

**Braden River Fire Control and Rescue District
Ordinance 05-B**

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PREAMBLE

Section 01: Introduction

An Ordinance to provide the Braden River Fire Control and Rescue District with rules and regulations to improve public safety by promoting the control of fire hazards; regulating the installation, use and maintenance of fire safety equipment; regulating the use of structures, premises, and open areas; providing for the abatement of fire hazards; establishing the responsibilities and the procedures for code enforcement; and setting forth the standards for compliance and achievement of these objectives.

Section 02: Bureau of Fire Prevention and Inspection Established

The Fire Chief shall designate a Fire Official as Fire Marshal. The Fire Marshal of Braden River Fire Control and Rescue District shall be responsible for the enforcement the Fire Prevention Code of Braden River Fire Control and Rescue District. To assist in the performance of the responsibilities and duties placed upon the Fire Marshal of Braden River Fire Control and Rescue District the Bureau of Fire Prevention, Inspection and Investigation is hereby established, to be under the control of the Fire Chief.

The Bureau of Fire Prevention, Inspection and Investigation (hereinafter referred to as the Bureau) within the Braden River Fire Control and Rescue District shall operate under the supervision of the Fire Marshal of the Braden River Fire Control and Rescue District. The Fire Marshal shall be responsible for the direct administration and enforcement of the Braden River Fire Control and Rescue District Fire Prevention Code. The Fire Marshal may designate such number of Fire Inspectors as shall from time to time be authorized by the Fire Chief of Braden River Fire Control and Rescue District.

Section 03: Duties and Responsibilities

It shall be the duty of the Fire Marshal and his/her designees to enforce all rules and regulations of the Braden River Fire Control and Rescue District.

- A. These duties shall consist of, but not be limited to, the following:
- (1) The prevention of fires;
 - (2) The storage and use of explosives and flammables;
 - (3) The installation and maintenance of automatic and other fire alarm systems, and fire extinguishing equipment;
 - (4) The maintenance and regulation of fire escapes;

- (5) The means and adequacy of exit in case of fire from buildings and all other places in which numbers of persons work, live, or congregate from time to time for any purpose;
 - (6) The investigation of the cause, origin, and circumstances of fires;
 - (7) The maintenance of fire cause and loss records.
- B. It shall be the duty of the Fire Marshal of the Braden River Fire Control and Rescue District to investigate and recommend to the Fire Chief, such additional rules and regulations or amendments to existing rules and regulations as he may deem necessary for safeguarding life and property against fire.
- C. The Fire Marshal shall prepare instructions for his/her assistants and forms for their use in the reports required by these rules and regulations.
- D. The Fire Marshal shall inspect or cause to be inspected all premises on a periodic basis, and shall make such orders as may be necessary for the enforcement of the laws and rules and regulations governing the same and for safeguarding of life and property from fire.
- E. The Fire Marshal and his/her designees shall have such other powers and perform such other duties as are set forth in other sections of this Code and as may be conferred and imposed from time to time by law.

GENERAL PROVISIONS

Section 04: Title

The title of this Code shall be the Fire Prevention Code of the Braden River Fire Control and Rescue District, herein after referred to as the "Code". One or more copies shall be on file in the Administrative Office of the Braden River Fire Control and Rescue District located at 8800 State Road 70 East, Bradenton, Florida 34202, and shall be kept available for public use, inspection, and examination.

Section 05: Definitions

For the purpose of this Code the following definitions shall apply unless the context clearly indicates or requires a different meaning. The below listed definitions are in addition to the definitions found in Chapter 2, Section 2-1 of NFPA No. 1.

Authority Having Jurisdiction (A.H.J.): The Braden River Fire Control and Rescue District through the Fire Chief or his designated State Certified Inspector.

Building Code: The Florida Building Code as identified in Florida Statute 553.73.

NFPA or NFIPA: The National Fire Protection Association as referenced in the Standard Building Code. NFPA or NFIPA Standard No. (____) or Code No. (____) shall mean the referenced code or standard as compiled and published by the National Fire Protection Association.

National Fire Code: The compilation of the National Fire Protection Association codes, standards, recommended practices and manuals published by the National Fire Protection Association and as adopted by the Braden River Fire Control and Rescue District.

Path of Egress: As delineated by the life safety plan and/or as determined by the AHJ.

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.

Substantially Altered: A structural alteration increasing the square footage of an existing building by 50% or more, or increasing the square footage of an existing building such that the square footage of the entire building exceeds the table limits of Table 2001 shall be considered a substantial alteration. 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, or elimination, moving or construction of new partitions within 50% or more of the square footage of an existing building, may be considered a substantial alteration. Substantial alterations shall not include inner-alia, repairs to roofs or walls, interior or exterior painting or redecoration, air conditioning or heating systems repairs or replacement, modernization of kitchens or bathrooms, gas, water, sewer, and electrical systems.

