

SECTION 5. The City Commission finds that, due to local conditions within the City of Lakeland, the following amendments to the Florida Fire Prevention Code, 7th Edition, are necessary. Accordingly, NFPA 1 Uniform Fire Code, 2018 Edition, adopted by this Ordinance, is hereby amended, altered, and changed in the following respects:

Section 3.3.264.1 is added, which shall provide as follows:

3.3.264.1 Enclosed Structure. A structure with a roof or ceiling and at least one solid wall that can present fire hazards, such as accumulations of smoke, toxic gases, and heat similar to those found in buildings.

Section 13.2.2.7 is added, which shall provide as follows:

13.2.2.7 Repair garages or parking garages, two stories or more in height, shall be required to have a Class I or Class III wet standpipe system.

Section 13.3.2.31 is added, which shall provide as follows:

1. Sprinkler systems shall be installed to meet the current edition of NFPA 13, with an underground fire line installed to meet the current edition of NFPA 24 and both maintained in accordance with the current edition of NFPA 25.
2. An automatic sprinkler system shall consist of such equipment as is necessary to ensure the system 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 to provide emergency forces notification 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.

3. Fire Department Connection (FDC) locations 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 18.2.1.1 is added, which shall provide as follows:

18.2.2.1.1 Access boxes shall be installed on all new and existing buildings which have automatic sprinkler systems or fire alarm systems. Key boxes shall be approved by the fire department.

Section 18.2.2.1.1 is added, which shall provide as follows:

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

SECTION 6. The City Commission finds that these local amendments result in a higher degree of life safety protection than the Florida Fire Prevention Code otherwise provides, and these amendments do not discriminate as to materials, products, or construction techniques of demonstrated capabilities.

SECTION 7. The City Commission may adopt fees regarding permits and inspections pursuant to the Florida Fire Prevention Code and these local amendments by

way of resolution, which may be updated from time to time. Said fees shall not exceed the actual cost of administration and enforcement of the Code.


SECTION 8. Should any section, paragraph, sentence, clause or phrase of this Ordinance conflict with any section, paragraph, sentence, clause or phrase of any prior City of Lakeland ordinance, resolution, or code provision, then in that event the provisions of this Ordinance shall prevail to the extent of such conflict.


SECTION 9. If any one or more of the covenants, agreements, or provisions of this Ordinance should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions of this Ordinance, which shall otherwise remain in full force and effect.


SECTION 10. This Ordinance shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 5th day of April, A.D. 2021.




KELLY S. KOOS, CITY CLERK


H. WILLIAM MUTZ, MAYOR

APPROVED AS TO FORM AND CORRECTNESS: 
PALMER C. DAVIS
CITY ATTORNEY

