RECEIVED
DEC 20 2002

ORDINANCE 02-79

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA RELATING TO FIRE PREVENTION AND PROTECTION; ADOPTING THE 2001 EDITION OF THE NFPA LIFE SAFETY CODE; ADOPTING THE 2001 EDITION OF THE FLORIDA FIRE PREVENTION CODE; AMENDING SECTION 38-4 OF THE CODE OF ORDINANCES TO CONFORM TO THE FLORIDA FIRE PREVENTION CODE; AMENDING CHAPTER 38, ARTICLE I TO CREATE SECTION 38-6 PROHIBITING EXCEEDING OCCUPANCY LIMITS OF BUILDINGS; AMENDING CHAPTER 38, ARTICLE I OF THE CODE OF ORDINANCES TO CREATE SECTION 38-7 PROHIBITING INSTALLATION OF FUMIGATION TENTS WITHOUT PRIOR TO NOTICE TO FIRE DEPARTMENT; AMENDING SECTION 38-57(a) AND 38-57(b) OF THE CODE OF ORDINANCES TO PROVIDE TECHNICAL AMENDMENTS; AMENDING SECTION 38-57(d) OF THE CODE OF ORDINANCES TO AUTHORIZE THE FIRE CHIEF TO DELEGATE CERTAIN DUTIES; AMENDING SECTION 38-58(b) TO PROVIDE TECHNICAL AMENDMENTS; AMENDING SECTION 38-59 TO PROVIDE TECHNICAL AMENDMENTS; AMENDING SECTION 38-121 OF THE CODE OF ORDINANCES TO CONFORM THE FIRE DEPARTMENT'S PERMITTING PROCEDURES WITH THE FLORIDA FIRE PREVENTION CODE; AMENDING SECTION 38-122 OF THE CODE OF ORDINANCES TO CONFORM THE FIRE DEPARTMENT'S PERMITTING PROCEDURES WITH THE FLORIDA FIRE PREVENTION CODE; AMENDING SECTION 38-151 OF THE CODE OF ORDINANCES TO AUTHORIZE THE FIRE CHIEF TO DELEGATE CERTAIN DUTIES; DELETING SECTION 38-152 OF THE CODE OF ORDINANCES; AMENDING SECTION 38-153 TO CONFORM WITH THE FLORIDA FIRE PREVENTION CODE; AMENDING SECTION 38-181 OF THE CODE OF ORDINANCES TO ADOPT FIRE PREVENTION AND FIRE SAFETY CODES; AMENDING SECTION 38-185(d) THROUGH 38-185(f) OF THE CODE OF ORDINANCES TO PROVIDE TECHNICAL AMENDMENTS; AMENDING SECTION 38-186 OF THE CODE OF ORDINANCES TO REQUIRE LOCK BOXES ON MONITORED BUILDINGS; CREATING SECTION 38-187 OF THE CODE OF ORDINANCES TO REQUIRE A MEANS OF ACCESS BE PROVIDED TO GATED PROPERTIES IN EMERGENCIES; AMENDING SECTION 38-246 OF THE CODE OF ORDINANCES RELATING TO THE INSTALLATION OF AUTOMATIC FIRE PROTECTION SYSTEMS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION ACCORDING TO LAW.

WHEREAS, the Florida Fire Prevention Code has become effective throughout the State of Florida; and

WHEREAS, the City Commission has reviewed the City's present fire prevention and protection ordinances and has determined that it is necessary to amend said ordinances to bring them into conformity with the Florida Fire Prevention Code and to address certain deficiencies with the present ordinances; and

WHEREAS, the City Commission finds that the amendments contained herein benefit the health, safety and welfare of the citizens of the City of Eustis by improving the City's Fire Department's ability to effectively carry out its fire prevention and protection duties.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA:

Section 1. The 2000 Edition of the NFPA Life Safety Code is hereby adopted by the City of Eustis (save and except those portions

which are in conflict with Chapter 38 of the Code of Ordinances of the City of Eustis).

Section 2. The 2001 Edition of the Florida Fire Prevention Code, as adopted and amended by the Florida Administrative Code, is hereby adopted by the City of Eustis.

