

**ORDINANCE NO. 4022**

**AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 42, ARTICLE I, II, AND III RELATING TO FIRE PREVENTION AND PROTECTION; REVISING CHAPTER 42, ARTICLE I, II, AND III, TO REMOVE DUPLICATIVE LANGUAGE FROM THE FLORIDA FIRE PREVENTION CODE AND TO CLEAN UP LANGUAGE AND CODE NUMBERS TO ALLOW EASIER READING AND UNDERSTANDING OF CHAPTER 42; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 42 of the City's Code of Ordinances governs fire prevention and protection for the City; and

**WHEREAS**, Chapter 633, Part II, Florida Statutes governs fire safety and prevention for the State of Florida;

**WHEREAS**, Chapter 633, Part II, Florida Statutes, provides uniform statewide standards for fire safety and prevention;

**WHEREAS**, the City has adopted the Florida Fire Prevention Code as provided for in Section 633.202, Florida Statutes;

**WHEREAS**, Chapter 42 of the City's Code of Ordinances contains certain information that is duplicative of the Florida Fire Prevention Code;

**WHEREAS**, the City finds it is in the City's best interest to remove duplicative language and otherwise clean up certain language and code numbers to allow easier reading and understanding of Chapter 42.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:**

**Section 1.** Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

**Section 2.** Amended Code Language.

A. Chapter 42, Fire Prevention and Protection, Article I, shall be revised as follows:

ARTICLE I. - IN GENERAL

*DIVISION 1. - PREAMBLE*

**Sec. 42-1. - Introduction.**

The purpose of this chapter is to provide the Bradenton Fire Department 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 procedures for code enforcement; and setting forth the standards for compliance and achievement of these objectives.

**Sec. 42-2. – Bureau of fire prevention, inspection, and investigation established.**

The bureau of fire prevention, inspection, and investigation is hereby established, to be under the control of the fire chief, to assist in the performance of the responsibilities and duties placed upon the fire marshal of the Bradenton Fire Department. The fire chief shall designate a fire official as fire marshal. The fire marshal of the Bradenton Fire Department shall be responsible for the enforcement of the fire prevention code of the Bradenton Fire Department.

The bureau of fire prevention, inspection, and investigation (hereinafter referred to as the bureau) within the Bradenton Fire Department shall operate under the supervision of the fire marshal of the Bradenton Fire Department. The fire marshal shall be responsible for the direct administration and enforcement of the Bradenton Fire Department 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 the Bradenton Fire Department.

**Sec. 42-3. - Duties and responsibilities.**

It shall be the duty of the fire marshal and their designees to enforce all rules and regulations of the Bradenton Fire Department.

(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 exits, 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 Bradenton Fire Department to investigate and recommend to the fire chief, such additional rules and regulations or amendments to existing rules and regulations as they may deem necessary for safeguarding life and property against fire.
- (c) The fire marshal shall prepare instructions for their 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 their 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.

**Secs. 42-4—42-9. - Reserved.**

- B. Chapter 42, Fire Prevention and Protection, Article II, shall be revised as follows:

*DIVISION 2. - GENERAL PROVISIONS*

**Sec. 42-10. - Title.**

The title of this code shall be the fire prevention code of the Bradenton Fire Department, hereinafter referred to as the "code." One or more copies shall be on file in the administrative office of the Bradenton Fire Department, located at 1010 9th Avenue West, Bradenton, Florida 34205, and shall be kept available for public use, inspection, and examination.

**Sec. 42-11. - 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 the current edition of the Florida Fire Prevention Code (FFPC):

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*Authority having jurisdiction (A-H-J).* The Bradenton Fire Department through the fire chief or designated state-certified inspector. For the purpose of this code, the terms “fire marshal” and “authority having jurisdiction” are interchangeable.

*Building code.* The Florida Building Code as identified in F.S. Ch. 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 Bradenton Fire Department.

*Path of egress.* As delineated by the life safety plan and/or as determined by the A.H.J.

