

ORDINANCE 2020-02

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, RENAMING, AMENDING AND RESTATING IN ITS ENTIRETY, CHAPTER 94, FIRE PREVENTION CODE, OF THE CODE OF ORDINANCES OF LONGBOAT KEY; AMENDING SECTION 94.01, TITLE; AMENDING SECTION 94.02, DEFINITIONS; AMENDING AND RENAMING SECTION 94.03, ADOPTION OF NATIONAL FIRE CODE; AMENDING SECTION 94.04, APPLICATION; AMENDING SECTION 94.10, AUTHORITY HAVING JURISDICTION; AMENDING SECTION 94.11, ALTERNATIVES TO REQUIREMENTS; AMENDING SECTION 94.12, RIGHT OF ENTRY, IMPLIES CONSENT; AMENDING SECTION 94.13, AUTHORITY TO INVESTIGATE FIRES AND EXPLOSIONS; AMENDING SECTION 94.14, PERMITS, APPROVALS, AND CERTIFICATES; AMENDING SECTION 94.15, VIOLATION PROCEDURE, AUTHORITY TO ABATE; AMENDING SECTION 94.16, REQUIRED RECORDS; AMENDING SECTION 94.17, INSPECTION OF CONSTRUCTION OR INSTALLATION WORK; AMENDING AND RENUMBERING SECTION 94.17.1, PERIODIC FIRE INSPECTIONS, INSPECTION FEES; AMENDING AND RENUMBERING SECTION 94.18, APPROVAL OF PLANS AND INSTALLATIONS; AMENDING AND RENAMING SECTION 94.25, DISCOVERY OF UNFRIENDLY FIRE; AMENDING SECTION 94.26, REPORTING HAZARDOUS CONDITIONS, MAINTAINING HAZARD; AMENDING SECTION 94.27, CARELESSNESS WITH FIRE; AMENDING SECTION 94.28, OPEN SOURCES OF IGNITION; AMENDING SECTION 94.29, UNAUTHORIZED BURNING; AMENDING SECTION 94.30, FALSE ALARMS; AMENDING SECTION 94.31, POSTING FIRE SAFETY REGULATIONS; AMENDING SECTION 94.32, INOPERATIVE FIRE SAFETY EQUIPMENT; AMENDING SECTION 94.33, REQUIRED ACCESS FOR FIRE APPARATUS; AMENDING AND RENAMING SECTION 94.34, KEY BOX SYSTEM; AMENDING SECTION 94.35, FIRE DOORS; AMENDING SECTION 94.36, INTERFERENCE WITH FIRE PROTECTION EQUIPMENT; AMENDING SECTION 94.37, CLEARANCE BETWEEN HEATING AND LIGHTING EQUIPMENT; AMENDING SECTION 94.38, FUMIGATION; AMENDING AND RENAMING SECTION 94.39, STORAGE ON ROOFS, FIRE ESCAPES; AMENDING SECTION 94.40, DUTY TO PREVENT OVERCROWDING; AMENDING SECTION 94.41, OBSTRUCTION OF AISLES AND PASSAGEWAYS; AMENDING SECTION 94.42, FAILURE TO VACATE; AMENDING SECTION 94.43, COMBUSTIBLE DECORATIONS; AMENDING SECTION 94.44, MARKING OF OCCUPANCIES FOR EMERGENCY USE; AMENDING SECTION 94.45, AUTOMATIC DETECTION AND ALARM SYSTEMS;

AMENDING SECTION 94.46, AUTOMATIC EXTINGUISHING SYSTEMS; AMENDING SECTION 94.47, STANDPIPES REQUIRED; AMENDING SECTION 94.48, ALARM ANNUNCIATOR; DELETING SECTION 94.49, FIRE STATION CONNECTIONS; DELETING SECTION 94.50, EMERGENCY ELECTRICAL POWER; DELETING SECTION 94.51, CONSTRUCTION DESIGN REQUIREMENTS; AMENDING AND RENUMBERING SECTION 94.52, ALTERNATIVE ELECTRIC AND WATER SUPPLY SYSTEMS; DELETING SECTION 94.55, DEFINITIONS; AMENDING AND RENUMBERING SECTION 94.56, EMERGENCY TRANSPORT FEES; AMENDING SECTION 94.99, PENALTY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, fire prevention is a serious health, safety, and welfare concern of the Town of Longboat Key; and

WHEREAS, the Town Commission desires to promote the health, safety, and welfare of the citizens of the Town, through the delivery of efficient fire protection and emergency medical services; and

WHEREAS, the Fire Department staff has reviewed the Town of Longboat Key's Fire Prevention Code and identified areas to be updated for compliance with Statutory references; and

WHEREAS, the Town wishes to continue its rigorous fire prevention programs; and

WHEREAS, the Town Commission, after public hearing finds that the proposed amendments are in the best interest of the health, safety, and welfare of the citizens of Longboat Key.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Whereas clauses above are ratified and confirmed as true and correct and are incorporated fully herein by reference.

SECTION 2. Chapter 94, Fire Prevention Code is hereby amended and renamed, as follows:

CHAPTER 94 - FIRE PREVENTION AND EMERGENCY MEDICAL SERVICES CODE

General Provisions

94.01 - Title.

The title of this eChapter shall be the Fire Prevention and Emergency Medical Services Code of The Town of Longboat Key, hereinafter referred to as "this eChapter". One or more copies will be on file with the tTown eClerk and shall be kept available for public use, inspection, and examination.

94.02 - Definitions.

For the purpose of this eChapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Approved container." An approved container constructed of noncombustible materials, with a cooking surface (i.e., metal type griddle or grill) whose purpose is the preparation of food.

"Authority having jurisdiction or ("AHJ)." ~~The town manager~~ Town Manager, through the ~~fire chief~~ Fire Chief or ~~fire chief~~ Fire Chief's ~~s~~State e~~Certified~~ Fire i~~n~~spector.

"Emergency." Those circumstances which the ~~f~~Fire e~~Official~~ knows, or has reason to believe, exist and which reasonably may constitute immediate danger to life or property.

"Emergency nontransport." Means emergency aid and resuscitation of a sick or injured person at the scene of an accident or medical emergency without transportation or removal to a hospital.

"Emergency transport." Means emergency aid and resuscitation of a sick or injured person at the scene of an accident or medical emergency and subsequent transportation under emergency vehicle procedures where it appears that the physical condition of the person is such as to require immediate and expeditious removal to a hospital. The transporting of an expectant mother, when it is evident that birth is imminent, shall also be considered an emergency transport.