Section 3. Chapter 38, Article I, Section 38-4 of the Code of Ordinances of the City of Eustis is hereby amended to read as follows:

Sec. 38-4. Obstructing fire protection devices prohibited.

(a) No person shall obstruct with building material, a vehicle, or other item any fire hydrant, standpipe, or sprinkler connection, or other such device, in such a manner as to obstruct approaches or vision by the fire department.

~~(b) All exterior fire protection devices shall be maintained with a minimum of six feet clearance in all directions unless otherwise allowed by the fire department.~~

(b)~~(c)~~ All exterior fire protection devices shall be labeled to readily distinguish their use and painted ~~such~~ red, so that they are readily distinguished from their surroundings. Such markings and painting shall be approved by the fire department.

(c)~~(d)~~ This section shall pertain to new and existing devices.

(d)~~(e)~~ Compliance with this section shall be the responsibility of the owner, contractor or person responsible for the obstruction.

Section 4. Chapter 38, Article I of the Code of Ordinances of the City of Eustis is hereby amended to create Section 38-6 to read as follows:

Sec. 38-6. Exceeding occupancy load of building.

It shall be unlawful for any owner or tenant in possession of a building to at any time knowingly allow the occupancy of a building to exceed the maximum limit established by the fire chief or chief inspector.

Section 5. Chapter 38, Article I of the Code of Ordinances of the City of Eustis is hereby amended to create Section 38-7 to read as follows:

Sec. 38-7. Installation of fumigation tents.

It shall be unlawful to erect or install any fumigation tent or drape over property within the City of Eustis without first providing notice to the Fire Department.

Section 4. Chapter 38, Article II, Division 2, Section 38-57(a) and 38-57(b) of the Code of Ordinances of the City of Eustis is hereby amended to read:

Sec. 38-57. Fire chief; general duties.

(a) The fire chief shall have general charge of and shall be the head of the fire department. When in attendance at fire or emergency scenes, he may, in his discretion, ~~shall~~ take command of the scene and the fire department and direct his assistants and see that they perform their duties. He shall have full control of the fire department and all its employees, subject to control and supervision in accordance with the Charter, and shall make and establish rules and regulations for the government of the department, subject to the approval of the city manager, and

not inconsistent with the provisions of this chapter. He shall have the right to suspend any employee of the fire department because of incompetency, neglect of duty, failure to obey orders given by proper authority, or for any just or reasonable cause, and shall immediately report the fact of such suspension to the public safety director ~~coordinator~~ and city manager for final action. He shall perform such other duties as are prescribed by the public safety director ~~coordinator~~, city manager, or by this Code.

(b) It shall be the duty of the fire chief to investigate and to recommend to the public safety director ~~coordinator~~ and city manager such additional ordinances or amendments to existing ordinances as he may deem necessary for safeguarding life and property against fire.

Section 5. Chapter 38, Article II, Division 2, Section 38-57(d) of the Code of Ordinances of the City of Eustis is hereby amended read as follows:

Sec. 38-57. Fire chief; general duties.

* * *

(d) The fire chief or his or her designee shall cause to be kept in the fire department headquarters a record of all fires and of all facts concerning the fires, including statistics as to the extent of such fires and the damage caused by the fires, and whether such losses were covered by insurance. All such records, as designated by law, shall be made public.

Section 6. Chapter 38, Article II, Division 2, Section 38-58(b) of the Code of Ordinances of the City of Eustis is hereby amended to read as follows:

Sec. 38-58. Chief vested with discretionary powers beyond city limits.

* * *

(b) Any time the fire department responds to an emergency outside the city limits, other than to answer a mutual aid or interlocal request, a report shall be filed with the public safety director ~~coordinator~~.

Section 7. Chapter 38, Article II, Division 2, Section 38-59 of the Code of Ordinances of the City of Eustis is hereby amended to read as follows:

Sec. 38-59. Bureau of fire prevention provided for; supervision; inspectors; powers and duties.

(a) A bureau of fire prevention in the fire department of the city is established, which shall be operated under the supervision of the chief of the fire department. Subject to city manager approval, the fire chief shall designate an employee of the fire department as chief ~~head~~ inspector of the bureau of fire prevention, who shall hold this office at the pleasure of the fire chief. The fire chief may also designate such number of additional inspectors as shall from time to time be authorized by the city manager.

