

Chapter 8

FIRE PREVENTION*

* **Cross References:** Review committee, § 2-71; administration, Ch. 2; city departments created, § 2-126; buildings and building regulations, Ch. 5; numbering of buildings, § 5-1; fire limits, § 5-2; building standards, § 5-41 et seq.; code enforcement, Ch. 6; flood prevention, Ch. 9; garbage and refuse, Ch. 10; health and sanitation, Ch. 11; junked, wrecked, abandoned property, Ch. 12; pensions and retirement, Ch. 18; streets, sidewalks and other public places, Ch. 23; traffic and vehicles, Ch. 25; utilities, Ch. 26; standards for water distribution systems, § 26-61 et seq.; zoning, Ch. 27; wrecker drivers to be approved by the police department and fire department, § 12-57; volunteer firemen, § 18-76; fire protection service in subdivisions, § 20-17; fire protection in Plantation Acres, § 27-596; type of construction in fire zone, § 27-631.

State Law References: Fire prevention and control, F.S. Ch. 633; explosives, F.S. Ch. 552; burning of land, F.S. § 590.12; fireworks, F.S. Ch. 791.

Art. I. In General, §§ 8-1--8-30

Art. II. Smoke and Heat Detectors, §§ 8-31--8-50

Art. III. Explosives, §§ 8-51--8-68

Art. IV. Standby Fire Watch, §§ 8-69--8-73

ARTICLE I.

IN GENERAL

Sec. 8-1. Powers of city generally.

The city shall have the power to extinguish and prevent fires and to compel citizens to render assistance to the fire department in case of need, and to establish, regulate and control a fire department. The city shall have the power to regulate the size, character and kind of materials and construction of buildings, fences and other structures hereafter erected in such manner as the public safety and convenience may require. The city shall have the power to remove, or require to be removed, any building, structure or addition thereto which by reason of dilapidation, defect of structure or other causes, may have become dangerous to life or property, or which may be erected contrary to law. The city shall have the power to establish and designate from time to time fire limits, within which limits wooden buildings shall not be constructed, remodeled, added to or enlarged, and to direct that any or all future buildings within such limits shall be constructed of stone, natural or artificial, concrete, brick, iron or other fireproof material.

(Ord. No. 1038, § 5(21), 2-10-82)

Sec. 8-2. Adoption of code.

There is hereby adopted as a fire prevention code of the city the Life Safety Code published by the National Fire Protection Association, together with Appendixes A and B thereto and all National Fire Protection Association pamphlets, volumes, manuals, standards or codes referred to therein, together with the rules and regulations now in existence and published by the state fire marshal, which rules and regulations are otherwise

known as the Florida Fire Prevention Code, and those portions of the South Florida Building Code, including the South Florida Fire Prevention Code, Broward County, as it may be amended from time to time, or those portions of any successor building code enacted by the state legislature and made applicable to the city, as it may be amended, which portions are applicable to fire fighting, fire control, fire prevention, the retarding of fire, the maintenance of fire equipment, the fire department and its personnel, and the erection of buildings wherein people are likely to be located with the standards of the material and their fire resistance that are to be placed in such buildings. The city does hereby adopt Broward County Ordinance No. 75-2, an ordinance providing regulations relating to trailer parks in Broward County, on January 28, 1972, and effective on February 10, 1975, and was otherwise filed in the office of the secretary of state on February 4, 1975. All of these printed materials are collectively designated as the Plantation Fire Prevention Code and are on file in the office of the city clerk. They are otherwise incorporated herein by reference and made a part hereof.

(Code 1964, § 11-1; Ord. No. 1602, § 1, 1-11-89)

Cross References: Building standards, § 5-41 et seq.; code enforcement, Ch. 6; zoning, Ch. 27.

Sec. 8-3. Storage of flammable or combustible liquids and liquefied petroleum gas.

(a) Definitions:

(1) *Combustible liquid* is any liquid that has a closed-cup flash point at or about one hundred (100) degrees Fahrenheit (37.8°C), as determined by the test procedures and apparatus set forth in National Fire Protection Association codes and standards.

(2) *Flammable liquid* is any liquid that has a closed-cup flash point below one hundred (100) degrees Fahrenheit (37.8°C), as determined by the test procedures and apparatus set forth in National Fire Protection Association codes and standards.

(3) *Liquefied petroleum gas* is any material having a vapor pressure not exceeding that allowed for commercial propane that is composed predominantly of the following hydrocarbons, either by themselves or as mixtures: propane, propylene, butane (normal butane or isobutene), and butylenes.

(b) Flammable liquid aboveground storage tanks are not permitted.

