

Introduced by: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

**ORDINANCE NO. 2003-7857**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH; AMENDING CHAPTER 10, FIRE AND LIFE SAFETY; TO INCLUDE AMENDING ARTICLE III, FIRE PREVENTION AND LIFE SAFETY, SEC. 10-3.03, CODES ADOPTED; TO PROVIDE REFERENCE TO THE STATE ADOPTED FLORIDA FIRE PREVENTION CODE; AMENDING CHAPTER 10, ARTICLE III, SEC. 10-3.16, AUTOMATIC FIRE SPRINKLER REQUIREMENTS; TO PROVIDE SUPPLEMENTAL REQUIREMENTS FOR AUTOMATIC SPRINKLER SYSTEMS FOR THE PURPOSE OF FURTHERING THE GROWTH MANAGEMENT GOALS, OBJECTIVES, AND POLICIES OF THE CITY; AMENDING CHAPTER 10, BY ADDING ARTICLE IV, SEC. 10-4.01, OPEN BURNING; TO PROVIDE REGULATIONS FOR OPEN BURNING WITHIN THE CITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** That the stated section of Chapter 10, Fire and Life Safety, Sec. 10-3.03, of the Code of Ordinances of the City of Jacksonville Beach, Florida is amended as follows:

**Sec. 10-3.03. Codes adopted**

- (a) The following model codes are adopted in their entirety as additions to the text of this article. The text of these adopted model codes shall be fully enforceable as other regulations adopted under the provisions of this article as if the same were incorporated and set forth at length herein. Model codes adopted pursuant to this article shall not waive any provisions of this chapter or be less restrictive than its provisions.

(1) ~~Standard Fire Prevention Code, 1994 edition, as published by the Southern Building Code Congress International, Inc.~~

(2) ~~Life Safety Code, 1994 edition, as published by the National Fire Protection Association, Inc.~~

(1) Florida Fire Prevention Code (FFPC) 2001.

- a) One (1) copy of the adopted model codes has been and is filed in the office of the city clerk.

**SECTION 2.** That the stated section of Chapter 10, Fire and Life Safety, Sec. 10-3.16 of the Code of Ordinances of the City of Jacksonville Beach, Florida is amended as follows:

**Sec. 10-3.16. Automatic fire sprinkler requirements.**

The following supplemental automatic fire sprinkler requirements are adopted for the purpose of furthering the growth management goals, objectives, and policies of the Jacksonville Beach 2010 Comprehensive Plan Elements, adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act of 1985.

(a) All new buildings or existing buildings incorporating new additions or expansions, except one or two-family dwellings, shall be equipped with a complete automatic sprinkler system:

- (1) Where the combined total occupant load is three hundred (300) persons or more.
- (2) Where an assembly occupancy is located above or below the level of exit discharge, regardless of occupant load.
- (3) Where the building is used as an educational, health care, ambulatory health care or residential board and care occupancy.
- (4) In any and all areas below the level of exit discharge.
- (5) In all buildings over seven thousand (7,000) square feet of gross floor area of all floors combined.
- (6) In all buildings over four (4) stories in height regardless of gross floor area.

(b) The fire official may omit sprinkler heads in areas of buildings or structures as follows:

- (1) In areas containing electrical equipment or telephone equipment, not over one hundred (100) square feet in gross floor area.
- (2) In small compartmented areas such as closets not over twenty-four (24) square feet and bathrooms not over fifty-five (55) square feet, with limited or non combustibile material walls and ceilings that extend behind fixtures.

(c) All automatic fire sprinkler systems shall be electronically supervised to detect water flow. Such supervision shall be at a location, approved by the fire official, constantly attended by a competent person trained and equipped to alert the fire department in the event of a water flow signal.

**SECTION 3.** That the section Open burning regulations of Chapter 10, Fire and Life Safety, Article IV, Sec. 10-4.01 of the Code of Ordinances of the City of Jacksonville Beach, Florida is added in its entirety as follows:

**Sec. 10-4.01 Open burning regulations.**

(a) Open burning within the city limits is regulated by local ordinance in accordance with rules and regulations by NFPA-1, 3-4, Florida Fire Prevention Codes (FFPC), the Air Quality Division of the CoJax/Duval County Regulatory and Environmental Service Department (AQD), and the Florida Department of Environmental Protection Agency.

(b) Any open burning in the city must be approved and have been issued a permit by the Jacksonville Beach Fire Department in accordance with the above mentioned laws, ordinances, and city policies. Open burning may be allowed under special circumstances due to land clearing, ceremonial situations, or other special events. If open burning is allowed, the following conditions must be met:

- (1) Burning must not be left unattended, but must have a responsible party at the site at all times. Burning shall be limited to daylight hours unless specified hours are listed on the permit.
- (2) An extinguishing agent or water supply with hose must be readily available at the site.
- (3) The burning must not cause a safety hazard or nuisance to residents or obstruct vision for motorists on roadways.
- (4) Burning must be approved and meet air quality standards for Duval County.
- (5) Burning must not be conducted within 50 feet of a structure.
- (6) Wind conditions shall not exceed 15 mph.
- (7) The Fire Department will be notified by the responsible party of the date and time of the requested burning to determine compliance with the guidelines and regulations. If the open burning request is approved, the Fire Department will notify Emergency Communications and AQD of the location, date, and time.

(c) Charcoal or gas barbecue grills, cooking fires with a grill, and fires in outside ornamental fireplaces are allowed, however an approved container and fuel must be used and conform to local fire codes, air quality regulations, and safety standards. Charcoal burners or LPG grills shall not be kindled or maintained on combustible balconies or patios, with the exception of one and two family dwellings. LPG grills with cylinders greater than 2 ½ lbs shall not be located on balconies of multifamily dwellings of three or more units located above each other.

(d) Warming fires may be allowed at construction sites if a permit is issued, an approved container is used, and the requirements for open burning are met.

(e) Trash/rubbish fires are prohibited at any time. This material includes wiring,

household waste, yard collections, construction debris, or other similar material. Burning leaves or grass is prohibited.

(e) Open fires on the beach for any reason are not allowed. Cooking fires in approved gas or charcoal cookers are allowed provided that coals and other cooking material, when finished, are disposed of in approved containers.

(f) Commercial incinerators shall be equipped and maintained with an adequate spark arrestor.

**SECTION 4.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect of the provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions are declared severable.

**SECTION 5.** All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent that same may be in conflict, hereby repealed.

**SECTION 6.** Codification of this ordinance in the City Code of Ordinances is hereby authorized and directed.

**SECTION 7.** This ordinance shall take effect upon its passage and publication as required by law.

AUTHENTICATED THIS \_\_\_\_\_ DAY OF JULY, A. D., 2003.

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Bob D. Marsden, MAYOR

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Heidi Reagan, CITY CLERK