(b) It shall be the duty of the personnel of the bureau of fire prevention to enforce all laws and ordinances of the state and city covering fire prevention and protection within the city limits. They may have such other powers and duties as are set forth in other subsections of this chapter, and as may be conferred and imposed by law. The fire chief may delegate any of

his powers or duties under this section to the chief ~~head~~ inspector.

(c) Before a city occupational license may be issued for the keeping, storage, use, manufacture, sale, handling, transportation or other disposition of highly flammable materials and rubbish, crude petroleum or any of its products, gunpowder or blasting powder, dynamite or explosives of any kind, including fireworks, firecrackers and signaling explosives, the fire chief or the chief ~~head~~ inspector shall inspect, approve and issue the permit for the receptacles, vehicles, buildings or storage places to be used for any such purposes.

(d) The fire chief or inspectors of the bureau of fire prevention may inspect any building or premises within the limits of the city. Whenever any of said personnel shall find any building or other structure which:

(1) For want of repairs;

(2) Lack of or insufficient fire escapes, automatic or other fire alarm apparatus, or fire extinguishing equipment;

(3) By reason of age or dilapidated condition; or

(4) From any other cause; is especially liable to fire, or which is so situated as to endanger other property or the occupants, whenever the chief or inspector may find in any building highly combustible or explosive matter or flammable conditions; the chief or inspector may order such dangerous conditions or materials to be removed or remedied; and such order shall forthwith be complied with by the owner or occupant of such premises or building. They may order the owner or occupant to correct the dangerous condition within a reasonable period of time. If the owner or occupant does not comply with the order, the owner or occupant shall be liable, to penalties provided under section 38-91 and subject to appeal as provided under subsection (e) of this section. The service of any such order may be made upon the occupant of the premises to whom it is directed, either by delivering a copy of the order to such occupant personally or by delivering the order to and leaving it with the person in charge of the premises, or in case no such person is found upon premises, by mailing a copy of the order to the last known mailing address ~~post office~~ address via return receipt mail. Whenever it may be necessary to serve such an order upon the owner of premises, such order may be served either by delivering to and leaving with such person a copy of the order, or if such owner is absent from the jurisdiction of the employee making the order, by mailing such a copy to the owner's last known post office address.

(e) If such order is made by the chief ~~head~~ inspector or any of his assistants, except those orders relating to conditions which are considered to be immediately life threatening, such owner or occupant may within 24 hours appeal to the fire chief, who shall, within five working days, review such order and file his decision; and unless by his authority the order is revoked or modified, it shall remain in full force and be complied with within the time fixed in the order or decision of the fire chief. However, any such owner or occupant may, within five working days after the making or affirming of any such order by the fire chief, file their petition with the city commission for review of such order.

(f) The fire chief, the chief ~~head~~ inspector, or any inspector may, at all reasonable hours, enter any public building

areas or premises within the city limits for the purpose of making an inspection or investigation which, under the provisions of this chapter, they may deem necessary to make. Inspection of privately occupied building areas shall be arranged through the notification of owner or occupant. If permission is not received for inspection, the city manager shall be requested to suspend the occupational license of such business until such inspection may be performed.

(g) The fire chief shall have the authority to order the disconnection of utility services from a building, structure or other system in case of an emergency to eliminate an immediate hazard to life or property. The fire chief shall notify the serving utility and whenever possible the owner or occupant of the building, structure or system of the decision to disconnect. Notification shall be given prior to the disconnection or as soon as practical thereafter

Section 8. Chapter 38, Article II, Division 4, Section 38-121 of the Code of Ordinances of the City of Eustis is hereby amended to read as follows:

Sec. 38-121. Schedule.

(a) Permits as required by the ~~Standard Fire Prevention Code~~ NFPA 1 Code, The Uniform Fire Safety Rules and Standards Chapter 4A-60, Florida Fire Prevention Code and the Standard Fire Prevention Code Chapter 22, as adopted in section 38-181 and this chapter of the Code of Ordinances, shall be based on the schedule in this section.

