

ORDINANCE NO. 1175

AN ORDINANCE OF THE CITY OF MAITLAND, FLORIDA RELATING TO FIRE PREVENTION AND AMENDING THE MAITLAND CITY CODE; IMPLEMENTING THE FLORIDA FIRE PREVENTION CODE; ADOPTING THE FLORIDA FIRE PREVENTION CODE BY REFERENCE AND REFERENCED PROVISION OF NATIONALLY RECOGNIZED CODES; PROVIDING FOR THE GENERAL REGULATION OF FIRE PREVENTION ACTIVITIES WITHIN THE CITY OF MAITLAND; READOPTING LOCAL TECHNICAL AMENDMENTS AS PRESCRIBED BY FLORIDA STATUTE; REORGANIZING SECTIONS TO COORDINATE WITH THE FLORIDA FIRE PREVENTION CODE; PROVIDING FOR ACCESS BOXES AND ACCESS CONTROL GATES; PROVIDING FOR STANDPIPE AND FIRE SPRINKLER SYSTEMS; PROVIDING FOR FIRE HYDRANTS; PROVIDING FOR FIRE FLOW REQUIREMENTS; RECREATING THE PROVISIONS SET FORTH IN ARTICLE II; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 1998 the Florida Legislature passed enabling legislation creating the Florida Fire Prevention Code; and

WHEREAS, the enabling legislation and Florida Statutes require the State Fire Marshal to adopt a new edition of the Florida Fire Prevention Code every third year; and

WHEREAS, the new edition of the Florida Fire Prevention Code becomes effective throughout the State of Florida on January 1, 2009; and

WHEREAS, the enforcement of the Florida Fire Prevention Code is the responsibility of local governments; and

WHEREAS, any local amendment to the Florida Fire Prevention Code adopted by a local government shall be readopted on a tri-annual basis in conjunction with the new edition of the Florida Fire Prevention Code; and

WHEREAS, the City of Maitland actively participates in the enforcement of fire safety regulations for the benefit of the public safety of its citizens; and

WHEREAS, the City of Maitland desires to provide provisions requiring the installation of exterior key boxes to allow access by responding emergency personnel for the benefit of the public safety of its Citizens and their property; and

WHEREAS, the City of Maitland desires to provide formal requirements for installation of automatic access systems for all new power operated security gates to allow for emergency response and ensure timely delivery of life saving services to our Citizens; and

WHEREAS, the City of Maitland desires to provide requirements for maintenance of existing power operated security gates; and

WHEREAS, the City of Maitland desires to coordinate the local standpipe system requirements with the Florida Fire Prevention Code and Florida Statute to provide local provisions consistent with State Regulations; and

WHEREAS, the City of Maitland desires to maintain the local fire sprinkler system requirements to provide for the safety and protection of our Citizens and their property; and

WHEREAS, the City of Maitland desires to provide provisions requiring uniform color coding of fire hydrants to illustrate available water supply for responding emergency personnel for the benefit of the public safety of its Citizens and their property; and

WHEREAS, the City of Maitland desires to maintain a performance based design method for firefighting water supply requirements to allow for flexibility of use and design for our Citizens and their property; and

WHEREAS, the City of Maitland desires to maintain provisions for a combination prescriptive and performance bases design method to allow for flexibility of use and design for dead-end underground mains and fire hydrants for our Citizens and their property; and

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Maitland, Florida, as follows:

SECTION 1. Article II, "Fire Prevention and Protection Systems" of Chapter 6 of the Code of Ordinances of the City of Maitland is amended to read as follows (note: underlined words constitute the additions to the existing text of the *Fire Protection and Prevention Code*, ~~strikethroughs~~ constitute deletions to the existing text of the *Fire Protection and Prevention Code*, and asterisks (****) indicate a deletion from the existing text of the *Fire Protection and Prevention Code*, which is intended to remain unchanged):

ARTICLE II.

FIRE PREVENTION AND FIRE PROTECTION SYSTEMS

Sec. 6-14. Codes and Standards.

The Florida Fire Prevention Code, 2005~~7~~ Edition is hereby recognized and incorporated by reference by the Maitland City Council for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion.

In addition, those nationally recognized Codes and Standards as referenced and listed in 469A-60.005(2), Chapter 32, NFPA 1, 2006 edition and Chapter 2, NFPA 101, 2006 edition,

shall also be recognized and incorporated as part of the Maitland Code.
(Ord. No. ~~1101~~ 1025, § 1, 1-10-05 2-25-02)

Sec. 6-16. Local Amendments to NFPA 1.