*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 percent 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 1 shall be considered a substantial alteration.

#### **Sec. 42-12. - Recognition of Florida Fire Prevention Code.**

This code recognizes the Florida Fire Prevention Code as adopted by the state pursuant to F.S. § 633.202. 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 Bradenton Fire Department and the provisions thereof shall be controlling within the limits of that department. 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.

#### **Sec. 42-13. - Recognition of building code.**

This code recognizes and incorporates, as fully as if set out herein, the Florida Building Code as identified in section 42-11. 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.

**Sec. 42-14. - 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 F.S. Ch. 633.
- (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 F.S. Ch. 633, 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 lesser 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.

**Secs. 42-15—42-24. - Reserved.**

- C. Chapter 42, Fire Prevention and Protection, Article III, shall be revised as follows:

ARTICLE III. - FIRE PREVENTION REGULATIONS

**Sec. 42-40. - Reserved.**

**Sec. 42-41. - Reserved.**

**Sec. 42-42. - Unnecessary/false alarms; service fees.**

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.

For the purpose of this article, the definition of “12-month period” shall mean the 12 months of the fiscal year (October 1 through September 30).

- (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 chapter. 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 department is defined as four or more such unnecessary/false alarms within any given 12-month period.
- (b) For the first through third unnecessary/false alarm, inclusive, as set forth in this section, occurring in any given 12-month period, a warning shall be issued in writing; for the fourth and fifth unnecessary/false alarms in the same 12-month period, a fee shall be assessed; and for the sixth and seventh unnecessary/false alarms in the same 12-month period, a fee shall be assessed. All unnecessary/false alarms in excess of seven in one 12-month period shall be assessed a fee for each alarm.
- (c) In the event an unnecessary/false alarm is the result of a fire system service company, contractor, or fire alarm monitoring company failing to place a

system in the test mode or otherwise ensure the prevention of the dispatch of all fire alarm signals during maintenance, testing, or for any other reason, the contractor, servicing or monitoring company may be assessed a fee.

- (d) Failure of the owner, manager, or person in charge of the premises to respond to an unnecessary/false alarm within 60 minutes from the time of notification shall result in the assessment of a service fee as provided in the adopted fee schedule.
- (e) Fees shall be established by resolution of the City Council.

**Sec. 42-43. - Required access for fire apparatus.**

- (a) *Traffic-calming devices.* New speed bumps, when installed, must comply with the following criteria:
  - (1) Approved speed bumps shall have minimum 24-inch-long base with sloping falls, cresting at four-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.
- (b) [*Turn-arounds.*] Installed per Florida Fire Prevention Code and City of Bradenton Land Use Regulations.
- (c) Automatic gates shall meet the requirements of Manatee County Ordinance 19-15 Emergency Access Gates and this Chapter.
  - (1) When in the fully opened position, gates shall allow not less than 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 13 feet six inches shall also be required.
  - (2) 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 departments as well as the 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. The remote-control unit shall cause the gate to begin opening operations when activated no less than ten feet from the outermost edge of the gate.
    - b. In the event of power outages, a battery backup 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 opened position until power is restored.

- c. A Knox key control switch is recommended to be mounted on a pole at the far right (resident) lane to ensure fire department access is not hindered due to malfunction of the gate.
- (3) If the gate is to be used for emergency access only, signage shall be installed on both the interior and exterior of the gate, indicating the gate is to be used for emergency access only and prohibiting parking.
- (4) In the event the gate becomes nonoperational, the gate(s) shall be secured in the fully opened position, until such time as the minimum requirements as outlined above have been restored to a fully operational condition.
- (5) Where any vehicle access gate is installed which is expressly for emergency access, the gate shall be set back from the roadway a distance sufficient to allow emergency vehicles using the gate to be fully off the roadway while opening a manual gate or allowing the automatic gate to open.
- (6) No automatic gate or cross-arm bars used for entry control shall be placed into service until such time as the operating features have been inspected, tested, and approved.
- (7) Gate contractor shall provide two programmed gate remotes to the fire inspector at the time of final inspection.