"Inspect, inspection." The official close viewing of a building or premises by a State Certified Fire Inspector for the purpose of determining whether the building or premises are in compliance with the adopted Codes and ordinances of the Town and the documentation and reporting of the results of the viewing.

"Florida Fire Prevention Code." Means the Fire Prevention Code adopted by the State Fire Marshal and incorporated into Chapter 633, Florida Statutes, as may be amended ~~from time to time~~.

"False Alarm." The malfunctioning, negligence, or unintentional act resulting in false fire alarms.

"Loaded mile." Means a mile of ambulance operation when the ambulance is actually occupied by the patient.

"Multiple-family structures." Hotels, motels, motor inns, apartment houses, apartment hotels, convents, dormitories, townhouses, and other similar buildings.

"NFPA" or National Fire Prevention Association. Means the national codes adopted and fully incorporated within the Florida Fire Prevention Code as set forth in Chapter 633, Florida Statutes, as may be amended.

"Patient." Means an individual who is ill, sick, injured, wounded, or otherwise appears incapacitated or helpless.

"Reinspect, reinspection." To subsequently "inspect" or to perform a subsequent "inspection" as defined above.

"Resident." Means one who is a domiciliary of the Town of Longboat Key. Proof of domicile may be established only by the production of a Florida driver's license, voter's registration card, or recorded declaration of domicile showing Longboat Key as the permanent address of the person declaring domicile.

"S.O.M." Stories or more.

"Story." That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. A parking area beneath a building is considered a "story".

"Unfriendly fire." Any fire that is determined to be unauthorized burning of any nature or a fire that is out of control or poses a potential threat to life or property.

"Substantially altered." Any substantial structural alteration in, or addition to, the supporting or structural members of a building such as bearing walls, bearing columns, bearing beams, or bearing girders; however, a substantial alteration shall not include, inter alia, repairs to roof, walls, or interior; exterior or interior painting or redecoration; elimination, moving, or construction of new partitions within an existing building; air conditioning or heating system repairs or replacement; modernization of kitchens or bathrooms, including moving, replacement, and the installation of utility lines, gas, water, sewer and electricity. A structural alteration not increasing the square footage of a building more than 20 percent shall not be considered a substantial alteration.

"Unwanted fire." Any fire that is determined to be unauthorized burning of any nature or a fire that is out of control or poses a potential threat to life or property.

"Unit." A room or group of rooms within a multiple-family structure designed for and occupied for one family only.

94.03 - Adoption of National Fire Code the Florida Fire Prevention Code.

- (A) The purpose of this eChapter is to provide for the prevention of fire and explosion through the regulation of conditions which could cause fire or explosion and panic resulting therefrom. It is the intent of this eChapter to identify and adopt by reference specific standards and codes.
- (B) In furtherance of the intent of subsection (A) above, the National Fire Codes (1991 Edition), Volumes 1 through 9, and the National Fire Codes 1991 Supplement and the 401 Life Safety Code (1991) promulgated by the National Fire Protection Association are hereby adopted. The more stringent requirement shall take precedence, to be interpreted by the authority having jurisdiction. In furtherance of the intent of Subsection (A) above, the Florida Fire Prevention Code standards 1 and 101 as adopted by Chapter 633, Florida Statutes, as may be amended, are hereby adopted. In the event of a conflict between the provision of this Chapter of the Town Code and the Florida Fire Prevention Code, the more stringent requirement shall take precedence, to be interpreted by the AHJ.

94.04 - Application.

- (A) Except as noted, provisions of this chapter the Florida Fire Prevention Code shall apply to all buildings, structures, marine vessels, premises, and conditions within the tTown. ~~With the exception of sprinkler protection, standpipes, and those provisions listed in Figure 4 following § 94.45, which are not specifically required by the Life Safety Code, the provisions of this chapter shall apply equally to existing as well as new buildings, structures, marine vessels, premises and conditions.~~
- (B) The provisions of this eChapter do not apply to one- or two-family dwellings in the normal use or maintenance thereof except where specifically referenced. This eChapter shall apply however, whenever the activity or use of such a dwelling creates a distinct fire hazard to life or the property of others based on available data.

Administration

94.10 - Authority hHaving jJurisdiction.

This eChapter shall be administered and enforced by the authority having jurisdiction AHJ or his or her designee who shall meet those qualifications set forth by the fFire eChief as being necessary to effectively administer this eChapter.

94.11 - Alternatives to Requirements.

- (A) Whenever this chapter the Florida Fire Prevention Code requires a particular system, condition, arrangement, material, equipment, or any other particular provision, the authority having jurisdiction AHJ may accept alternatives provided the alternatives afford a substantially equivalent level of safety.
- (B) Each application for an alternative shall be filed with the authority having jurisdiction AHJ and shall be accompanied by any evidence, letters, statement, results of tests, or other supporting information required to justify the request. The authority having jurisdiction AHJ shall keep a record of his actions on the applications and a signed copy of his decision shall be provided for the applicant.

94.12 - Right of eEntry; iImplies eConsent.

- (A) For the purpose of this section the following definition shall apply unless the context clearly indicates or requires a different meaning:

"Emergency." Those circumstances which the fire official knows, or has reason to believe, exist and which reasonably may constitute immediate danger to life or property.

- (B) To the full extent permitted by law, the town fire department Town Fire Department personnel engaged in fire prevention and inspection work are authorized at all reasonable times to enter and examine any building, marine vessel, vehicle, or premises for the purpose of making fire safety inspections. Before entering a private building or dwelling, fire department Fire Department personnel shall obtain the consent of the occupant thereof or obtain a court warrant authorizing entry for the purpose of inspection except in those instances where an emergency exists. Persons authorized to enter and inspect buildings, marine vessels, vehicles, and premises as herein set forth, shall be identified by proper credentials issued by the fire chief Fire Chief.

- (1) It shall be unlawful for any persons to interfere with a fire official Fire Official carrying out any duties or functions prescribed by this eChapter.
- (2) It shall be unlawful for any unauthorized person to use an official badge, uniform, or other credentials so as to impersonate a fire official Fire Official for the purpose of gaining access to any building, marine vessel, vehicle, or premises, or for any other unauthorized purposes in this jurisdiction.

- (eB) Any application for or acceptance of any permit requested or issued pursuant to this eChapter, constitutes agreement and consent by the person making the application or accepting the permit to allow the authority having jurisdiction AHJ to enter the premises at any reasonable time to conduct any inspections required by this eChapter.

Cross reference— Penalty, § 94.99

94.13 - Authority to iInvestigate fFires and eExplosions.