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.

Unit: A room or group of rooms within a multi-family structure designed for occupation by one family only.

Section 06: Recognition of Florida Fire Prevention Code

This Code recognizes the Florida Fire Prevention Code as adopted by the State of Florida's pursuant to F.S. 633.0215. The same are hereby adopted and incorporated as fully as if set out at length herein. Not less than one copy of the adopted issue of NFPA 1, Fire Prevention Code of the National Fire Protection Association, and the adopted standards and codes of the National Fire Codes shall be filed in the office of the Braden River Fire Control and Rescue District and the provisions thereof shall be controlling within the limits of that district. Whenever the Florida Fire Prevention Code as referenced herein and this Fire Prevention Code address an identical issue, the more stringent fire protection provision shall apply.

Section 07: Recognition of Building Code

This Code recognizes and incorporates, as fully as if set out herein, the Florida Building Code as identified in Section 5. Whenever the Florida Building Code is referenced herein, and this Fire Prevention Code addresses an identical issue, the more stringent fire protection provision shall apply.

Section 08: Application

- A. The provisions of this Code shall apply to all buildings, structures, vehicles, marine vessels, premises and conditions within this jurisdiction. The provisions of this Code shall apply equally to existing as well as new buildings (unless specifically noted in this Code). Structures, vehicles, marine vessels, premises and conditions not in strict compliance with this Code may be permitted to continue unless, in the opinion of the Fire Marshal, they constitute a distinct fire hazard to life or property.
- B. The provisions of this Code do not apply to one or two-family dwellings in the normal use or maintenance thereof, except that this Code shall apply whenever the activity or use of such dwelling creates a distinct fire hazard to life or property or is referenced by the Uniform Standards as referenced in Chapter 633 F.S.
- C. The provisions of this Code do not apply to those buildings or structures specifically under the Uniform Standards of the State, as set forth in Chapter 633 F.S. except as provided therein.
- D. The provisions of this Code shall be complied with whenever a building is built, or a building or occupancy is considered to be substantially altered. Compliance with this code may be required

when a new owner, renter or lessee assumes control of a building, unit or business or if there is a change in the occupancy classification. Only those requirements whose application would be clearly impractical in the judgment of the authority having jurisdiction shall be modified.

- E. Existing buildings that are occupied at the time of adoption of the Code may be continued in use provided:
 - (1) The occupancy remains the same, and,
 - (2) No serious life safety hazard exists that would constitute an imminent threat, and,
 - (3) The building was not previously under review for Code compliance.
- F. The provisions of this Code, as far as they are substantially the same as existing provisions of law relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactment.
- G. The adoption of this Code or the repeal of any other existing provision of law, including regulations or orders, shall not be construed to alter any time limit which may have been imposed by any existing law, regulation or order of the Fire Marshal or other authority relating to compliance with such limits.
- H. If any provision of this Code is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, it shall not affect the validity of the remaining provisions of this Code.

ADMINISTRATION

Section 09: Authority

- A. This Code shall be administered and enforced by the Fire Official designated by the governing authority of this jurisdiction as having this responsibility. For purposes of this Code, this Fire Official is called the Fire Marshal. He/She shall meet those qualifications as may be set forth by the jurisdiction as being necessary to effectively administer this Code.
- B. This act shall be deemed an exercise of the police powers of the Braden River Fire Control and Rescue District for the preservation and protection of the public health, peace, safety, and welfare, and all the provisions of the Braden River Fire Control and Rescue District Code shall be liberally construed for that purpose.

Section 10: Right of Entry; Implied Consent

- A. Any application for or acceptance of any permit requested or issued pursuant to this Code, constitutes agreement and consent by the person making the application or accepting the permit to allow the authority having jurisdiction to enter the premises at any reasonable time to conduct any inspection required by this section.
- B. The Fire Chief may detail fire department personnel for stand-by duties to those places of assembly or other locations where it is deemed necessary for fire safety reasons or where there is a likelihood of Code violations being prevalent which may create hazardous situations. Generally, this right would be exercised where large crowds are expected in places of assembly or during the visit of dignitaries. When necessary for fire department personnel and or fire apparatus to be assigned for such detail, the Fire District may assess reasonable fees.

Section 11: Approval of Plans and Installations

- A. The Fire Marshal or his/her designee shall examine the submitted plans for evidence of compliance with this Code. The Fire Marshal or his/her designee may require tests or other investigations to be conducted by an agency satisfactory to the jurisdiction when an appliance, device, equipment, or system intended for installation does not specifically meet the requirements of this Code. The tests or investigations shall be based on nationally accepted test standards or principals.
- B. A complete set of all plans, drawings, and specifications (including but not limited to site, building, alarm, sprinkler, standpipe, hood exhaust and suppression) shall be submitted to the Bureau. Failure to do so will result in the issuance of a Stop Work Order to be enforced until required material is provided.

