

ORDINANCE NO. 5072

PROPOSED ORDINANCE 08-133

AN ORDINANCE RELATING TO FIRE PROTECTION; MAKING FINDINGS; ADOPTING THE FLORIDA FIRE PREVENTION CODE, 2007 EDITION, WITH MODIFICATIONS; REPEALING ORDINANCE NO. 4618; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida Fire Marshal has adopted, by promulgated rule under 69A-60 Florida Administrative Code, the Florida Fire Prevention Code, 2007 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, 2007 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 Ordinance 4618 of the City of Lakeland is hereby repealed.

SECTION 3. The Florida Fire Prevention Code, 2007 Edition, which incorporates NFPA 1, Uniform Fire Code, 2006 Edition, published by the National Fire Protection Association, Inc., the NFPA 101, Life Safety Code, 2006 Edition, published by the National Fire Protection Association, Inc., and the Florida Administrative Code, chapter 69A, is hereby adopted by the City Commission, 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 2007 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 2007 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, 2006 Edition, adopted by this ordinance, is amended in the following respects:

Section 1.12.21 is created to read as follows:

1.12.21. Permit fees.

1.12.21.1 Required annual fire inspection permit fees will be collected via the permitted entity's electric utility bill. Failure to renew any annual permit within 30 days of being invoiced shall result in double fees.

1.12.21.2 Permit and miscellaneous service fees shall be as follows:

PERMIT FEE SCHEDULE

| Operation Fee | Description | |
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| Aerosol Products | To store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 lbs (226.8 kg) | 75.00 |
| 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 (Fixed Locations) | 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)..... | 200.00 per 25,000 sq. ft |
| | Other systems installation (hood, paint, halon, FM200, etc...) | 150.00 per system |
| | Modification (fire sprinkler system less than fifty (50) heads).. | 100.00 |
| | Modifications (other systems)..... | 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... | N/C |
| | 12,000 sq. ft. or more per floor... | 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 |

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| Clean rooms | For construction, alteration or operation | 75.00 |
| Combustible Fibers | For storage or handling of combustible fibers greater than 100 ft ³ (2.8m ³) | 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 1.12.20 (b). When the compressed gases in use or storage exceed the amounts listed in Table 1.12.20 (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 1.12.20(d) | 75.00 |
| Covered Mall Buildings | Annual requirements for facilities that utilize mall area for exhibits or displays with 4 conditions. (See 20.1.4.5.1) | 75.00 |
| <u>Crop Maze</u> | <u>To operate a crop maze</u> | <u>75.00</u> |
| _Cryogens | To produce, store or handle cryogens in excess of amounts Listed in Table 1.12.20(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 |

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| Fire Alarm and Detection Systems and Related Equipment | Installation or modification of fire alarm and detection systems and related equipment (1) | 200.00 per 25,000 sq. ft. |
| | modification of systems (20 or less devices) | 100.00 |
| <u>Fire Hydrants and Water Control Valves</u> | <u>To use a fire hydrant or operate a water control valve intended for fire protection purposes</u> | <u>75.00</u> |
| <u>Fire Pumps and Related Equipment</u> | <u>Installation of or modifications to fire pumps, jockey pumps, controllers, and generators</u> | <u>75.00</u> |

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| 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 |

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| | <u>Maximum Fee</u> | 250.00 |
| <u>Fruit Ripening</u> | <u>To operate a fruit- ripening process</u> | <u>75.00</u> |
| <u>General Storage</u> | <u>To store materials indoors or outdoors, representing a broad range of combustibles, including plastics, rubber tires, and roll paper</u> | <u>75.00</u> |
| 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 1.12.20(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 1.12.20(d) | 75.00 |
| High-Piled Combustible Storage | To use any building or portion thereof as a high-piled storage area exceeding 500 ² (46.45m ²) | 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 <u>of 250 gal. or greater (water capacity)</u> 2. To install or modify LP-gas systems | 75.00 per tank over 2000 gal |
| 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 401-101 definition <u>and less than 12,000 sq. ft.</u> <u>12,000 or more sq. ft. or more per floor</u> | N/C 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 |