The authority having jurisdiction AHJ shall have the authority to investigate the cause, origin, and circumstances of any fire or explosion or any willful act creating the potential for injuries to persons or destruction or damage to property. When, in the opinion of the authority having jurisdiction AHJ, reasonable cause exists, the authority having jurisdiction AHJ shall have the authority to take custody of all physical evidence relating to the cause of the fire or explosion or potential fire or explosion and to continue the investigation to

conclusion. Information protected by ~~F.S. ch.~~ Chapter 119, Florida Statutes, shall not be made a part of the public record except as may be directed by a court of law.

94.14 - Permits, Approvals and Certificates.

- (A) The authority having jurisdiction AHJ will review for approval all permits, certificates, notices, approvals, and other orders pertaining to fire control and fire hazards to include but not be limited to, site plans, building plans, shop drawings, fire alarm systems, fire sprinkler systems, hood systems, smoke control systems, special extinguishing systems, as provided for in the Florida Fire Prevention Code this chapter. The authority having jurisdiction AHJ will have the power to recommend the revoking, suspending, denying, or the granting of any permit, approval, or certificate for failure to meet the provisions of this ~~e~~Chapter as it relates to fire or life safety for the issuance of the permit, certificate, or approval.
- (B) The authority having jurisdiction AHJ in reviewing any such building plans, shop drawings, or the like, which involve any internal or external fire prevention, fire protection, or fire department Fire Department operational components, a fire inspection (plan review) fee shall be assessed as set by resolution of the Town Commission town commission. In the event that no internal or external fire prevention, fire protection, or fire department Fire Department operational components are determined to be involved during the plans review ~~process~~, the authority having jurisdiction AHJ shall consider the fire inspection (plan review) as "not applicable" and any such fee shall be waived.

94.15 - Violation Procedure; Authority to Abate.

- (A) The authority having jurisdiction AHJ shall have the authority to summarily abate any condition which is in violation of any provision of the Florida Fire Prevention Code this chapter and presents immediate danger to life.
- (B) Except as provided in ~~s~~Subsection (A) above, whenever the authority having jurisdiction AHJ finds any violation of the Florida Fire Prevention Code this chapter, ~~he~~ the AHJ shall report and discuss the violation with the owner, operator, occupant, or other responsible person to determine a schedule and procedure for corrective action. ~~He~~ The AHJ shall also issue written notices to confirm the findings and discussions as may be necessary to secure compliance with the Florida Fire Prevention Code this chapter. Every notice shall set forth a time limit for compliance. The time limit shall be correlated to the degree of hazard created by the violation and availability of means of abatement.

94.16 - Required Records.

- (A) The authority having jurisdiction AHJ shall keep a record of all fire prevention inspections including the date of the inspections and a summary of any violations found to exist, the date of the services of notices, and a memorandum of the final disposition of all violations. Any records required to be kept by ~~this section~~ pursuant to Florida Statutes shall be maintained until their usefulness has been served, or as otherwise may be required under Florida law. A record of approvals and exceptions in possession of the AHJ granted shall be maintained in the office of the authority having jurisdiction AHJ and shall be available to the public for inspection during normal business hours.

- (B) The authority having jurisdiction shall require that any premises having cause to be inspected shall have on file with the authority having jurisdiction copies of the following: fire alarm maintenance agreement, fire pump maintenance agreement, fire sprinkler system maintenance agreement and special extinguishing systems maintenance agreement. Copies of all required tests or maintenance of the said systems shall also be on file with the authority having jurisdiction. Copies of all required tests or maintenance of the fire systems for all structures or buildings shall be made available to the AHJ upon request.

94.17 - Inspection of eConstruction or iInstallation wWork.

- (A) Whenever any installation that is subject to inspection under the terms of this chapter the Florida Fire Prevention Code prior to use is covered or concealed without having first been inspected, the authority having jurisdiction AHJ may require by written notice that the work be exposed for inspection. The authority having jurisdiction AHJ shall be notified when the installation is ready for inspection and shall conduct the inspection within a reasonable period of time.
- (B) When any construction or installation work is being performed in violation of the plans and specifications as approved by authority having jurisdiction the AHJ, a written notice shall be issued to the responsible party to stop work on that portion of the work which is in violation. The notice shall state the nature of the violation and no work shall be continued on that portion until the violation has been corrected.

Cross reference— Penalty, § 94.99

94.17.1 94.189- Periodic fFire iInspections; iInspection fFees.

- (A) Definitions. For the purpose of this section, the following definition(s) shall apply ~~unless the context clearly indicates or requires a different meaning:~~

~~"Inspect, inspection." The official close viewing of a building or premises by a state certified fire inspector for the purpose of determining whether the building or premises are in compliance with the adopted codes and ordinances of the town and the documentation and reporting of the results of the viewing.~~

~~"Reinspect, reinspection." To subsequently "inspect" or to perform a subsequent "inspection" as defined above.~~

- (B) The authority having jurisdiction AHJ shall periodically inspect or cause to be inspected, all buildings and premises, ~~except the interiors of dwellings~~, as often as may be necessary, but at least every ~~18~~ 24 months, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, endanger life from fire, or any violations of this eChapter or any other law or regulation affecting the fire hazard. The authority having jurisdiction AHJ shall reinspect buildings or premises to ensure that deficiencies or violations identified in the initial inspection have been corrected.
- (~~B~~) The ~~town~~ Town shall collect from the owner of the building or premises inspected or re-inspected pursuant to sSubsection (~~BA~~) of this sSection, an inspection or reinspection fee as set by resolution by the ~~town commission~~ Town Commission.
- (~~C~~) In situations that are beyond the control of the owner or occupant, the fire chief Fire Chief may waive a portion of fees assessed. Such waiver of any fees shall only apply if valid and documented evidence is presented to the satisfaction of the fire chief Fire Chief.

94.18 94.19- Approval of pPlans and iInstallations.

The authority having jurisdiction ~~AHJ~~ shall examine the submitted plans for evidence of compliance with the Florida Fire Prevention Code this chapter. The authority having jurisdiction ~~AHJ~~ may require tests or other investigations to be conducted by an agency satisfactory to the jurisdiction ~~AHJ~~ when an appliance, device, equipment, or system intended for installation does not specifically meet the requirements of the Florida Fire Prevention Code this chapter. The tests or investigations shall be based on nationally accepted test standards or principles. Records of tests shall be submitted as provided for in Florida law, subsection (B) of § 94.16

Fire Prevention Regulations

94.25 - Discovery of unfriendly Unwanted fFire.