- C. All fire alarm, sprinkler system, hood and extinguishing system drawings shall be submitted and approved prior to commencement of any work on each respective system. Such system design criteria shall be included with full architectural plan submittal.
- D. Shop drawings shall be submitted and approved prior to installation.
- E. Sprinkler Systems for New Construction and Additions with Fifty (50) or More Sprinkler Heads:
 - (1) All plans and drawings for the installation of sprinkler systems on new or existing buildings with fifty (50) or more sprinkler heads shall be signed, dated and stamped by a registered professional engineer duly licensed in the State of Florida. Any specialized mechanical, electrical or plumbing document for any new or existing buildings, which includes medical gas, oxygen, steam, vacuum, toxic air, filtration, halon or fire detection and alarm system which costs more than \$5,000 shall be signed, dated and stamped by a registered professional engineer duly licensed in the State of Florida (Chapter 471, Florida Statutes).

FIRE PREVENTION REGULATIONS

Section 12: Reporting Hazardous Conditions; Maintaining Hazard

- A. Any person, upon discovering evidence of spontaneous heating or other abnormal heating of any merchandise, commodity, cargo, shipment, or other material of any kind in any building, marine vessel, appliance, apparatus, tank, or open stack or pile, or any person, upon discovering or being appraised of any uncontrolled hazardous leak or hazardous material or combustible or flammable liquid spill, shall immediately notify the Fire Department via 911.
- B. No person shall knowingly maintain a fire hazard.

Penalty, see Section 29.

Section 13: Smoking

Where conditions exist which make smoking a fire hazard on any premises, "No Smoking" signs shall be posted as directed by the Fire Marshal or his designee. "No Smoking" signs shall be of a color, size, lettering, and location approved by the Bureau. No person shall remove "No Smoking" signs or lights, or ignite or otherwise set a fire to or smoke any cigar, cigarette, pipe, tobacco, or other form of smoldering substance, nor hold, possess, throw, or deposit any lighted or smoldering substance in any place where occasion or action would constitute a fire or life hazard. The manager or person in charge of the premises shall be responsible for enforcing this regulation once ordered by the authority having jurisdiction.

Penalty, see Section 29.

Section 14: Unnecessary/False Alarms

The purpose of this section shall be to regulate and control the malfunctioning, negligence, or unintentional act resulting in the unnecessary response of emergency vehicles. In the case of unnecessary/false alarms, the authority having jurisdiction shall cause an investigation to be made and keep a record of the number of unnecessary/false alarms on file.

- A. Persons owning, managing or otherwise being in charge of the premises shall be responsible for regulating and controlling the use and maintenance of an automatic fire alarm system for those premises. The transmission of an excessive number of unnecessary/false alarms, as defined herein as the result of malfunctions, negligence or unintentional acts resulting in the unnecessary response of emergency vehicles shall constitute a violation of this Ordinance. The owner, manager or person in charge shall, after the performance of an investigation by the authority having jurisdiction as to the causes for each such unnecessary/false alarm be responsible for such violation and may be assessed a service fee pursuant to paragraph B of this section. An excessive number of

unnecessary/false alarms for any premises within the District is defined as four (4) or more such unnecessary/false alarms within any given twelve (12) month period.

- B. For the first through third unnecessary/false alarm, inclusive, as set forth in Section 14 of this Code, occurring in any given twelve month period, a warning shall be issued in writing; for the fourth and fifth unnecessary/false alarms in the same twelve month period, a fee of \$100.00 shall be assessed; and for the sixth and seventh unnecessary/false alarms in the same twelve month period, a fee of \$250.00 shall be assessed. All unnecessary/false alarms in excess of seven in one twelve month period shall be assessed a fee of \$500.00 for each alarm.
- C. In the event an unnecessary/false alarm is the result of a fire system service company or fire alarm monitoring company failing to place a system in the test mode or otherwise insure the prevention of the dispatch of all fire alarm signals during maintenance, testing or for any other reason, the servicing or monitoring company may be assessed a fine of not less than \$100.00 per occurrence.

Section 15: Required Access for Fire Apparatus

- A. All premises, including existing premises, that the Emergency Services may be called upon 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) Fire and emergency access shall be provided to at least two (2) sides of all commercial, professional, industrial and multi-family occupancy buildings. This access shall comply with the following, unless otherwise approved by the A.H.J.:
 - a.) Have an unobstructed width of fifteen (15) feet.
 - b.) Have a minimum/maximum distance from the building to the closest curb line or edge, as follows:

One, two, and three story buildings, ten (10) feet minimum, fifteen (15) feet maximum;
four or more story buildings - fifteen (15) feet minimum, twenty-five (25) feet maximum.
 - c.) All fire and emergency access shall be constructed to meet the minimum city or county standards.
 - d.) Emergency access shall be identified as to location with signage stating “Emergency Fire Access” or as required by the AHJ.
 - e.) Emergency access shall be kept unobstructed at all times and from any future growth, and shall be dedicated on the approved final site plan for the life of the building or complex.