(b) The fees for required permits shall be on file in the city clerk's office for the following inspections:

(1) Amusement Parks. Construction, alteration, modification of.

(2) Automatic Fire Suppression Systems. Installation or modification.

(3) Bonfires and Outdoor Rubbish Fires.

(4) Bowling pin and bowling alley resurfacing and refinishing.

(5) Calcium Carbide. Storage in cylinders or containers.

(6) Carnivals.

(7) Cellulose nitrate motion picture film. Storage, handling or use of.

(8) Combustible fibers or materials. Storage or handling of in excess of 2,500 cubic feet in gross volume.

(9) Combustible metals. Melting, casting, heat treatment, machining or grinding in excess of 10 lbs. of Cass D metals per workday.

(10) Compressed gases. Storage, handling, installation or modification of.

(11) Covered mall buildings. Utilization of mall areas for exhibits or displays.

(12) Cutting and welding.

(13) Dry cleaning. Use of cleaning solvents, fluids or solutions.

(14) Dust explosion prevention. Installation, modification or operation of.

(15) Exhibits and trade shows. Operation of.

(16) Explosives. Manufacture, sale, disposal, purchase, storage, use, possession or transportation of.

(17) Fire alarm and detection systems and equipment. Installation or modification of.

(18) Fire pumps and related equipment. Installation or modification of.

(19) Fireworks. Possession, storage, manufacture, sale or discharge.

(20) Flammable and combustible liquids:

a. Storage, use, handling or transportation of Class I, II or IIIA liquids.

b. Installation, modification, removal, abandonment, defueling or slurry fill of storage tanks.

c. Manufacture, processing, blending, or refining of.

d. Operation of cargo tankers that transport.

(21) Flammable finish application.

(22) Grandstands, folding and telescopic seating, tents and membranes. Construction, location and erection of.

(23) Hazardous materials:

a. Corrosive.

b. Cryogenic fluids.

c. Flammable solids.

d. Highly toxic materials.

e. Irritant.

f. Liquefied natural gas (storage, installation, modification or operation of).

g. Liquefied petroleum gas (storage, installation, modification or operation of).

h. Other health hazards.

i. Organic peroxides.

j. Oxidizer (solid or liquid).

k. Oxidizer gas (gaseous or liquefied).

l. Pyrophoric.

m. Radioactive.

n. Sensitizer.

o. Toxic.

p. Unstable reactive.

q. Water reactive.

r. Combination of hazardous materials permit.

(24) High piled combustible stock.

(25) Industrial ovens and furnaces. Operation of.

(26) Lumber yards and woodworking plants. Exceeding 100,000 board feet.

(27) Magnesium. Storage, handling or processing.

(28) Motion picture filming using special effects or pyrotechnics.

(29) Organic coatings. Operation and maintenance of manufacturing facility.

(30) Outdoor storage of scrap tires. Establishment, conducting or maintaining any outdoor storage facility exceeding 2500 sq. ft.

(31) Oxidizers and organic peroxides. Storage of.

(32) Pesticides and herbicides. Storage of .

(33) Places of assembly, excluding places used exclusively for religious purposes.

(34) Private fire hydrants. Installation, modification, or removal.

(35) Pyroxlin plastics. Storage, handling, assembly, manufacture of.

(36) Repair garages and service stations.

(37) Roof top heliports. Construction, modification or operation of.

(38) Special outdoor events, carnivals and fairs. Operation of.

(39) Spraying and dipping. Operation of.

(40) Standpipe systems. Installation, modification, or removal from service.

(41) Tar kettles. Placement and use of.

(42) Tire rebuilding plants. Operation and maintenance of.

(43) Torch applied roofing systems. Installation of.

(44) Multi-use permit. Any combination of permits except those included in Hazardous Materials.

(45) Failure to obtain a required permit.

(c) For other required permits not specifically addressed in this section, the fee shall be charged equal to the actual cost of issuing the permit. This cost shall include, at a minimum, inspection, clerical and administrative costs.

Section 9. Chapter 38, Article II, Division 4, Section 38-122 of the Code of Ordinances of the City of Eustis is hereby amended to read as follows:

Sec. 38-122. Generally.