~~Whenever an unfriendly fire occurs in any building or on any premises of any kind, the owner, manager, occupant, or any person in control of the building or premises, on discovery of an unfriendly fire, even though it has apparently been extinguished, immediately shall cause notice of the existence of the fire, circumstances of the fire, and the location thereof to be given to the fire department. This requirement shall not be construed to forbid the owner, manager, or other person in control of the building or premises from using all diligence necessary to extinguish the fire prior to the arrival of the fire department. No person shall make, issue, post, or maintain any regulation or order, written or verbal, that would require any person to take unnecessary delaying action prior to reporting a fire to the fire department.~~

The owner, manager, occupant, or any person in control of a building or premises, upon discovery of an unwanted fire or evidence of a previous unwanted fire that had apparently been extinguished, shall immediately notify the Fire Department. This requirement should not be construed to forbid the owner, manager, or other person in control of the building or premises from using all diligence necessary to extinguish such fire prior to the arrival of the Fire Department.

~~Cross reference— Penalty, § 94.99~~

94.26 - Reporting hHazardous eConditions; mMaintaining hHazard.

- ~~(A) Any person, on discovering evidence of spontaneous heating of any merchandise, commodity, cargo, shipment, or other material of any kind in any building, marine vessel, appliance, apparatus, tank, or open stock or pile, or any person on discovering or being apprised of any uncontrolled hazardous leak or hazardous material or combustible or flammable liquid spill, shall immediately notify the fire department Fire Department.~~
- ~~(B) Prior to painting the interior of buildings which have fire suppression and/or fire alarm systems, the owner or its agent shall notify the fire chief or his designee on a form provided by the department. The fire chief, or his designee, shall inspect the premises upon completion of the painting. Any device, equipment or system identified as damaged shall be replaced or placed in working order by the owner or agent within ten days after notification, unless an immediate or life safety hazard exists.~~
- ~~(C) No person shall knowingly maintain a fire hazard.~~

~~Cross reference— Penalty, § 94.99~~

94.27 - Carelessness with fFire.

No person shall set fire to or cause the burning of any bedding, furniture, rugs, curtains, drapes, or other combustible material, in a manner so as to endanger the safety of any person or property.

Cross reference— Penalty, § 94.99

94.28 - Open sSources of Ignition.

Where conditions exist which make open sources of ignition a fire hazard on any premises, "No Open Sources of Ignition" signs shall be posted as directed by the authority having jurisdiction AHJ. "No Open Sources of Ignition" signs shall be of a color, size, lettering, and location approved by the authority having jurisdiction AHJ. No person shall remove "No Open Sources of Ignition" signs or lights, or ignite, or otherwise set fire to any open source of ignition or other form of smoldering substance in any place where occasion or action would constitute a fire or life hazard.

Cross reference— Penalty, § 94.99

94.29 - Unauthorized bBurning.

The burning of any material except in approved containers by the authority having jurisdiction AHJ is prohibited.

Cross reference— Penalty, § 94.99

94.30 - False aAlarms.

- (A) The purpose of this sSection shall be to regulate and control the malfunctioning, negligence, or unintentional act resulting in false fire alarms and the unnecessary response thereto of emergency vehicles. In the case of false alarms, the authority having jurisdiction AHJ shall cause an investigation to be made and keep a record of such alarms on file.
- (B) As set forth in sSubsection (A) of this sSection, false fire alarms will result in the assessment of fees as set by resolution of the Town Commission ~~town commission~~.
- (C) The fire chief Fire Chief may waive the assessment of additional warnings or fines as provided in sSubsection (B) of this sSection, for false alarms occurring within 24 hours subsequent to an initial false alarm in order to provide a reasonable time for repair of a fire alarm system. Such waiver shall only be granted when the fire chief Fire Chief determines that repairs to the system could not have reasonably been made prior to the subsequent false alarm(s).
- (D) The fire chief Fire Chief may waive the assessment of a warning or fine as provided in sSubsection (B) of this sSection if the fire chief Fire Chief determines that a false alarm was caused by severe weather conditions.
- (E) In the event of excessive false alarms (six or more occurring within a calendar year) and when the responsible party has made a "good faith effort" to correct the problem which has caused the excessive number of false alarms; the authority having jurisdiction AHJ may wave or reduce by 50 percent the total fees due and payable as set forth in sSubsection (B) of this sSection. The determination of a "good faith effort" shall be made by the authority having jurisdiction AHJ based upon the following criteria:
 - (1) Submission of a written request for reduction of fees;
 - (2) Submission of a written detailed plan of action to address and remedy the problem in the fire alarm systems and approval of such plan by the authority having jurisdiction AHJ;
 - (3) Documentation that the plan of action submitted has been put into effect and shall continue in the future including, but not limited to, inspection and maintenance agreements, system repair/replacement agreements, etc.; and

- (4) The frequency of false alarms has been reduced.
- (F) Fire alarm systems in new buildings and existing fire alarm systems in existing buildings where substantial modification has occurred, may be allowed a 90-day "grace period" whereby no false alarms will be counted for assessment of fees when a "good faith effort," as set forth in ~~s~~Subsection (E) above, is being made upon the part of the responsible party to remove "start-up" problems with the system.

~~Cross reference—~~ Penalty, § 94.99

94.31 - Posting ~~f~~Fire ~~s~~Safety ~~r~~Regulations.

Hotels, motels, interval-ownership, time-share-tourism and tourism uses and similar occupancies designed for, intended for, or used by transients shall have an approved copy of fire safety regulations for transients conspicuously posted in the lobby, each occupancy unit, and at any other locations as may be required by the authority having jurisdiction ~~AHJ~~.

~~Cross reference—~~ Penalty, § 94.99

94.32 - Inoperative ~~f~~Fire ~~s~~Safety ~~e~~Equipment.

Persons owning, controlling, testing, or otherwise having charge of any fixed fire extinguishing or fire warning system or standpipe system shall notify the fire department ~~Fire Department~~ at any time the system or systems are inoperable, tested, or taken out of service. The fire department ~~Fire Department~~ shall also be notified when service is restored.

~~Cross reference—~~ Penalty, § 94.99

94.33 - Required ~~a~~Access for ~~f~~Fire ~~a~~Apparatus, ~~h~~Hydrants, and ~~o~~Other ~~f~~Fire ~~d~~Department ~~e~~Equipment.