B. Traffic Calming Devices:

New speed bumps when installed, must comply with the following criteria:

- (1) Approved speed bumps shall have minimum twenty-four (24) inch long base with sloping falls, cresting at four (4) inch maximum height.
- (2) The location of such speed bumps shall be approved by the A.H.J.
- (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.

C. Dead end roads or accesses that exceed three hundred (300) feet shall have, at the end of such road or access, a ninety (90) foot turn-around or other maneuvering abilities as approved by the authority having jurisdiction.

D. Automatic Vehicle Access Control Gates:

- (1) Plans for each automatic gate system shall be submitted to the Bureau for review and approval prior to the initiation of any construction.
- (2) When in the fully open position, gates shall allow not less than fifteen (15) feet horizontal clear space including the roadway surface, as measured from inside curb to inside curb. A vertical clear space of not less than thirteen (13) feet six (6) inches shall also be required.
- (3) Each system shall have as a minimum for operation:
 - a. Remote access through the use of electronic openers. These openers shall be set to the current frequency and code for use by fire districts as well as Manatee County Department of Public Safety. This frequency and code shall be separate from and in addition to any frequency and code intended for use by occupants.
 - b. In the event of power outages, a battery back-up system shall cause the gate(s) to be open on the entry side of the complex to allow for emergency access (see item 2 above). The gate(s) shall remain in the fully open position until power is restored.
- (4) If the gate is to be used for emergency access only, signage shall be installed on both the interior and exterior of the gate indicated the gate is to be used for emergency access only and prohibiting parking.

- (5) In the event the gate becomes non-operational, the gate(s) shall be secured in the fully open position until such time as the minimum requirements as outlined above have been restored to a fully operational condition.
- (6) Upon initial acceptance of the automatic gate(s), fire department personnel shall mark the entry gate(s) with reflective tape markings. These markings shall be maintained by the property owner or management.
- (7) Cross arm bars used for entry control gates shall not be installed until such time as the operating features have been inspected, tested and approved.

E. Fire Lanes

Fire lanes, where required by the AHJ, shall meet the requirements of Section 730 of the Manatee County Land Development Code (as adopted July 25, 1990 and in accordance with Manatee County Ordinance 91-23) and NFPA 1. Where the Manatee County Land Development Code and NFPA 1 address identical issues, the more stringent fire protection feature shall apply.

Penalty: Section 29

Section 16: Key Box System

- A. When a structure is equipped with a fire alarm system, sprinkler or standpipe system an approved key box shall be required. The tumbler shall match the Fire Department key. The location of the key box shall be approved by the Bureau. Keys shall be provided to gain access to fire alarm panels, electrical room, sprinkler rooms and any other areas to which this Department may require access. Applications for the key box may be obtained from the Bureau.
- B. Installation height of key box shall be maximum of six (6) feet or as approved by the authority having jurisdiction.

Penalty, see Section 29.

Section 17: Storage on Roofs, Fire Escapes, Porches, Breezeways and Balconies

- A. No person shall place or maintain, on any roof or balcony used for egress purposes, any material or objects which may interfere with egress or Fire Department operations.
- B. No person shall place or maintain gas or propane cylinders on porches, breezeways or balconies of multistory buildings.

Penalty, see Section 29.

Section 18: Dumpster Location

All dumpsters and any associated screening consisting of combustible fencing around the dumpster pad shall have a minimum separation from the nearest building or building overhang of ten (10) feet. Large commercial/industrial dumpsters, such as 20 or 40 yard containers, may require a larger separation. This minimum separation may be reduced or waived if the dumpster is protected by one or more fire sprinkler heads of a fire sprinkler system designed in accordance with sound engineering practices. Compactor dumpsters, because of their unique design and construction requirements, shall be reviewed on an individual basis by the Fire Marshal.

Penalty, see Section 29.

Section 19: Festival Seating

Festival seating as defined in Life Safety Code shall be prohibited in any building.

Penalty, see Section 29.

Section 20: Marking of Occupancies for Emergency Use

All occupancies including single-family residences, shall be numbered and marked in a manner and size as to be easily identified by responding emergency vehicles from the public roadway. In the case that a structure is not visible from the roadway or the setbacks from the road are more than one hundred (100) feet, the number shall be placed on a sign or mailbox near the driveway entrance and shall be clearly visible from the roadway. The size of lettering and number will be determined by the occupancy.

- A. Single family dwelling. Minimum of three (3) inch numbers.
- B. Other residential and commercial. Minimum of six (6) inch numbers.
- C. Multifamily residential three (3) units or more shall have a minimum six (6) inch numbers to identify the building and three (3) inch number and/or letters to identify each unit.
- D. All numbers and letters shall be non-script.
- E. All numbers and letters shall be of a contrasting color to their background.

