

ORDINANCE NO. 122

AN ORDINANCE AMENDING CHAPTER 5, FIRE PREVENTION AND PROTECTION, TOWN OF CINCO BAYOU CODE OF ORDINANCES; PROVIDING FOR THE SEVERABILITY OF ANY PORTION DECLARED INVALID; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

SECTION 1. Chapter 5, Fire Prevention and Protection, of Cinco Bayou Code of Ordinances is hereby amended to read as follows:

ARTICLE I. IN GENERAL

SECTION 5-1. Adoption of Fire Prevention Codes

There is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion within the Town of Cinco Bayou; certain codes known as the NFPA 101, Life Safety Code, NFPA, National Fire Codes, Standard Building Code by Southern Building Code Congress International, Standard Fire Prevention Code by the Southern Building Code Congress International, National Electric Code, Florida State Fire Marshal Rules and Regulations, also known as the Florida Fire Prevention Code, and any and all subsequent editions or amendments of the latest published editions of these codes. Where code requirements differ, the code with the most restrictive life safety requirements will be applied.

SECTION 5-2. Fire Protection

In accordance with the conditions of an agreement between the Ocean City/Wright Fire Control District and the Town of Cinco Bayou, the Ocean City/Wright Fire Control District agrees to provide fire protection service to the Town of Cinco Bayou comparable to that service furnished to the residents of the Ocean City/Wright Fire Control District. For this service, the Town of Cinco Bayou agrees to pay a sum equal to a millage rate established by the Ocean City/Wright Fire Control District times the assessed evaluation of the real property located in the Town on January 1st of each year.

SECTION 5-3. Fire Prevention Inspections

The Ocean City/Wright Fire Department Fire Inspectors shall be permitted to make inspections of businesses and residences in the Town of Cinco Bayou as they deem necessary to determine compliance with the fire prevention codes as listed in Section 5-1. All residents, property owners, entrepreneurs, contractors, builders or others related to the subject matter of, and to the areas of jurisdiction of this ordinance, or their representatives, shall be governed by the intent of this ordinance and they shall recognize the need for access to their properties at reasonable hours for the purpose of performing required fire inspections. They shall provide said access upon request by the Chief of the Ocean City/Wright Fire Department.

EXCEPTION: One and two family dwellings: Courtesy fire inspections will only be performed at the request of the owner.

SECTION 5-4. Fire hydrants

(a) Within the boundaries of the Town, new commercial buildings shall be constructed only within 300 feet of an operational fire hydrant meeting the requirements of this ordinance. New one or two family detached dwelling units shall be constructed only within 500 feet of an operational fire hydrant meeting the requirements of this ordinance. All hydrants shall be supplied by

water mains no less than six inches in diameter if on a looped system or no less than eight inches if not on a looped system. All planned building groups must comply with NFPA 1141.

(b) Water mains supplying fire hydrants shall have sufficient flow rate and pressure to meet at least the minimum standards required by the American Water Works Association Manual M-17 and the National Fire Codes.

(c) All site/plot plans submitted to the Ocean City/Wright Fire Department for approval shall indicate the location(s) of installed fire hydrant(s) and/or the proposed location(s) of new fire hydrants, to include the size of water main(s) supplying the hydrant(s).

(d) No person shall obstruct or place or keep any fence, growth, trash or other materials near any fire hydrant that would prevent such hydrant from being immediately visible or in any manner hinder the fire department from gaining immediate access to a hydrant.

(e) No person shall use or operate any fire hydrant, unless such person(s) first secure a permit for such use.

SECTION 5-5. Connection of Fire Protection System

All fire protection systems shall be connected in accordance with the provisions set forth by the Chief of the Ocean City/Wright Fire Department or his designated representative, and only after obtaining written approval. Such connection shall comply with the National Fire Codes and the Standard Building Code.

SECTION 5-6. Installation of Wet Standpipe System

Approved standpipe systems shall be installed in all buildings, regardless of the type of construction, which exceed three (3) stories in height. All wet standpipe systems shall be installed in accordance with all applicable provisions of the National Fire Codes for the Installation of Standpipe and Hose Systems, NFPA #14, and the Standard Building Code. The utilization of plastic pipe or fittings in the construction of the standpipe system is strictly prohibited. Only "single jacket" rubber lines hose shall be used in all standpipe applications. Existing wet standpipe systems currently utilizing unlined linen hose shall replace such hose with "single jacket" rubber lined hose when the hose is deemed unserviceable by the inspecting authority.

SECTION 5-7. Installation of Automatic Sprinkler Systems

(a) All new buildings, multistory and/or multifamily, regardless of construction type, constructed within the Town of Cinco Bayou with more than two (2) stories and/or exceeding 35 feet in height, shall be protected throughout by an approved automatic sprinkler system.

(b) All new buildings, regardless of height or type of construction, shall be protected throughout by an approved automatic sprinkler system as follows:

- (1) All buildings with a single story over 12,000 sq. ft. in area, regardless of interior separations.
 - (2) All multi-story buildings exceeding 24,000 sq. ft. in gross area.
 - (3) Throughout stories below the level of exit discharge when stories have an area exceeding 2,500 sq. ft.
- (c) All approved automatic sprinkler systems shall be installed in strict accordance with the standards set forth by the National Fire Codes, NFPA #13; and the Standard Building Code, to include section entitled "Automatic Sprinkler Alternate".