- (A) All premises, including existing premises, that the fire department may be called on to protect in case of fire and that are not readily accessible from public roads shall be provided with suitable gates, access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus.
- (1) Where automatic gate openers are used a minimum of two opening frequencies shall be provided, one dedicated to fire department use. This shall be a master frequency whereby the fire department shall be able to open any gate within its jurisdiction with one opener. This frequency shall be available and used exclusively by the fire department. The remaining frequency(s) shall be for owner use.
 - (2) Fire lane access shall be provided on a minimum of two sides of a building. This access shall be at least 12 feet wide, no further than ten feet from the building, free and clear of all obstructions and constructed of a stabilized base to support firefighting apparatus.
 - (3) Where the installation of speed bumps is determined by the authority having jurisdiction to impede or inhibit the response of emergency vehicles or the safety of emergency personnel or patients, such speed bumps shall be removed by the owner. Existing speed bumps may be modified to meet safety requirements as approved by the authority having jurisdiction.
- (B) Whenever it is determined by the authority having jurisdiction ~~AHJ~~ that parking of vehicles does or will interfere with ready access by the fire department ~~Fire Department~~ to the property for fighting fires, for access to a fire hydrant installed for protection of the property, or other fire department ~~Fire Department~~ related

emergencies, the authority having jurisdiction AHJ shall designate a reasonable area or areas leading to and adjacent to the property to be maintained as a fire access lane.

(1) Fire hydrants, fire sprinkler connections and fire department standpipe connections shall be visible and free from obstructions in front of and on both sides by a distance of not less than four feet 36". These obstructions include but are not limited to plants, shrubs, trees, fences, walls, poles, signs, etc. This section shall also apply to one- and two-family dwellings.

(B) A minimum of 36 inches of clear space shall be maintained around the circumference of fire hydrants unless otherwise required or approved by the AHJ.

~~Cross reference—~~ Penalty, § 94.99

94.34 - Key ~~b~~Box or Access Box ~~s~~System.

~~When access to a structure is unduly difficult because of secured openings, and where immediate access is required for life saving purposes, the authority having jurisdiction may require a key box to be installed in a location determined by the authority having jurisdiction. The key box shall be a type approved by the authority having jurisdiction.~~

The AHJ shall have the authority to require a key box or access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security. The key box or access box(es) shall be of a type approved by the AHJ.

94.35 - Fire ~~d~~Doors.

Fire doors shall be kept closed at all times.

~~Cross reference—~~ Penalty, § 94.99

94.36 - Interference with ~~f~~Fire ~~p~~Protection ~~e~~Equipment.

No person shall render any portable or fixed fire extinguishing system or device or any fire warning system inoperative or inaccessible except as may be necessary during emergencies, maintenance, drills, or prescribed testing.

~~Cross reference—~~ Penalty, § 94.99

94.37 - Clearance between ~~h~~Heating and ~~l~~Lighting ~~e~~Equipment.

Proper clearances shall be maintained between heating and lighting equipment and ordinary combustibles, in accordance with ~~this chapter~~ the Florida Fire Prevention Code and manufacturers' recommendations.

~~Cross reference—~~ Penalty, § 94.99

94.38 - Fumigation.

The fire department Fire Department shall be notified of fumigation operations in accordance with the provisions of "Standards for Fumigation," National Fire Code. the Florida Fire Prevention Code.

~~Cross reference—~~ Penalty, § 94.99

94.39 - Storage on ~~r~~Roofs, ~~f~~Fire ~~e~~Escapes, or Fire Escape Balconies.

No person shall place or maintain on any roof, fire escape, or fire escape balcony any material or objects which may interfere with egress or fire department Fire Department operations.

~~Cross reference—~~ Penalty, § 94.99

94.40 - Duty to ~~p~~Prevent ~~e~~Overcrowding.

The manager or person in charge of the premises shall be responsible for preventing overcrowding as specified by the authority having jurisdiction. ~~AHJ.~~

~~Cross reference—~~ Penalty, § 94.99

94.41 - Obstruction of ~~a~~Aisles and ~~p~~Passageways.

No person shall block, impede or obstruct any aisle, passageway, hallway, lobby, foyer, or stairway leading to or from any entrance or exit required by law which will prevent, delay, hinder or interfere with the free use of the passageway by any person. Special security devices which affect the exiting shall be subject to approval of the authority having jurisdiction ~~AHJ.~~

~~Cross reference—~~ Penalty, § 94.99

94.42 - Failure to ~~v~~Vacate.

No person shall fail to leave any premises that is overcrowded when told to do so by the management of the premises or any authorized ~~e~~Enforcement ~~e~~Officer.

~~Cross reference—~~ Penalty, § 94.99

94.43 - Combustible ~~d~~Decorations.

No person shall install, maintain, or use vegetation, bunting, cotton batting, plastic cloth, textile, excelsior, paper, or other combustible material for the purpose of decoration in any building, premises, vehicle, or marine vessel to which the public is admitted or invited unless the decorative materials have been made flame resistant with an approved flame retardant material or process. Textiles or paper adhered to walls or ceilings (not free hanging), are considered interior finishes and shall be subject to the flame spread limitations for interior finishes, unless authorized by the authority having jurisdiction. ~~AHJ.~~

~~Cross reference—~~ Penalty, § 94.99

94.44 - Marking of ~~e~~Occupancies for ~~e~~Emergency ~~u~~Use.

- (A) ~~All occupancies, including single-family residences and existing occupancies, shall be numbered and marked in a manner and size as to be easily identified by responding emergency vehicles from the public roadway. The size of lettering and numbers will be determined by occupancy.~~
 - ~~(1) Single-family dwelling. Minimum of four inch numbers.~~
 - ~~(2) Other residential and commercial. Minimum of six inch numbers.~~
- (B) Individual units and common area doors within a building or complex, including existing buildings, shall have a minimum of two-inch lettering or numbers visible from the access way which specifies the unit number or room use (function) as is appropriate.
- (A) Numerals shall be not less than (3) three inches in height for residential buildings, structures, or portions thereof, and at least (6) six inches in height for all other buildings, structures, or portions thereof.
- (B) Where address identification is required by the AHJ on other elevations of buildings, structures, or portions thereof, such numbers shall be not less than three inches in height for residential and at least six inches in height for all other buildings, structures, or portions thereof.

~~Cross reference—~~ Penalty, § 94.99

94.45 - Automatic ~~d~~Detection and ~~a~~Alarm ~~s~~Systems.

- (A) Fire detection and alarm systems.