Penalty, see Section 29.

Section 21: Fire Alarm System Requirements

- A. General Requirements

Approved fire alarm systems shall be installed in buildings as required by Table 1 and as follows:

- (1) Basements or cellars with ceilings less than fifty-four (54) inches above grade, or having floor areas exceeding 2,500 square feet, or when used as lounges or nightclubs, regardless of size.
- (2) All required fire alarm systems shall be annunciated and monitored.
- (3) Fire alarm control panels or required remote annunciator shall be installed with six (6) feet of the primary entrance.
- (4) Within residential and condominium occupancies, each unit shall have a minimum of one (1) rate-of-rise heat detector. The rate-of-rise heat detector shall be tied into the building fire alarm system as required by Table 1. Required smoke detectors shall not be tied into the building fire alarm system. Smoke detectors shall alert the individual unit.
- (5) Required fire alarm systems shall have a sufficient number of sounding devices so that they will be audible in any normally habitable area. The audibility shall be determined by the authority having jurisdiction.
- (6) Horn/Strobe lights shall be installed on the exterior of each building for which a fire alarm system is required so as to be easily seen from the street and its location approved by the Fire Marshal. The light shall be either red or white in color.

Section 22: Fire Sprinkler Systems

A. General Requirements.

Approved fire sprinkler systems shall be installed in buildings as required by Table 1 and as follows:

- (1) Basements or cellars with ceilings less than fifty-four (54) inches above grade, or having floor areas exceeding 2,500 square feet, or when used as lounges or nightclubs, regardless of size.
- B. Electric Fire Pumps that are required to insure adequate flow and pressure in the sprinkler system shall be connected to an emergency power system in accordance with NFPA 70.
- C. All sprinkler system installations shall be provided with an approved back flow preventer of the double check valve type. Such preventer shall be as approved by the Fire Marshal of the Braden River Fire Control and Rescue District. All fire line backflow preventers shall be located at either the front property line of the development parcel, easily visible and not obscured by landscaping or other site improvements, or in the case of commercial shopping centers and similar types of developments, at or along the access way at the rear of the building complex. Other locations or provisions will not be permitted unless a specific exception is issued in writing by the Fire Marshal.

- D. All sprinkler system installations shall be approved by the Fire Marshal of the Fire District and all sprinkler systems connections to the public water distribution facilities shall be approved by the Manatee County Utilities Department.
- E. All fire department connections shall be located on the private property side of the fire line backflow preventer unless a specific exception is issued in writing by the Fire Marshal. Such connection should be attached directly to the backflow preventer, and the project representative shall verify with the Fire Marshal whether a typical 2 1/2" Siamese connection with national threads or a 5" storz connection will be required.
- F. Sprinkler Systems for New Construction and Additions with Fifty (50) or More Sprinkler Heads:
 - (1) All plans and drawings for the installation of sprinkler systems on new or existing buildings with fifty (50) or more sprinkler heads shall be signed, dated and stamped by a registered professional engineer duly licensed in the State of Florida. Any specialized mechanical, electrical or plumbing document for any new or existing buildings, which includes medical gas, oxygen, steam, vacuum, toxic air, filtration, halon or fire detection and alarm system which costs more than \$5,000 shall be signed, dated and stamped by a registered professional engineer duly licensed in the State of Florida (Chapter 471, Florida Statutes).

Table 1

Occupancy Classification	Fire Alarm and Fire Sprinkler Systems required under the following conditions:	Initiation of Fire Alarm Systems required as follows:	Annunciation and Monitoring of Fire Alarm Systems
Assembly	5000 square feet or more or 2 stories or more	Manual Pull Stations; Flow Switch and or Suppressions Systems; Area type Smoke Detection in all paths of egress	As outlined in NFPA 101 (2003 edition)
Educational	2 stories or more or 1 story if each classroom is not provided with an exit door to the exterior of the building	As outlined in NFPA 101 (2003 edition)	As outlined in NFPA 101 (2003 edition)
Residential	12 residential units or more or 3 stories or more	Manual Pull Stations; Flow Switch of fire Suppression Systems, rate of rise heat detector tied into building fire alarm system.	As outlined in NFPA 101 (2003 edition)
Mercantile	10,000 square feet or more or 2 stories or more	Manual Pull Stations; Flow Switch of fire Suppression Systems; area type Smoke Detection in all spaces where commodity may be stored over 12 feet above finish floor level, as determined by the AHJ, and all paths of egress	As outlined in NFPA 101 (2003 edition)
Business	15,000 square feet or more or 2 stories and 10,000 square feet or more	Manual Pull Stations; Flow Switch and or Suppression Systems; area type Smoke Detection in all paths of egress	As outlined in NFPA 101 (2003 edition)
Industrial	10,000 square feet or more or 2 stories or more	Manual Pull Stations; Flow Switch and or Suppression Systems; area type Smoke Detection in all areas of air conditioned controlled space, and all paths of egress	As outlined in NFPA 101 (2003 edition)
Storage	10,000 square feet or more or 2 stories or more (note: area modification as identified in the current edition of the Building Code may be applied for fire sprinkler requirements only)	Manual Pull Stations; Flow Switch and or Suppression Systems; area type Smoke Detection in all paths of egress of air conditioned controlled space; in buildings where area modification option is used and is not protected by a fire sprinkler system, heat detection shall be provided through-out all areas of non air conditioned space	As outlined in NFPA 101 (2003 edition)
High Hazard/Special	All Buildings regardless of size	As required by the Authority Having Jurisdiction	As required by the Authority Having Jurisdiction

