

**ORDINANCE 2022-14796**

**AN ORDINANCE RELATED TO FIRE PREVENTION AND PROTECTION, AMENDING CHAPTER 24, FIRE PREVENTION AND PROTECTION, ARTICLE III, STANDARDS, DIVISION 1, GENERALLY, SECTIONS 24-81, 24-88, 24-90 OF THE NAPLES CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER PROVISION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 633, Florida Statutes (2020) requires that local jurisdictions adopt amendments to the Florida Fire Prevention Code by ordinance;

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

**Section 1.** That Sections 24-81, 24-88, and 24-90, Florida Fire Prevention Code adopted, of the Code of Ordinances, City of Naples, is hereby amended to read as follows (with underlining indicating additions and ~~striketrough~~ indicating deletions):

**Chapter 24 – FIRE PREVENTION AND PROTECTION**

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**ARTICLE III. – STANDARDS**

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**DIVISION 1. – GENERALLY**

**Sec. 24-81. – Florida Fire Prevention Code adopted**

- (a) There is hereby adopted by reference that certain code known as the Florida Fire Prevention Code mandated by F.S. § 633.0215.
- (b) Special requirements will ~~shall~~, however, be as follows:
  - (1) New construction must ~~shall~~ be equipped with automatic fire sprinkler systems installed according to NFPA 13, NFPA 13D, or NFPA 13R as applicable in the following classifications of occupied structures: assembly, educational, health care, detention and correctional, mercantile, residential, business, industrial, and storage with the exception of the following:
    - a. Those detached structures less than 1,250 square feet.
    - b. Structures built on single-family lots (i.e., single-family house, shed, garage).
    - c. Detached 1-story unenclosed structures.
    - d. Aircraft hangars except that such hangars will ~~shall~~ only be sprinklered in accordance with NFPA 409, ~~1995 edition~~. New group III hangars must ~~shall~~ have an approved detection system installed.

- e. For the purpose of this section, new construction ~~will shall~~ mean construction of an entirely new detached structure on a location where no structure existed at the time of permitting. Additionally, new construction ~~will shall~~ refer to any structure for which the scope of work permitted exceeds 50 percent of the net value of the existing structure, or for which the additional square footage is equal to or greater than the square footage of the existing structure for which the permit is issued.
- (2) Dwelling units in multifamily buildings must have smoke alarms installed inside and outside of all sleeping areas. Smoke alarms in a single dwelling unit are required to be interconnected. Interconnection may be achieved with wires or wirelessly.
- (3) Doors and windows in commercial buildings and multifamily buildings must remain in use and in normal operation. When a door or window is intended to be blocked from either side it must be removed and the area filled in consistent with the surrounding wall.
- (4) Fire Stopping and Fire Stop Systems must be installed by a contractor who is certified by the manufacturer of the systems and products being used.
- (5) Fire Alarm Control Panel (FACP) or Fire Alarm Control Unit (FACU) replacements may be made in a like for like manner if the new FACP, FACU, or motherboard is a direct replacement with identical part number as the existing system. Should a new panel or motherboard be a different model number the new FACP or FACU must be permitted, reviewed, installed, and inspected as a new system in accordance with the Florida Fire Prevention Code.

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**Sec. 24-88. - Use of barbecues, gas grills or heat-producing and smoke-producing equipment within or near multifamily and commercial structures.**

- (a) The use of barbecues, gas grills, smokers, or other heat-producing and smoke-producing appliances ~~are shall be~~ prohibited within any structure ~~or on or in any balcony, garage, or porch,~~ with the exception of units specifically designed for interior use and those protected according to NFPA 96 adopted in section 24-81.
- (b) Barbecues, gas grills, smokers, or other heat-producing and smoke-producing appliances may only be used outside, at a safe distance no less than 10 feet from the nearest building vertical wall or roof structure of a building.

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**Sec. 24-90. - Fire alarm monitoring.**

All occupied structures with required alarm systems ~~must shall be~~ monitored by a central station, as defined in NFPA 74 72 adopted in section 24-81, or other means in accordance with the NFPA 74 72, with the exception of single-station smoke detectors and those structures protected according to NFPA 13 or NFPA 13D, unless monitoring is required by another section of this Code.

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**Secs. 24-92—24-120. - Reserved.**

**Section 2.** That if any word, phrase, clause, subsection, or section of this ordinance is for any reason held unconstitutional, invalid, or ineffective, the same shall not affect the validity of any remaining portions of this ordinance. In such event, the pre-existing word, phrase, clause, subsection, or section, will be revived.

**Section 3.** That all sections or parts of sections of the Code of Ordinances, City of Naples, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**Section 4.** That this ordinance will take effect immediately upon adoption at second reading.

**APPROVED AT FIRST READING AND PUBLIC HEARING THE 24<sup>TH</sup> DAY OF JANUARY 2022.**

**ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA THIS 16<sup>TH</sup> DAY OF FEBRUARY 2022.**

Attest:

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ON THE  
*Patricia L. Rambosk*  
Patricia L. Rambosk, City Clerk

*Teresa Lee Heitmann*  
Teresa Lee Heitmann, Mayor

Approved as to form and legality:

*Nancy A. Stuparich*  
Nancy A. Stuparich, City Attorney *The Vose Firm*

Date filed with City Clerk: 3-3-22