- (1) Fire detection and alarm systems shall be installed in all buildings as required by Figure 4 following this section. comply with the Florida Fire Prevention Code and NFPA 72 National Fire Alarm Code.
- (2) Failure to comply with the fire detection and alarm systems standards shall result in an enforcement proceeding brought by the AHJ in accordance with applicable Florida Statutes.
- (2) If the space in a Group "B" or Group "M" occupancy is undivided or otherwise equipped with nonpermanent partitions, a unit shall be considered as 800 square feet of floor space or any part thereof.
- (3) Each person in a dormitory or lodging house shall be considered as one unit for the interpretation of Figure 1.
- (4) Fire protection and alarm systems shall be installed according to N.F.P.A. requirements, except as specifically modified by this section or as called for in Figure 1.
- (5) For the purpose of this section, the occupant content of any structure shall be determined according to the N.F.P.A. Life Safety Code.
- (B) ~~Automatic detection and alarm:~~
 - (1) ~~Automatic detection devices shall be considered as those that detect dangerous levels of heat, smoke, or toxic gases when they are present, and turn in an alarm without requiring human observance.~~
 - (2) ~~Automatic detection equipment shall include, but not be limited to, heat detectors, rate-of-rise heat detectors, photo cell smoke detectors, ionization smoke detectors, combination-type detectors, water flow switches, and tamper switches. Nothing in this chapter shall prohibit the authority having jurisdiction from requiring a specific type of detection device for a specific application.~~
 - (3) ~~Automatic detection devices shall be permanently wired to an AG primary source of electrical power. All detection devices shall have an emergency power source.~~
 - (4) ~~All single-family dwellings constructed or substantially altered shall be provided with one automatic detection device in each sleeping area installed as set forth in subsection (B)(4)(a) of this section. Every other dwelling unit, except single-family dwellings, constructed or substantially altered shall be provided with automatic detection devices installed as follows:~~
 - (a) ~~In all sleeping areas there shall be an approved smoke detector on the ceiling and as close to the center of the room as possible. The location shall be approved by the authority having jurisdiction. Detectors shall not be installed closer than 36 inches to an overhead fan and 12 inches in front of or on the side of an HVAC vent. They also shall not be installed closer than 12 inches to a heat lamp.~~
 - (b) ~~In areas where the air conditioner and heating equipment receives its return or make-up air flow, a smoke detector shall be installed that shall automatically shut down the air-handling equipment on its activation. This detector shall not cause the building fire alarm system to be activated; however, it shall be connected as specified in subsection (5) below. The location shall be approved by the authority having jurisdiction.~~
 - (5) ~~Those detectors that are required in subsection (4) above, shall sound an alarm within the dwelling unit that is sufficiently audible to awaken a sleeping person in any area, room, or part of the unit without regard to any intervening mediums,~~

or sources of noise that may or may not be present. A test of audibility shall be conducted with all household equipment that may be in operation when in the opinion of the authority having jurisdiction, the level of audibility is questionable. The decibel reading shall be at least 15 decibels higher than ambient levels inside each unit at the furthest point.

- (6) All occupancies which are required as set forth in Figure 1 to install fire alarm systems shall use a detection device within all living units of the following type: The detector shall be a combination smoke and heat type detector. Upon activation of the smoke detector a local alarm shall sound within the specific unit only. Upon activation of the heat detector the building alarm system shall be activated. These systems shall also be supervised and connected to emergency power through the building fire alarm system.
- (7) Existing one- and two-family dwellings and all multifamily dwellings shall be required to install a minimum of one battery operated smoke detector in all sleeping areas.
- (8) Automatic alarm systems shall have a sufficient number of sounding devices so that they will be audible in any normally habitable area of a building and shall have at least one device located on the outside facing the street of each building. The audibility shall be determined by the authority having jurisdiction. The decibel reading shall be at least 15 decibels higher than ambient levels inside each unit at the furthest point.
- (9) Alarm inspection: All fire alarm systems shall be inspected and serviced at least once every six months. The inspections shall include the testing of all smoke detectors, heat detectors, flow switches, tamper switches, pull stations, city connection, fire alarm panel, emergency power source and/or any other devices which may be essential to the proper operation of the system. A copy of the inspection report shall be sent to the authority having jurisdiction and the property owner no more than thirty days after the inspection.

Cross reference— Penalty, § 94.99

94.46 - Automatic eXtinguishing sSystems.

Automatic extinguishing systems shall comply with the Florida Fire Prevention Code and NFPA 13 National Fire Sprinkler Code. Failure to comply with the Florida Fire Prevention Code and NFPA 13 National Fire Sprinkler Code shall result in an enforcement proceeding brought by the AHJ in accordance with applicable Florida Statutes.

- (A) After the adoption of this chapter all occupancies, except single-family dwellings, constructed or substantially altered shall be provided with total automatic sprinkler protection. All automatic sprinkler equipment shall meet the requirements of current N.F.P.A. standards adopted herewith and as amendments are subsequently adopted by the town. Hydraulic calculations shall be required on all NFPA-13 systems when required by this Code.
 - (1) —Where fire sprinkler systems are required, the use of quick-acting sprinkler heads shall be utilized in all living areas, common assembly areas and enclosed corridors. All other areas shall be covered by standard type heads.

FIGURE 1 FOR ALL BUILDINGS CONSTRUCTED OR SUBSTANTIALLY ALTERED

| Occupancy | Construction | Occupancy Type | Fire Det. & Alarm Sys. (see § 94.45(A)) | Alarm Annunciator (see § 94.48) | Fire Stn. Conn. (see § 94.49) | Emergency Power (see § 94.50) |
|-------------------------------|--------------|--------------------------------------|---|---------------------------------|-------------------------------|-------------------------------|
| Group R | | | | | | |
| Resident | All types | All | All | Over 10 units | Over 10 units | Over 10 units |
| | | | | 4 S.O.M. | 4 S.O.M. | Or 4 S.O.M. |
| Group B | | | | | | |
| Bus. Offc. | All types | All | All | 3 S.O.M. | 3 S.O.M. | 3 S.O.M. |
| | | Restaurant & other food service fac. | All | Over 50,000 s.f. or 3 S.O.M. | All | All |
| Group M | | | | | | |
| Bus. Mer. | All types | Bowl. alleys | All | All | All | All |
| | | All other M occupancies | | 3 S.O.M. or 50,000 s.f. | Over 20,000 s.f. or 3 S.O.M. | Over 5,000 s.f. or 3 S.O.M. |
| Group E | | | | | | |
| School | All types | All | All | Over 10,000 s.f. or 3 S.O.M. | 2 classrooms or more | 2 classrooms or more |
| Group I | | | | | | |
| Restrained Inst. | All types | All | All | Over 30 inmates or 3 S.O.M. | All | All |
| Group I | | | | | | |
| Unrestrained (hospital, etc.) | All types | All | All | Over 30 beds or 3 S.O.M. | All | All |
| Group A | | | | | | |