Section 23: Standpipes Required

- A. Buildings more than three stories in height or fifty feet or more in height 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, of Type III installation in accordance with NFPA 14.
- B. All 2½ inch valved fire department hose connections with or without hoses, at the discretion of the authority having jurisdiction, shall be located in the exit access within ten (10) feet of the exit door. Valves without hoses shall be installed not less than three (3) feet or more than five (5) feet above the finished floor, as directed by the AHJ.
- C. Standpipes shall be provided as a supply with individual 2½ inch or five (5) inch storz fire department connections as required by the AHJ. These connections shall bypass any fire pump.
- D. The water supply for standpipes shall meet the requirements of the NFPA for minimum acceptable flow and residual pressure.
- E. All electrically driven fire pumps or starter pumps required to insure adequate flow and pressure in the standpipe shall be connected to an emergency power system as described in NFPA 70.

Section 24: Fire Protection Water Supply.

In all developments, the adequacy of fire protection services, water pressure, hydrant locations, fire lanes and maneuvering areas shall be subject to the approval of the Fire Marshal with the requirements set forth herein determined as minimum provisions.

- A. All fire hydrants shall be installed in accordance with the requirements of the Manatee County Public Works Department.
- B. Fire hydrants shall be installed in all new developments which meet any of the following criteria:
 - (1) All developments which require an extension of the water distribution system;
 - (2) All developments which require the submission of a preliminary site plan as set forth in the Manatee County Land Development Code;
 - (3) When, in the opinion of the authority having jurisdiction, access to or distance from public fire hydrants would hamper or impair firefighting operations.
- C. Except as specifically excepted, required fire hydrants shall be no more than eight hundred (800) feet apart and within four hundred (400) feet of the main entrance of all principal buildings in the development as measured from normal access routes. All hydrants shall be in addition to any internal sprinkler or standpipe system serving the development and shall not be located on the

"fire line" water main service beyond the point of service or connection. Except for hydrants located within public street rights-of-way, all hydrants shall be located at least forty (40) feet from any building, except one story single family residential buildings.

- D. Approved Fire Hydrant: An approved fire hydrant shall mean a fire hydrant connected to a Manatee County water main of not less than six (6) inches in diameter and shall meet the performance standards as established in the Manatee County Comprehensive Plan, and shall have one (1) 4 1/2 inch and two (2) 2 1/2 inch hose connections. All hydrant installations shall be approved by the Manatee County Utilities Department as pertains to availability of water pressure, volume and reliability of water service.
- E. Hydrant location with respect to the fire department connection: Whenever a proposed development will be required to install one or more fire hydrants as a condition of approval, a fire hydrant shall be located not more than fifty (50) feet from the fire department connection as measured by normal access routes.
- F. Existing buildings that are occupied at the time of adoption of the Code may be continued in use without additional fire protection water supply provided:
 - (1) The occupancy classification remains the same, and
 - (2) No serious life safety hazard exists that would constitute an imminent threat.
 - (3) Only those requirements whose application would be clearly impractical in the judgment of the authority having jurisdiction shall be modified.

Section 25: Cease and Desist Order or Stop Work Order

- A. Whenever the violation of any provision of this Code presents an immediate danger to life, safety or property or when any new construction or existing building is occupied in whole or in part in violation of the provisions of this Code, or when any fire, explosion, or other such disaster occurs and presents an immediate danger to life; or property, the authority having jurisdiction shall immediately post a Cease and Desist Order or a Stop Work Order on the premises and shall suspend any and/or all use of the building, marine vessel, structure, or premises until such time that the danger to life or property has been removed or correction of the violation(s) has been made.
- B. If it is determined by the authority having jurisdiction that a violation specified in this subsection exists, the authority having jurisdiction or his designee may issue and deliver to the person committing the violation an order to cease and desist from such violation, to correct any hazardous condition, to preclude occupancy of the affected building or structure, or to vacate the premises of the affected building or structure. Such violations are:
 - (1) Except as set forth in paragraph (2), a violation of any provision of this section, of any rule adopted pursuant thereto, of any applicable uniform fire safety standard adopted

pursuant to s. 633.022 which is not adequately addressed by an alternative requirement adopted on a local level.