(a) A permit shall not be transferable. Any change in use of a permitted building or the location of a permitted activity shall require a new permit.

(b) No activity for which a permit is required shall be conducted without a permit.

(c) No permit shall be issued until the required fee is paid.

(d) All permits shall be valid for one year unless otherwise specified.

~~(e) The permittee shall be responsible to apply for renewal of permits no less than 30 calendar days prior to the expiration of the permit.~~

(e)~~(f)~~ Permits required by this division shall not be applicable to one- or two-family residential use buildings.

Section 10. Chapter 38, Article II, Division 5, Section 38-151, Paragraphs (h) and (i) are amended to authorize the Fire Chief to read as follows:

Sec. 38-151. Buildings, new construction and renovation

* * *

(h) A certificate of occupancy shall not be issued until the fire chief or his or her designee has inspected the building and determined it is in compliance.

(i) Upon notice from the fire chief or his or her designee, work on any building, structure or other such work that is being done contrary to any provision of this article or other fire or life safety code shall immediately cease. Such notice shall be in writing and shall be given to the owner, or his agent, or the person performing the work. Such order shall state the conditions under which work may be resumed. Where an immediate life or safety hazard exists, such order need not be in writing prior to stopping the work.

Section 11. Chapter 38, Article II, Division 5, Section 38-152 of the Code of Ordinances of the City of Eustis is hereby deleted in its entirety.

Section 12. Chapter 38, Article II, Division 5, Section 38-153 of the Code of Ordinances of the City of Eustis is amended to read as follows:

Sec. 38-153. Site plan review fees.

(a) The fire department shall perform site plan reviews and a final inspection for fire protection requirement compliance for building sites, planned developments and subdivisions.

(b) A fee shall be charged for the following site plan reviews according to the schedule on file in the city clerk's office:

(1) Site or preliminary plans.

(2) On site hydrant system (other than subdivisions).

(3)~~(2)~~ Improvement plans.

(4)~~(3)~~ Final plans.

(5)~~(4)~~ Modifications or resubmissions.

(6)~~(5)~~ Site inspections.

(c) Site plan review fees are included in those fees as established by the city commission and collected by the development services and code enforcement departments.

Section 13. Chapter 38, Article III, Division 1, Section 38-181 of the Code of Ordinances of the City of Eustis is hereby amended to read as follows:

Sec. 38-181. Code adopted

There is adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion, or other emergency those certain codes known as the ~~Standard Building Code, as adopted in section 110-31, and the Standard Fire Prevention Code, 1997 edition, except section 105, and the NFPA 101 Life Safety Code, 1997 edition,~~ NFPA 1 Fire Prevention Code 2000 Edition, the Uniform Life Safety Codes and Standards 4A-60, 2000 edition as well as the NFPA 101, Life Safety Code, 2000 edition, the whole thereof (save and except portions of such codes which are in conflict with this chapter). Not less than one copy of each of these codes shall be filed in the fire prevention office of the fire department and the building official's office, and the same are hereby adopted and incorporated in this section by reference fully as if set out at length in this section, the provisions thereof shall be controlling within the limits of the city.

Section 14. Chapter 38, Article III, Division 1, Section 38-186(d) through (f) is hereby amended to read as follows:

Sec. 38-185. Standby fire protection.

* * *

(d) Standby fire protection shall be scheduled with the public safety director ~~coordinator~~.

(e) The public safety director ~~coordinator~~ may deny the event if insufficient time to schedule has been given or resources are not available.

(f) It is recommended that the public safety director ~~coordinator~~ be contacted a minimum of two weeks in advance of the event for requests for standby fire protection.

Section 15. Chapter 38, Article III, Division 1, Section 38-186, Paragraphs (a) and (b) of the Code of Ordinances of the City of Eustis are hereby amended to read as follows:

Sec. 38-186. Lock-box allowed

(a) To provide expedient access to a building which is serviced by a fire alarm or suppression system, lock-box installations ~~may be allowed~~ shall be installed, in accordance with the fire department lock-box system.