(a) 10.11.1.1 Is amended to read: Permits shall be obtained from the authority having jurisdiction for all open fires. For the purposes of this section, open fires are defined as the burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open fires do not include road flares, smudge pots and similar devices. A chamber shall be regarded as enclosed when, during the time combustion occurs, only openings, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gases are open. Permits shall not be required for cooking and recreational fires which are kindled in an enclosed chamber as defined herein. Whenever a permit is required and issued, said permit shall be valid and in full force and affect for a period of up to one year, provided that there is no material change to the circumstances under which it was originally issued. During construction or demolition of any building or structure(s), no waste materials or rubbish may be disposed of by burning.

(b) ~~10.12.1 is amended to read:~~ All new commercial buildings protected with approved fire sprinklers or a fire alarm system shall be equipped with an exterior key box to allow for access by responding emergency personnel after normal operating hours. Existing commercial buildings protected with approved fire sprinklers or a fire alarm system that are not already equipped with an approved key box shall be provided with same within two (2) years from the date of the adoption of this ordinance. For commercial buildings which operate on a 24/7 basis and have documentable management, engineering, or security representatives on site ~~at all times~~, the key box requirement may be waived by the authority having jurisdiction. The key box shall be a type approved by the authority having jurisdiction and shall contain all keys, devices, or information necessary to gain access as required by the authority having jurisdiction. The operator of the premises shall immediately notify the authority having jurisdiction, and provide new key(s), devices, or information, any time a lock is changed or rekeyed, or any other device or information is changed for a facility that is equipped with the required key box.

(d) ~~10.12.2 is amended to read:~~ All new power operated access control gate system installations shall be equipped with an automatic activation system acceptable to the authority having jurisdiction to allow for emergency access by responding fire/rescue apparatus. A keypad and appropriate numerical code shall also be provided to allow access. A means of manual override or back-up power shall be provided on all power operated gating systems to allow for access in the event of loss of power.

(f) All access control gates, both new and existing, shall be continuously maintained

in proper operating condition at all times. Power operated gates shall be inspected by a competent authority familiar with their operations at least once annually. Documentation of this inspection shall be kept by the property owner, property management, or a responsible party and shall be available for inspection by the Department upon request.

(h) 13.2.2.2 is amended to read: New buildings shall be equipped with a Class III standpipe system installed in accordance with the provisions of this section and NFPA 14, *Standard for the Installation of Standpipe, Private Hydrant, and Hose Systems*, where any of the following conditions exist:

- (1) More than ~~three~~ two stories above grade.
- (2) More than 50 ft. (15 m) above grade and containing intermediate stories or balconies
- (3) More than one story below grade
- (4) More than 20 ft (6.1 m) below grade
- (5) All new parking garages

Exception: Multi-family dwelling buildings with exterior egress arrangements and/or townhouse style buildings shall be exempt from the requirements of this subsection.

(i) ~~13.3.1.1 is amended to include those occupancies specified in Section 6-16 of the Maitland City Code. Automatic sprinklers shall be installed and maintained in full operating condition in the occupancies specified in this Code, Sec. 6-16 of the Maitland City Code of Ordinances, or in the codes or standards referenced in Chapter 2.~~

(j) All new commercial buildings three (3,000) thousand or more gross square feet in area shall be protected throughout by an approved automatic sprinkler system. Fire sprinkler systems required to be installed per Maitland City Code shall be electrically monitored through a supervising station fire alarm system. The required fire alarm systems supervising station agency shall be listed by a nationally recognized testing organization.

Exception: The provisions of this Code Section shall not apply to facilities which, in the opinion of the authority having jurisdiction, house occupancies or operations where the application of water as the extinguishing agent would increase rather than decrease the hazard to life or property. The authority having jurisdiction shall approve the type of protective system proposed for installation as an alternative to fire sprinkler protection.

Exception: Parking garages that meet the definition and criteria of "Open Parking Garage" as contained in the Florida Building Code, current edition, shall be exempt from the requirements of this subsection.