- (2) A substantial violation of an applicable minimum fire safety standard adopted pursuant to s. 633.025 which is not reasonably addressed by any alternative requirement imposed at the local level, or an unreasonable interpretation of an applicable minimum fire safety standard, and which violation or interpretation clearly constitutes a danger to life safety.
 - (3) A building or structure which is in a dilapidated condition and as a result thereof creates a danger to life, safety, or property.
 - (4) A building or structure which contains explosive matter or flammable liquids or gases constituting a danger to life, safety, or property.
- C. If, during the conduct of a fire safety inspection authorized by FS. 633.081 and 633.085, it is determined that a violation described in this section exists which poses an immediate danger to the public health, safety, or welfare, the authority having jurisdiction may issue an order to vacate the building in question, which order shall be immediately effective and shall be an immediate final order. With respect to a facility under the jurisdiction of a district school board or community college board of trustees, the order to vacate shall be issued jointly by the district superintendent or college president and the authority having jurisdiction.
- (1) The authority having jurisdiction may seek an injunction in the circuit court of Manatee County to enforce an order issued pursuant to this subsection.

Penalty, see Section 29.

Section 26: Board of Appeals

Whenever any person, firm or corporation is of the opinion that they have been aggrieved, pursuant to NFPA 1 Section 1-7.6.1, they may seek relief from such decision(s) as interpreted by the Fire Marshal from the Manatee County Fire Marshal Appeals Board as established by Chapter 85-461 FS.

Section 27: Fuel Oil, Kerosene or Wood Burning Heating or Fuel Oil, Kerosene or Wood Burning Cooking Appliances Prohibited

It shall be unlawful for any person to use, or operate within any building or structure located within the jurisdiction of Braden River Fire Control and Rescue District:

- A. Any unvented fuel oil or kerosene burning appliance, including those with a woven wick, designed for heating purposes; and
- B. Any fuel oil or kerosene burning wick type appliance designed for cooking purposes; provided however, that the portion of this section making it unlawful to possess such appliances shall not

apply to the possession of such type of appliances by licensed retail dealers for display and sale to consumers residing outside the jurisdiction of the Braden River Fire Control and Rescue District.

- C. Any charcoal, gas, or wood fired heaters, grills, barbecues on balconies, porches or breezeways of multi-unit, multi-story buildings.
- D. Any other heat producing device or appliance which is determined by the Authority Having Jurisdiction to be unsafe due to its application or use.

Penalty: see Section 29

Section 28: Certificate of Occupancy

No building shall be occupied in whole or in part without the approval of, and the issuance of a Certificate of Occupancy Inspection Report being completed and filed by, the authority having jurisdiction.

Penalty, see Section 29.

Section 29: Penalty

- A. Any person who shall violate any of the provisions of this Code or the National Fire Codes, as adopted by the Braden River Fire Control and Rescue District 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, statement, 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 or by a court of competent jurisdiction within the time fixed herein shall severally for each and every violation and non-compliance, respectively be punished by a fine as set by the Manatee County Fire Code Enforcement Board, as established by Chapter 85-461, F. S., of not more than \$250.00 a day with each day of the violation constituting a separate offense.
- B. 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 30: Previous Rules, Regulations and Codes Repealed

All formal rules and regulations or parts thereof conflicting or inconsistent with the provisions of these rules and regulations or of the Code hereby adopted are hereby repealed.

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Section 30: Rural Water Supply

- A. In all developments, the adequacy of fire protection services, water capacity, hydrant locations, fire lanes and maneuvering areas shall be subject to the approval of the Fire Marshal with the requirements set forth herein determined as minimum provisions.
- B. All dry hydrants shall be installed in accordance with the requirements of NFPA Standard 1231 on Rural Water Supply.
- C. Dry hydrants shall be installed in all new developments which meet any of the following criteria:
- (1) All developments which can not have the water distribution system extended; (see Section 38 for developments that requires an extension of the water distribution system.)
 - (2) All developments which require the submission of a preliminary site plan as set forth in the Manatee County Land Development Code.
 - (3) Any property with three (3) or more commercial or residential buildings as determined by the A.H.J.
 - (4) When, in the opinion of the A.H.J. having jurisdiction, access to or distance from other dry hydrants would hamper or impair firefighting operations.
- D. Except as specifically excepted, required dry hydrants shall be no more than eight hundred (800') feet apart and within four hundred (400') feet of the main entrance of all principal buildings in the development as measured from normal access routes. All hydrants shall be in addition to any internal sprinkler or standpipe system serving the development. Except for hydrants located within public street rights-of-way, all hydrants shall be located at least forty (40') feet from any building, except one story single family residential buildings. Paved or stabilized access shall be required according to Section 26B to within 8 feet of all dry hydrants.
- E. Approved Dry Hydrant: An approved dry hydrant shall mean a connection to an approved rural static water supply. Dry hydrants shall meet the construction requirements of NFPA 1231 and shall meet the performance standards established therein. In addition, exposed piping shall be made of iron and painted red. Dry hydrant connections shall have one (1) 4 1/2 inch hose connections. All hydrant installations shall be approved by BRFD as pertains to availability of water capacity, volume and reliability of water service.
- F. Rural Water Supplies: Those rural static water supplies approved to supply a dry hydrant system are as follows:
1. Natural or man-made lakes or ponds at least a 1/2 acre in size and at least 12 foot deep. Side slope shall allow dry hydrants to accept water from a depth of two feet from the bottom yet within 100 horizontal feet from that end to the fire department connection. Such supplies shall be engineered and certified to