(b) If ~~allowed~~ installed, the lock-box shall be located, unless otherwise approved:

(1) At or near the recognized public entrance (normal point of fire department access), adjacent to the fire

alarm annunciator panel if provided, on the exterior of the structure.

(2) No less than eight feet above grade below the box.

(3) No higher than 12 feet above grade below the box.

* * *

Section 16. Chapter 38, Article III, Division 1, Section 38-187 of the Code of Ordinances of the City of Eustis is hereby created to read as follows:

Sec. 38-187. Gated access communities or properties.

Immediate access shall be provided to all gated properties. Access shall be obtained by:

(a) A numerical identification number to be provided by the Fire Official, this number will be identical for all properties and not known to any persons other than Fire Department personnel; or

(b) A fire department approved lock box with keys provided may be installed at the gated entrance, subsequent gates around the property may require the installation of additional fire department approved lock boxes.

Section 17. Chapter 38, Article III, Division 3, Section 38-246 of the Code of Ordinances of the City of Eustis is hereby amended to read as follows:

Sec. 38-246. Fire sprinkler systems requirements

In addition to building or occupancy requirements in the NFPA Life Safety Code 101, adopted in section 38-181, building code adopted in section 110-31 or fire prevention code adopted in section 38-181, the following shall apply:

For purposes of this Division, the following terms shall have the following meanings:

A. "Building" shall mean all structures intended for shelter, housing or enclosure of persons, animals or chattel by any means other than fencing.

B. "Gross square feet" shall include the gross square foot area of all floors and mezzanines of a building.

(1) All new ~~structures~~ buildings three or more stories, or 35 feet or more in height, or with ~~15,000~~ 8,000 gross square feet or more of contiguous usable building area shall be required to have an approved fire sprinkler system installed on all floors and combustible spaces. Those buildings which are required to have an automatic sprinkler system for the sole reason that they contain 8,000 or more gross square feet shall be exempt from the sprinkler requirement if the space is divided by an approved unpenetrated four-hour rated fire wall in such a manner that no contiguous usable building area is not larger than 7,999 square feet.

(2) Automatic fire protection systems may be required in building housing classifications of Ordinary Hazard (Group 3) or Extra Hazard (Group 1 and 2), as defined in NFPA 13, Standard for Installation of Sprinkler Systems, as deemed necessary by the Fire Chief or his or her designee.

(3) New multifamily residential projects comprised of five or more dwelling units on a single parcel, regardless of square footage or number of stories, single-family attached dwellings where more than five of such dwellings are attached (regardless of whether located on one parcel of property or multiple parcels), and buildings on parcels where more than five buildings are located on the parcel shall require automatic fire protection systems. Provided, however, this Section (3) shall not apply to mobile home parks or recreational vehicle parks.

(4) Restaurants possessing an occupant load of 50 or more persons shall be required to possess automatic fire protection systems.

(5)~~(2)~~ Fire sprinkler systems shall also be installed in the following areas regardless of size:

a. At the top and at alternate floors in any trash or linen chute.

b. In every trash or linen terminal room and in every room exceeding 15 square feet of floor area connected to such trash or linen chute.

c. In trash storage rooms of more than 15 square feet of storage area.

~~d. In film storage rooms storing cellulose nitrate film.~~

~~e. Any other structure or portion considered as a high hazard area in the edition of the NFPA Life Safety Code adopted in Section 38-181.~~

(6)~~(3)~~ All fire sprinkler systems required by this division shall meet the design and installation requirements in the adopted edition of the NFPA Life Safety Code 101, ~~Standard Building Code~~ Florida Building Code or Florida Fire Prevention Code.

(7)~~(4)~~ Any structure which has been built after November 3, 1988, shall comply fully with this section at such time as additions or renovations to the structure are made, which additions or renovations bring the structure within the requirements of subsection (1), (2), (3), (4) or (5) ~~or (2)~~ of this section.

(8)~~(5)~~ Any structure which currently falls within the requirements of subsection (1), (2), (3), (4) or (5) ~~or (2)~~ of this section and was constructed prior to November 3, 1988, shall comply fully with this section at such time as any renovation or repair to the structure is determined to be equal to or in excess of 50 percent of the current value of the building. This determination shall be made by the building official, in consultation with the fire chief.