(k) All existing commercial buildings which were lawful before the effective date of this ordinance and that are of three thousand (3,000) or more gross square feet in area that are renovated to an extent, which involves fifty (50) percent or more of the interior, shall be retrofitted with an approved automatic sprinkler system. shall be permitted to continue in use as a

nonconforming structure subject to the requirements of this section provided the following conditions are met:

1. For buildings less than 3,000 square feet, its nonconformity is not extended in size to greater than 3,000 square feet;
2. For buildings greater than 3,000 square feet, its non conformity is not extended at all;
3. It maintains its occupancy classification as defined by the Florida Fire Prevention Code adopted herein by reference, and
4. No interior repair, renovation, modification, reconstruction, refinishing, or replacement consisting of a dollar value equal to or greater than fifty (50) percent of the current assessed property value as assessed by the Orange County tax assessor's office. For the purpose of this section, to renovate, refinish or replace shall not mean initiatives solely intended to be of a cosmetic, aesthetic, ornamental or decorative nature.

Fire sprinkler systems required to be installed per Maitland City Code shall be electrically monitored through a supervising station fire alarm system. The required fire alarm systems supervising station agency shall be listed by a nationally recognized testing organization.

(l) Conversions of residential structures to commercial occupancy uses when such conversion is a facility of three thousand (3,000) or more gross square feet shall be protected throughout by an approved automatic sprinkler system. Fire sprinkler systems required to be installed per Maitland City Code shall be electrically monitored through a supervising station fire alarm system. The required fire alarm systems supervising station agency shall be listed by a nationally recognized testing organization.

(m) ~~Section 13.3.2.1415.2~~, NFPA 1, Uniform Fire Code, 2003~~6~~ Ed edition is hereby deleted from reference and will not be recognized as applicable to multi-family residential buildings within the City of Maitland.

(n) ~~18.3.3 is amended to read:~~ The number and type of fire hydrants and connections to other approved water supplies shall be capable of delivering the required fire flow and shall be provided at approved locations. Hydrants shall be spaced in accordance with the authority having jurisdiction, but in no case shall the distance between installed fire hydrants exceed 1,000 feet. Maximum distance from the nearest hydrant to the most remote exterior point of any building shall be 500 feet. If necessary, additional hydrants shall be provided within 500 feet of a building in sufficient quantity to supply the required fire flow for a building. Public hydrants are recognized as meeting all or part of the above requirements.

(p) The body of public fire hydrants shall be painted silver in color. The body of private fire hydrants shall be painted red in color. Color coding of the hydrants to illustrate available fire flow amounts shall be accomplished per the guidelines of NFPA 291, *Recommended Practices for Fire Flow Testing and Marking of Hydrants*.

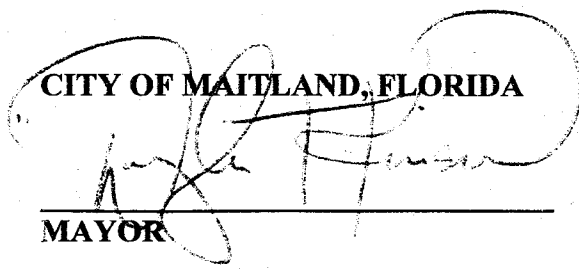
(s) An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into the jurisdiction. The required fire flow for all new residential subdivisions, multi-family dwellings, and commercial developments, shall be established in accordance with Annex H, Fire Flow Requirements for Buildings, NFPA 1, 2006 edition as adopted in the Florida Fire Prevention Code which shall be modified periodically per Florida Statute 633, and modified by reference herein. The fire flow shall be measured at a minimum rate of 25 psi residual pressure. Fire flow calculations shall also be accomplished for all existing buildings that are increased in square footage through addition or modification in accordance with Annex H, Fire Flow Requirements for Buildings, NFPA 1, 2006 edition as adopted and modified by reference herein. The minimum accepted fire flow for any existing single family dwelling shall be not less than 500 gpm; and 1000 gpm for exiting residential duplex dwellings. Where hydraulic calculations are utilized to prove the required fire flow is available, the minimum acceptable design pressure shall be not less than 25 psi. When determined by the City that the adopted fire flow requirements cannot be met, the City shall have the authority to accept alternative methods as it deems appropriate.

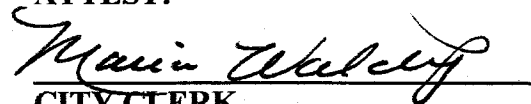
SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. If any section, subsection, 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 portion thereto.

SECTION 4. This ordinance shall become effective immediately upon its adoption.

ADOPTED by the City Council of the City of Maitland, Florida, this 9th day of FEBRUARY, 2009.

CITY OF MAITLAND, FLORIDA

MAYOR

ATTEST:

CITY CLERK