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| <u>Motion Picture and Television Production Studio Sound Stages and Approved Production Facilities</u> | <u>To design, construct, operate, and maintain sound stages and approved production facilities used in motion picture and television industry productions</u> | <u>75.00</u> |
| Multi-story Building | <u>1 - 5 Stories.....</u> 6 - 1 - 5 Stories 6 10 <u>Stories.....</u> <u>Over 10 Stories.....</u> | <u>Per occupancy fee</u> <u>Per occupancy fee</u> <u>200.00</u> <u>300.00</u> |
| 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 (10.11.4) 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 1.12.20(c) and (d) | 75.00 |
| <u>Outside Storage of Tires</u> | <u>To store more than 500 tires outside</u> | <u>75.00</u> |
| Oxidizers | To store, transport on site, use or handle materials In excess of amounts listed in Table 1.12.20(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>1st 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 |

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| Residential occupancies | occupancies of 3 or more units (multi-story bldg 5 stories or more not included, <u>see highrise building</u>) | 1.00 per unit min 75.00 Max 300.00 |
| Rocketry Manufacturing For the | manufacturing of model rocket motors | 75.00 |
| Rooftop Heliports | For construction, modification or operation of a roof top heliport | 75.00 |
| <u>Solvent Extraction</u> | <u>For storage, use, and handling</u> | <u>75.00</u> |
| 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 4000 ft ² (28.3m²) <u>500 tires</u> | 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 ³ (20) (5.7m ³) (2) | 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 which ever 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 st n/c 2 nd & subseqt 50.00 each |
| Revised plans submittals | First resubmittal Second and subsequent resubmittal | n/c 20% of orig fee |

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| Multi-use permits | Any combination of the above process | Highest two (2) permit fees |
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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:

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| 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 | 300.00 -90.00 170.00 40.00 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 645.00 162.00 170.00 -40.00 |
| 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 | 220.00 -80.00 170.00 40.00 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:

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| Special Code Enforcement Activities, Special Events, Fire Watch, and Other related activities | Charges are per person, two <u>and one half</u> hour minimum..... Each additional hour or one-half hour fraction..... | 100.00 -50.00 actual cost |
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ADDITIONAL SERVICES

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| Incident Reports | Owner & occupant first report All others | No charge |
| Incident Reports | Research Before 1999 first 30 min Per additional hour or fraction thereof | No charge 20.00 |
| Transcribe and or copy audio and video tapes | Per tape | 15.00 |
| Photo copy from negatives and photo | | Actual cost |
| Photo development | | Actual cost |
| Other inspections at the request of the public not otherwise provided for herein | | 50.00 per hour |

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 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 1.12.20 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 10.12.4 is deleted:

~~Section 10.12.4 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.~~

~~Section 10.12.4.1 Access boxes shall contain keys to all rooms containing fire alarm control panels, annunciator panels, sprinkler risers and any common areas.~~

~~Section 10.12.4.2 All new construction which have automatic fire sprinkler systems or fire alarm systems required by this Code shall install access boxes approved by the fire department.~~

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 13.3.2.25 is created to read as follows:

Section 13.3.2.25 This section applies to any construction or 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 to provide 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 69.1.1.4 is created to read as follows:

69.1.1.4 The bulk storage of liquefied petroleum gas is prohibited in the fire district as defined by Section 42-4 of the Lakeland City Code and as otherwise restricted in the City's land development regulations.

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

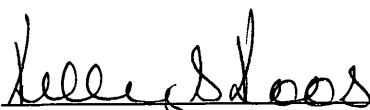
SECTION 6. If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected there

SECTION 7. This ordinance shall take effect on January 1, 2009.

PASSED AND CERTIFIED AS TO PASSAGE this 15th day of

December, A. D. 2008.


RALPH L. FLETCHER, MAYOR

ATTEST: 
KELLY S. KOOS
CITY CLERK

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