| | | | | | | |
|----------------|-------------------|-------------------------------------|-----|---|------------------------------|-----------------------------|
| | Types 1 and 2 | Large assembly wkg. & nonwkg. stage | All | Over 50,000 s.f. or 3 S.O.M. | All | All |
| Large assembly | Types 3, 4, 5 & 6 | Large assembly nonwkg. stage | All | Over 25,000 s.f. | All | All |
| Group A | | | | | | |
| Assembly | All types | All | All | Over 50,000 s.f. or 3 S.O.M. | All | All |
| Group S | | | | | | |
| | All types | Pub. Gar. | All | 3 S.O.M. | 3 S.O.M. | 3 S.O.M. |
| Storage | All types | All other S occupancies | All | 3 S.O.M. | Over 150,000 e.f. | Over 22,500 s.f. |
| Group F | | | | | | |
| Indust. | All types | All | All | Over 50,000 s.f. or 3 S.O.M. | Over 20,000 s.f. or 3 S.O.M. | Over 7,500 s.f. or 3 S.O.M. |
| Group H | | | | | | |
| Hazardous | All types | All | All | Any time bldg. is divided by fire walls | All | Over 7,500 s.f. or 3 S.O.M. |

- (B) Other automatic extinguishing systems shall be required in occupancies where the use of water sprinklers may be hazardous. These areas shall be defined but not limited to electrical equipment rooms, meter rooms where electrical switch gear is used, elevator equipment rooms or any other areas determined to be hazardous by the authority having jurisdiction. Such systems shall be approved by the authority having jurisdiction.
- (C) Buildings equipped with automatic extinguishing systems (i.e., fire sprinkler systems, Halon systems, dry chemical systems, etc.) shall have a maintenance agreement with a certified contractor and shall have performed an annual test of these systems to include fire pumps where provided. Copies of the maintenance agreement and annual tests shall be on file with the authority having jurisdiction.
- (1) Existing automatic extinguishing systems shall also be included under these agreements.

94.47 - Standpipes rRequired.

Standpipes shall comply with the Florida Fire Prevention Code and NFPA 14 Standpipe and hose systems.

- (A) New and existing buildings with three stories or more and any other structures that in the opinion of the authority having jurisdiction are inaccessible to firefighting equipment, shall be equipped with standpipes and 2½-inch valved fire department hose connections at each floor level, in accordance with NFPA-14 except as modified by subsection (1) of this section.
 - (1) Existing buildings required by this section to install standpipes, shall install the dry pipe type system and shall not be required to install fire pumps unless fire sprinkler systems are also required by other sections of this Code.
- (B) All 2½-inch valved fire department hose connections with or without hoses shall be located in the exit access within ten feet of the exit door. Valves without hoses shall be installed not less than three feet or more than five feet above the floor as directed by the authority having jurisdiction.
- (C) Both standpipe and sprinkler systems shall be provided with individual Siamese fire department pumper connections. Where individual systems are present, fire department connections will be marked as to system.
- (D) Combination standpipe and sprinkler system risers as allowed by this chapter will be permitted under the following conditions:
 - (1) Each take-off from the riser to the sprinkler system shall be provided with a supervised shutoff valve as directed but not more than seven feet above the floor.
 - (2) Buildings ten stories or more in height shall be provided with an auxiliary Class I standpipe in parallel with the fire sprinkler riser. This standpipe shall be provided with a 2½-inch valved fire department hose connection at each floor next to those required by subsection (B) of this section, and shall be clearly labeled "auxiliary system". Each auxiliary standpipe shall be provided with a fire department pumper connection and shall be pressurized from the main system through a one-inch, properly checked, pipe connection.
- (E) The water supply for standpipes or sprinkler systems shall meet the requirements of the N.F.P.A. for minimum acceptable flow and residual pressure; however, the authority having jurisdiction may increase these minimum requirements if the factors in the N.F.P.A. warrant.
- (F) All electrically driven or started pumps required to ensure adequate flow and pressure in the standpipe and sprinkler system shall be connected to the emergency power system as described in section 94.50.
- (G) All fire pumps shall bear the seal of a nationally recognized independent testing agency. Where two or more standpipes or combination risers are installed in the same building, they shall be interconnected "full size" at the bottom and at the tenth floor. Additional interconnections shall be provided above the tenth floor at a minimum of five and a maximum of every ten floors. Auxiliary standpipes need not be interconnected. All interconnections shall be valved at each standpipe.
- (H) Where fire pumps are required, a single-function pressure maintenance pump shall be installed to maintain pressure on the fire sprinkler and standpipe system only.
 - (1) Existing buildings equipped with fire pumps shall also comply with this section.
- (I) Buildings required under this section to have standpipe systems shall have a maintenance agreement with a certified contractor who shall be required to perform an

annual test of these systems. Copies of the maintenance agreement and tests shall be on file with the authority having jurisdiction.

- (J) Compliance timetable: Existing buildings required to comply with this section shall do so by April 7, 1989.

Cross reference— Penalty, § 94.99

94.48 - Alarm annunciator.

Alarm annunciators shall comply with the Florida Fire Prevention Code and NFPA 72.

- (A) The fire alarm annunciator panel shall be located at the main entrance to the building at a position approved by the authority having jurisdiction. In cases where the main building entrance is not an adequate entrance for firefighting equipment, the annunciator shall be located as directed by the authority having jurisdiction.
- (B) The annunciator shall consist of pilot lights or drop flags and be equipped with a permanent engraved directory. The wording and information of the directory shall be approved by the authority having jurisdiction.
- (C) The annunciator shall be connected to individual apartments and all common areas or as otherwise directed by the authority having jurisdiction.
- (D) All structures required by this Code to install alarm annunciators shall install for fire department use a public address system in all common areas with transmitting capabilities at the annunciator panel. The system shall be capable of silencing alarm-sounding devices when transmitting.

Cross reference— Penalty, § 94.99

94.49 - Fire station connections.

Fire station connections shall be such as to automatically notify the fire department at the same time the automatic alarm system is activated. The method of notifying the fire department shall be through a V.L. Central Station approved by the authority having jurisdiction.

Cross reference— Penalty, § 94.99

94.50 - Emergency electrical power.