Cross reference(s)—Penalty, § 42-57.

**Sec. 42-44. - Key box system.**

- (a) When a structure is equipped with a fire alarm system, sprinkler, or standpipe system, or when required by an AHJ, 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 rooms, sprinkler rooms, and any other areas to which this department may require access. Where required, keys and locks shall be “mastered.” Applications for the key box may be obtained from the manufacturer’s website.
- (b) Installation height of the key box shall be a maximum of six feet above finished grade or as approved by the authority having jurisdiction.

Cross reference(s)—Penalty, § 42-57.

**Sec. 42-45. - Storage/Use of Propane, Heating, and Cooking Appliances.**

- (a) No person shall place or maintain gas or propane cylinders on porches, breezeways, balconies, or attached garages in multi-unit or multi-story buildings.



- (b) No person shall store or use any charcoal, gas, or wood-fired heaters, grills, barbecues, or smokers on porches, balconies, or breezeways of any multi-unit or multi-story buildings.
- (c) No person shall store or use any heat-producing device or appliance which is determined by the AHJ to be unsafe due to its application or use.

Cross reference(s)—Penalty, § 42-57.

**Sec. 42-46. – Reserved.**

**Sec. 42-47. - Reserved.**

**Sec. 42-48. - Reserved.**

**Sec. 42-49. - Fire alarm system requirements.**

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

- (1) Basements or cellars with ceilings less than 54 inches above grade or having floor areas exceeding 2,500 square feet or when used as lounges or nightclubs, regardless of size.
- (2) Fire alarm control panels, or a required remote annunciator, shall be installed within six feet of the primary entrance.
- (3) 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.
- (4) Outside stem and yoke (OS&Y) valves on fire line backflow preventers shall be equipped with tamper switches and secured through the use of chain(s) and lock(s).

**Sec. 42-50. - Fire sprinkler systems requirements.**

- (a) Approved fire sprinkler systems shall be installed in buildings as required by Table 1 and as follows: Basements or cellars with ceilings less than 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 ensure 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 approved by the fire marshal of the Bradenton Fire Department, and all sprinkler system connections to the

public water distribution facilities shall be approved by the city public works department.

- (d) 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.
- (e) Hydrant location with respect to the fire department connection: A fire hydrant shall be located not more than 50 feet from the fire department connection as measured by normal route of travel or otherwise approved by the AHJ.
- (f) The requirements of the current edition of NFPA 25 and Florida Administrative Code (FAC) shall apply to fire sprinkler impairments.
- (g) The AHJ shall be notified by the building/property owner, occupant, the impairment coordinator, or the licensed contractor conducting the work that will cause the scheduled impairment, no less than three business days prior to the scheduled impairment. This will allow the building owner, agent, contractor, or other responsible parties to notify the AHJ of all arrangements to ensure life safety is upheld.

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	5,000 square feet or more or two stories or more as outlined in the FFPC (currently adopted edition)	Manual pull stations at required exits and not to exceed 200-foot travel distance; flow switch and/or suppressions systems.	As outlined in NFPA 101 (currently adopted edition)
Educational	Two stories or more as outlined in the FFPC (currently adopted edition)	As outlined in NFPA 101 (currently adopted edition)	As outlined in NFPA 101 (currently adopted edition)
Residential	As outlined in the FFPC (currently adopted edition)	Manual pull stations at required exits; flow switch; or as required by AHJ, except where exempted in F.S. 633.202	As outlined in NFPA 101 (currently adopted edition)