(9)~~(6)~~ Additions or alterations to any existing structure for which subsection (7)~~(4)~~ or (8)~~(5)~~ of this section does not apply, which addition or alteration causes such structure to fall within the requirements of subsection (1), (2), (3), (4) or (5)) ~~or (2)~~ of this section, shall require the installation of an automatic fire sprinkler system in that portion which is newly constructed.

(10)~~(7)~~ All required fire sprinkler systems shall be rated and credited by the insurance services office as a sprinklered structure. A copy of the insurance services

office rating and crediting report shall be provided to the fire department within 30 days of the rating.

(11)~~(8)~~ ~~All structures with required fire sprinkler systems shall be rated and credited by the insurance services office as a sprinklered structure.~~ The location of the fire department connection shall be approved by the Fire Chief or his or her designee.

(12)~~(9)~~ Notification shall be given immediately to the fire department whenever any fire sprinkler or standpipe system is to be or has been shut down or otherwise totally or partially inoperative, due to malfunction, maintenance or repair, and when the system has been returned to operative condition. Additional notification shall be submitted in writing to the fire department within three days, indicating the actions taken and current status of the system. If a failure to provide such notification or documentation results in an alarm response, the false alarm fee shall be charged for the response, regardless of the number of false alarms for that quarter.

(13)~~(10)~~ All automatic fire detection or suppression systems which do not or are not required to provide remote electronic monitoring, except for one- or two-family residential use buildings, shall be required to provide an external alarm signal for any trouble and activation of the system. At the locations specified by the fire department, both internal and external, there shall be notices placed which are clearly visible stating "LOCAL ALARM ONLY. PLEASE DIAL 911 AND REPORT A FIRE ALARM SOUNDING AT (LOCATION)". Clear visibility shall be determined by the fire chief or his designee, depending upon the location and visibility. This shall apply to both new and existing systems.

(14)~~(11)~~ All automatic fire detection or suppression systems, except for one- or two-family residential use buildings, shall have an external annunciator panel to indicate the type of alarm that is sounding, (smoke, heat, water flow, or trouble). If the fire protection or detection system services multiple occupancies or buildings, there shall be an indicator for the occupancy or space of the activated device's location.

(15)~~(12)~~ Those occupancies which have only a hood extinguishing system are not required to comply with subsections (13)~~(10)~~ and (14)~~(11)~~ of this section.

(16) Owners or lessees of any alarm system shall provide response to the alarm location, when requested, in order to reset or disable the alarm system, within 30 minutes of activation. Failure to provide such response shall result in a standby fire protection fee of $50.00 per hour until a representative arrives on scene.

Section 18. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 19. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, sentences, clauses or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 20. It is the intention of the City Commission of the City of Eustis that the provisions of this Ordinance shall become and be made a part of the City of Eustis Code of Ordinances and that the

sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Section", "Article", or such other appropriate word or phrase to accomplish such intentions.

Section 21. This Ordinance shall become effective immediately on passing.

Section 22. This Ordinance shall be published in accordance with the requirements of law.

PASSED, ORDAINED and APPROVED in Regular Session of the City Commission of the City of Eustis, Lake County, Florida, this 21 day of NOVEMBER, 2002.

CORPORATE SEAL

CITY COMMISSION OF THE CITY OF EUSTIS

Gwendolyn M. Manning

Gwendolyn M. Manning, Mayor-Commissioner

ATTEST:

Jim R. Myers, Jr., City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 21 day of NOVEMBER, 2002, by **GWENDOLYN M. MANNING** and **JIM R. MYERS, JR.**, the Mayor and Finance Director/City Clerk, of the City of Eustis, Florida, who are personally known to me.

Gail Holston

Notary Public. State of Florida

Printed Notary Signature

Gail Holston
Commission # DD105873
Expires May 16, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

CERTIFICATE OF POSTING

The foregoing Ordinance 02-79 is hereby approved, and I hereby certify that I published the same by Posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Senior Service Center; all within the Corporate Limits of the City of Eustis, Lake County, Florida.

Jim R. Myers, Jr., City Clerk

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

Lewis W. Stone, City Attorney

12-05-02

Date