(d) The builders, building owners or their agents shall submit the plans for proposed sprinkler systems to the Ocean City/Wright Fire Control District Fire Inspection Department for approval prior to installation.

SECTION 5-8. Alarm Systems

(a) All new structures requiring alarms systems shall submit plans and specifications to the Ocean City/Wright Fire Department for review and approval prior to the start of installation.

(b) Fire alarms equipment, devices and wiring used in the installation of fire alarm systems shall be of the approved type for its intended use and bear one of the recognized seals of approval.

(c) Fire alarm system connections to a central receiving station (fire department, remote station, security service, etc.) shall be in accordance with the provisions set forth by the Ocean City Fire Control District. All connections of a fire alarm system to a receiving station shall comply with the National Fire and Standard Building Codes.

(d) All required tests shall be completed by the appropriate contractor or subcontractor, witnessed and approved by the fire inspector, and all reports shall be delivered to the fire inspector.

SECTION 5-9. Smoke Alarms/Detectors.

(a) Smoke alarms/detectors shall be installed in all new residential buildings in the Town of Cinco Bayou. Existing homeowners are encouraged to install smoke alarms/detectors in all residences within the Town that were built prior to the effective date of this ordinance. Battery type detectors may be used in existing buildings, providing that they are an approved type, installed in accordance with NFPA 101 and with Section 1125 of the Standard Building Code.

(b) Smoke alarms/detectors shall be installed in all other type new buildings within the Town when early warning fire detection is deemed necessary.

SECTION 5-10. Outdoor Burning

(a) All outdoor burning is prohibited in the Town of Cinco Bayou.

(b) Starting and maintaining an illegal fire is a second degree misdemeanor, punishable as provided in Section 5-14.

SECTION 5-11. Building Identification

(a) All buildings and businesses in the Town shall be identified with the current postal address displayed in a visible location.

(b) The numbers and letters used for building or business addresses shall be a minimum of two (2) inches in height and displayed at the building/business main entrance door, in the main display window, at the curbside or on the postal mail box.

SECTION 5-12. Building Permits

(a) Before any and all building permits are authorized by the Town of Cinco Bayou or issued by the Okaloosa County Building Inspection Department for any new construction or modification to any existing structure within the limits of the Town of Cinco Bayou, the plans and specifications for the structure will be reviewed by the Chief, Ocean City/Wright Fire Department or his designated representative for compliance with the existing codes. When approved, the plans will be annotated with the approving officials signature, date and the department "seal" or stamp. (Single family dwelling units are exempt from this requirement.)

(b) The requirements for fire hydrants outlined in Section 5-4 must also be satisfied prior to the issuing of any permits.

SECTION 5-13. Certificate of Occupancy

Prior to the issuing of a "Certificate of Occupancy" by the Okaloosa County Building Inspection Department, the Fire Inspector shall be satisfied that the structure fully meets all codes and regulations required by the Ocean City/Wright Fire Control District. A "Fire District Approval Certificate" will be issued to the builder/contractor for delivery to the inspection department.

SECTION 5-14. Enforcement, violation and penalties.

The Chief of the Ocean City/Wright Fire Department shall have the authority to cause these codes and this ordinance to be enforced. Any person who shall violate any of the provisions of this ordinance or of the codes hereby adopted, or fail to comply herewith, or who shall violate or fail to comply with any order made thereunder within the time fixed herein by the authority having jurisdiction shall, upon conviction, severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor of the second degree and shall be punished if found guilty by a fine not exceeding \$500.00, or by up to ninety (90) days in jail, or both. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that the prohibited condition(s) is maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. The Chief of the Ocean City Fire Department shall exercise the right to "close" or restrict the use of any premises in which safety hazards that create imminent danger to life or major destruction to property are found to exist.

SECTIONS 5-15 - 5-20. Reserved

ARTICLE II. SPECIAL RESTRICTIONS

SECTION 5-21. Storage of Explosives and Blasting Agents

The storage of explosives and blasting agents is prohibited in the Town.

SECTION 5-22. Storage of Flammable Liquids/Gases

(a) The storage of flammable liquids in outside aboveground tanks is prohibited in the Town.

(b) Bulk plants for flammable or combustible liquids are prohibited in the Town.

(c) Bulk storage of liquified petroleum gas more than 100 pounds is prohibited in the Town.

SECTION 5-23. Motor Vehicle Routes for Transporting Dangerous Materials

(a) The routes for vehicles transporting explosives, blasting agents, hazardous chemicals and other dangerous articles are hereby established as all state roads within the town.

SECTION 5-24. Modifications.

The Chief of the Ocean City/Wright Fire Department shall have power to modify any of the provisions of the fire prevention code adopted by this Chapter, upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Ocean City/Wright Fire Department thereon shall be entered upon the records of the Town and the department and a signed copy shall be furnished the applicant.

SECTION 5-25. Appeals.

Whenever the Chief of the Ocean City/Wright Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision to the Town Council within thirty (30) days from the date of the decision appealed.

SECTIONS 5-26 - 5-30. Reserved.

SECTION 2. SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or word shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS. All ordinances and resolutions of the governing body in conflict herewith are repealed.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption.

Adopted this 9th day of March, 1988.



APPROVED:

Charles R. Haynes
Mayor

ATTEST:

Ann B. Barclay
Town Manager/Clerk