Mercantile	10,000 square feet or more or two stories or more or as outlined in the FFPC (currently adopted edition)	Manual pull stations at required exits; flow switch area type smoke detection in all spaces where commodity may be stored over 12 feet above finish floor level, as determined by the AHJ.	As outlined in NFPA 101 (currently adopted edition)
Business	15,000 square feet or more or two stories and 10,000 square feet or more or as outlined in the FFPC (currently adopted edition)	Manual pull stations at required exits; flow switch	As outlined in NFPA 101 (currently adopted edition)
Industrial	10,000 square feet or more or two stories or more or as outlined in the FFPC (currently adopted edition)	Manual pull stations at required exits; flow switch	As outlined in NFPA 101 (currently adopted edition)
Storage	10,000 square feet or more or two stories or more or as outlined in the FFPC (currently adopted edition)	Manual pull stations at required exits; flow switch	As outlined in NFPA 101 (currently adopted edition)
High Hazard/Special	All buildings regardless of size	As required by the authority having jurisdiction	As required by the authority having jurisdiction

Section 903 of the Florida Building Code may also apply.

**Sec. 42-51. - Alternate Fire Extinguisher Placement.**

- (a) This alternative to fire extinguisher placement shall apply to multi-story residential buildings only.
- (b) Where, in the opinion of the AHJ, it is difficult or impractical to have fire extinguishers inside each residential unit inspected and tagged annually, as required by FFPC and then verified by the department, the AHJ may require that the fire extinguisher be installed on the exterior of the structure.

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(c) All other requirements of NFPA 10 shall be maintained.

**Sec. 42-52. - Change of Use/Occupancy.**

(a) The department shall only conduct its inspection when there is a change of use/occupancy after the City of Bradenton Planning and Community Development has already inspected the premises to ensure the structure(s) is/are properly zoned and in compliance with the applicable building codes.

**Sec. 42-53. - 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/have 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 their 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 F.S. § 633.206 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 F.S. § 633.206 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 that is in a dilapidated condition and, as a result thereof, creates a danger to life, safety, or property.

(4) A building or structure, contains explosive matter or flammable liquids or gases, constituting a danger to life, safety, or property.

(c) If, while conducting a fire safety inspection authorized by F.S. Chapter 633, 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 department school board or community college board of trustees, the order to vacate shall be issued jointly by the department superintendent or college president and the authority having jurisdiction.

The authority having jurisdiction may seek an injunction in the Circuit Court of Manatee County to enforce an order issued pursuant to this subsection.

Cross-reference – Penalty, § 42-57,

**Sec. 42-54. - Board of appeals.**

Whenever any person, firm, or corporation is of the opinion they have been aggrieved, pursuant to Chapter 69A-60, Florida Fire Prevention, they may seek relief from such decision(s) as interpreted by the fire marshal to the city's construction code board of rules and appeals.

**Sec. 42-55. - Mobile Food Dispensing Vehicles.**

Mobile and/or temporary cooking operations shall be inspected prior to operation at each event/location with the City.

- (a) Cooking equipment used in mobile and/or temporary cooking concessions, such as trucks, trailers, and/or buses shall comply with NFPA 10, NFP 96, FFPC, and FAC 61C.
- (b) Each vendor shall be properly licensed by the Florida Department of Business and Professional Regulation (DBPR), Division of Hotels and Restaurants, and/or Florida Department of Agriculture, Division of Food Safety.

**Sec. 42-56. - Reserved.**

**Sec. 42-57. - Penalty.**

- (a) Any person who shall violate any of the provisions of this code or the national fire codes as adopted by the Bradenton Fire Department, 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 there under, 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 noncompliance, respectively, be punished by a fine as set by the city code enforcement board 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.

**Sec. 42-58. - 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.

**Section 3.** Codification. The City Clerk shall ensure that this Ordinance shall be submitted for codification of the language in Section 2 herein upon taking effect.

**Section 4.** Repeal of Inconsistent Ordinances. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

**Section 5.** Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**Section 6.** Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	September 27, 2023
PUBLICATION DATE	September 29, 2023
SECOND READING	October 11, 2023

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, with a quorum present and voting, this \_\_\_\_, day of \_\_\_\_\_, 2023.

CITY OF BRADENTON, FLORIDA

\_\_\_\_\_  
Gene Brown, Mayor

ATTEST:

By: \_\_\_\_\_  
Tamara Melton, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Scott Rudacille, City Attorney