withstand a 50 year drought. A written water use agreement shall be entered with BRFD for use of such supply both on and off the premises.

2. Cisterns or ground storage vessels with a capacity as determined by NFPA 1231 but not less than 3000 gallons. Such vessels shall have the capability to be refilled or topped off automatically at a rate of not less than 50 gallons per minute from a reliable water supply. Dry hydrants shall be painted orange and the capacity of the tank stenciled on the barrel in black to indicate a limited water supply. A written water use agreement shall be entered with BRFD for use of such supply both on and off the premises.

G. and Other Water Supplies: Those water supplies approved for use with a fire protection system standard fire hydrants are as follows.

1. Pressure tanks with a capacity as determined by NFPA 1231 but not less than 3000 gallons. Such vessels shall have the capability to be refilled or topped off automatically at a rate of not less than 100 gallons per minute from a reliable water supply. Such tanks shall have an approved air compressor system that shall maintain the required air pressure to ensure maximum use of water from the tank. In addition, a standard fire hydrant shall be placed on the system to allow external use of the system. Such hydrants shall be painted orange and the capacity of the tank stenciled on the barrel in black to indicate a limited water supply. A written water use agreement shall be entered with BRFD for use of such supply both on and off the premises.
2. Elevated gravity tanks with a capacity as determined by NFPA 1231 but not less than 3000 gallons. Such vessels shall have the capability to be refilled or topped off automatically at a rate of not less than 100 gallons per minute from a reliable water supply. In addition, a standard fire hydrant shall be placed on the system to allow external use of the system. Such hydrants shall be painted orange and the capacity of the tank stenciled on the barrel in black to indicate a limited water supply. A written water use agreement shall be entered with BRFD for use of such supply both on and off the premises.

H. Existing buildings that are occupied at the time of adoption of the Code may be continued in use without additional fire protection water supply provided:

- (1) The occupancy classification remains the same, and
- (2) No serious life safety hazard exists that would constitute an imminent threat.
- (3) Only those requirements whose application would be clearly impractical in the judgment of the authority having jurisdiction shall be modified.

Section 30: Previous Rules, Regulations and Codes Repealed

All formal rules and regulations or parts thereof conflicting or inconsistent with the provisions of these rules and regulations or of the Code hereby adopted are hereby repealed.

BRADEN RIVER FIRE CONTROL AND RESCUE DISTRICT

ORDINANCE 05-B

Fire Prevention Code

Whereas, the BRADEN RIVER FIRE CONTROL AND RESCUE DISTRICT, is a tax supported special purpose district authorized under provisions of Florida Statute Chapter 191 and Chapter 2000-404 and is empowered by the Florida Legislature special powers; and,

Whereas, the Board of Fire Commissioners held properly advertised public hearings on November 15 and December 20, 2004; and,


Whereas, the provisions of Chapter 2000-404 (6:3) provides that the Board of Fire Commissioners may exercise the power to have public education conducted to promote awareness of methods to prevent fires and reduce loss of life and property from fires and other public safety concerns; and,


Whereas, the provisions of Chapter 2000-404 (6:4) provides that the Board of Fire Commissioners may exercise the power to adopt and enforce fire safety standards and codes and enforce the rules of the State Fire Marshal; and,

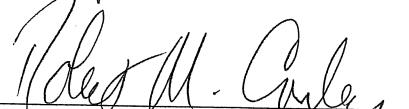
Whereas, the provisions of Chapter 2000-404 (6:5) provides that the Board of Fire Commissioners may exercise the power to have arson investigations and cause and origin investigations conducted.


Therefore be it witnessed the second reading of Ordinance 05-B of the Braden River Fire Control and Rescue District, a uniform Fire Prevention Code of Manatee County establishing the Bureau of Fire Prevention and Inspection, establishing rules and regulations for fire prevention and safety, providing a penalty for failure to comply with said regulations, repealing Ordinance 02-01, and providing for an effective date of January 1, 2005.

Passed with a quorum present and voting this 20th day of December 2004.


Commissioner


Commissioner


Commissioner


Commissioner

Attested by: 
Secretary

(Seal)