- (A) Emergency electrical power shall be so arranged as to provide the required power for lighting and emergency equipment automatically in the event of failure of the normal power. Emergency electrical power shall be either continuously in operation, or shall be capable of repeated automatic operation without manual intervention, for a period of not less than 90 minutes.
- (B) Emergency electrical power subject to the approval of the authority having jurisdiction may be provided by any method or combination of methods as follows:
- (1) Two separate electrical systems, each adequate alone to provide the necessary power, one supplied from an outside source such as a public utility service, and the other from an electric generator on the premises driven by an independent energy source, shall be in regular simultaneous operation whenever the building is occupied.
 - (2) An electrical circuit or circuits used only for emergency power with two independent electric energy sources so arranged that on the failure of one, the other will come automatically and immediately into operation. One such independent source shall be a connection from a public utility or similar outside power source, and the other shall be one of the following:
 - (a) An approved storage battery with suitable provisions to keep it automatically charged. The battery shall also be provided with automatic controls so that

after the battery comes into operation due to turning off the primary electrical power source, it will be shut off after its period of operation and will be ready for further service when the primary electrical power is again turned on.

~~1. Emergency power required in these provisions for elevators and fire pumps shall not be provided by battery storage systems. See section 94.52.~~

~~(b) The other power source may be an electrical generator set provided and maintained according to the provisions of Article 700 of the National Electrical Code adopted by the town (see § 94.03.) When emergency generators are required, no less than two generators shall be used for a development. No emergency generator can service more than one building without a backup generator.~~

~~NOTE: These generators shall be interconnected and sized for the entire development.~~

~~(c) Unit devices with approved individual batteries providing for the same functions as specified above, except that the battery-supplied light may be operated on a separate circuit at a voltage different from that of the primary light, provided the unit battery-powered devices are installed and maintained according to Underwriter's Laboratories listing.~~

~~(d) The primary source of electrical power for exit lighting, exit signs, and exit access lighting shall be connected ahead of the main building disconnect switch.~~

~~(e) An emergency source of electrical power is not required for internally illuminated exit signs provided the exit sign is externally illuminated by one of the approved methods listed in this chapter and the sign's readability meets the requirements of the standard building code.~~

~~(f) Emergency electrical power is required for all exit and exit access lighting by one or more of the approved methods listed in this section.~~

~~(g) All emergency generators shall be equipped with an automatic timer to test said generators on a weekly basis as per manufacturer's recommendation.~~

~~1. This shall also apply to all existing buildings equipped with emergency generators.~~

~~Cross reference — Penalty, § 94.99~~

~~94.51 — Construction design requirements.~~

~~(A) One elevator in each bank shall be electrically wired in order to provide the fire department with complete control. Directions detailing operation shall be installed within the elevator car.~~

~~(B) All buildings with elevator accommodations shall also have an automatic emergency power source to provide electrical power in order to operate elevators and all emergency equipment.~~

~~(1) In developments where emergency generators are required because of elevators, the number of elevators to operate simultaneously shall be determined by the authority having jurisdiction, after considering the size of the development.~~

~~(C) Enclosed stairwells connected to enclosed corridors or vestibules shall be pressurized according to the requirements of the standard building code. Pressurization systems, smoke and vapor removal systems, and command control centers shall be required to have a certified test prior to a certificate of occupancy being issued. Copies of certified tests are to be on file with the authority having jurisdiction.~~

~~(D) Single-family structures and duplexes with parking facilities below the structure shall have a minimum of one-hour fire protection, as defined by the current standard building code between the parking facility and the first floor of the structure.~~

(E) This section does not apply to elevators that are used exclusively for private individual use unless specifically required by the authority having jurisdiction.

~~Cross reference— Penalty, § 94.99~~

~~Cross reference— Adoption of the standard building code, § 150.01.~~

94.52 94.49 - Alternative eElectric and wWater sSupply sSystems.

Where more than one building is located in an area that can be adequately serviced by a single emergency power system or water supply system, then the authority having jurisdiction AHJ shall have the right to waive the foregoing requirements of an individual power and water supply system for each building and may permit, in lieu thereof, a water supply or electrical power system shown to be capable of adequately servicing several buildings.

~~Cross reference— Penalty, § 94.99~~

Emergency Medical Aid Fees

94.55 – Definitions.

For the purpose of § 94.56, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (A) *"Emergency nontransport."* Means emergency aid and resuscitation of a sick or injured person at the scene of an accident or medical emergency without transportation or removal to a hospital.
- (B) *"Emergency transport."* Means emergency aid and resuscitation of a sick or injured person at the scene of an accident or medical emergency and subsequent transportation under emergency vehicle procedures where it appears that the physical condition of the person is such as to require immediate and expeditious removal to a hospital. The transporting of an expectant mother, when it is evident that birth is imminent, shall also be considered an emergency transport.
- (C) *"Loaded mile."* Means a mile of ambulance operation when the ambulance is actually occupied by the patient.
- (D) *"Patient."* Means an individual who is ill, sick, injured, wounded or otherwise appears incapacitated or helpless.
- (E) *"Resident."* Means one who is a domiciliary of the Town of Longboat Key. Proof of domicile may be established only by the production of a Florida driver's license, voter's registration card, or recorded declaration of domicile showing Longboat Key as the permanent address of the person declaring domicile.

94.56 94.50- Emergency tTransport fFees.

The emergency transport fees shall be set by resolution of the Town Commission town commission. Treatment shall be rendered regardless of the patient's ability to pay. The town manager Town Manager may waive the fees set forth if the patient clearly establishes his inability to pay.

94.99 - Penalty.

Any person who shall violate any of the provisions of this eChapter for which another penalty is not provided, or shall fail to comply therewith; or shall violate or fail to comply with any order made thereunder; or shall build in violation of any details, statements, specifications, or plans submitted or approved thereunder; or shall operate not in accordance with the provisions of any certificate, permit, or approval issued thereunder, and from which no appeal has been taken; or who shall fail to comply with such an order as affirmed or modified by the authority having jurisdiction AHJ or by a court of competent

jurisdiction within the time fixed herein shall severally for each and every violation and noncompliance, respectively be punished by a fine of not more than \$500.00 or by imprisonment for not more than 60 days with each day of the violation constituting a separate offense. The imposition of a penalty for any violation shall not excuse the violation, nor shall the violation be permitted to continue. All persons shall be required to correct or remedy the violations or defects within a reasonable time and when not otherwise specified, the application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 3. If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. This Ordinance shall take effect upon second reading in accordance with law and the Charter of the Town of Longboat Key.

SECTION 6. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Longboat Key upon adoption.

Passed on first reading the 14th day of September, 2020.

Adopted on second reading and public hearing the 5th day of October, 2020.

ATTEST:

/s/ Kenneth Schneier
Kenneth Schneier, Mayor

/s/ Trish Shinkle
Trish Shinkle, Town Clerk