(c) Combustible liquid aboveground storage tanks are subject to the following regulations:

(1) Aboveground storage tanks are prohibited within residential zoning districts.

(2) Aboveground storage tanks for combustible liquids with a storage capacity of up to two hundred fifty (250) gallons, shall be considered a permitted use in all nonresidential zoning districts;

(3) Aboveground storage tanks, with a storage capacity in excess of two hundred fifty (250) gallons, shall be permitted in all nonresidential zoning districts but only on a special permit basis subject to the approval of the fire department. Aboveground combustible liquid storage tanks in excess of two hundred fifty (250) gallons which previously received conditional use approval shall be deemed to have received a special permit.

a. In issuing such special permit, the following factors shall be considered:

- i. Type of liquid being stored;
 - ii. Type of container being used;
 - iii. Physical improvements around or near the container that safeguard same from being hit by vehicles or being vandalized;
 - iv. Physical improvements near the tank which could impede fire department access; and
 - v. Safety systems, if any, installed near or with the tank that will prevent the spread of fire and assist in detection or suppression.
 - vi. Those factors which may be set forth in an executive order issued by the fire chief and filed with the city clerk.
- b. If disapproved by the fire chief, the item shall be placed on a city council's quasi judicial agenda and shall be noticed as a site plan review is advertised; however, no review by the city's advisory board or committee shall be required unless the fire chief or governing body of the city refer the application to a committee or board for advice and review.
- (4) All aboveground storage tanks shall be located so they minimize, to the extent reasonably practicable, location conflicts with vehicles using driveways and parking areas while remaining accessible for fueling and fire department operations;
 - (5) All aboveground storage tanks shall be installed, operated and maintained in accordance with all applicable requirements of the city's adopted state minimum building codes, the adopted minimum fire standards and uniform fire standards, and any other city requirements; and
 - (6) Upon the mayor's declaration of a state of emergency throughout the city, portable combustible liquid storage tanks used to fuel emergency equipment shall be exempt from this section for a period not to exceed ninety (90) days. A state of emergency may exist when an unexpected occurrence or disaster results in the disruption of essential services and/or destruction of infrastructure needed to deliver services in a substantial area or portion of the city.
- (d) Liquefied petroleum gas aboveground storage tanks are subject to the following regulations:
- (1) Liquefied petroleum gas external aboveground storage tanks, with a storage capacity of up to and including two hundred fifty (250) gallons, shall be considered a permitted use in all zoning districts;
 - (2) Liquefied petroleum gas aboveground storage tanks, with a storage capacity greater than two hundred fifty (250) gallons, shall not be permitted in any zoning district;
 - (3) All liquefied petroleum gas aboveground storage tanks shall be located so they minimize, to the

extent reasonably practicable, location conflicts with vehicles using driveways and parking areas while remaining accessible for fueling and fire department operations; and

- (4) All liquefied petroleum gas aboveground storage tanks shall be installed, operated and maintained in accordance with all applicable requirements of the city's adopted state minimum building codes, the adopted minimum fire standards and uniform fire standards, and any other city requirements.
- (5) The placement of liquefied petroleum gas aboveground storage tanks is prohibited on roofs and shall not be mounted above any structure in any manner whatsoever.
- (6) No liquefied petroleum storage tanks shall be permitted inside buildings or structures with the exception of liquefied petroleum cylinders having a maximum capacity of two and five-tenths (2.5) pounds (1.1 kilograms) [nominal one (1) pound (.045 kilograms)] liquefied petroleum gas capacity and used with completely self-contained hand torches or similar applications. The total quantity of liquefied petroleum gas stored within a commercial building/occupancy open of the public shall not exceed two hundred (200) pounds (91 kilograms). The total quantity of liquefied petroleum gas stored within a residential building/occupancy shall not exceed twenty (20) pounds (9.1 kilograms).

(e) The number of aboveground storage tanks located on any single property regardless of whether it is designed to store flammable or combustible liquids or liquefied petroleum gas shall be limited as follows:

(1) External aboveground storage tanks located on property shall be limited to the following number:

Occupancies/Buildings	Maximum number of tanks
Assembly	1
Mercantile	1
Buildings	
Governmental	1
Hotels	1
Apartment buildings	2
One-and two-family dwellings	2
Residential board and care	1
Office buildings	1
Industrial	1
Educational	1
Health care	1
Storage facilities	1

(2) For any tank or container designed for the storage of flammable or combustible liquids or liquefied petroleum gas of more than fifteen (15) gallons which is intended to be permanently affixed upon or embedded within the ground shall require the issuance of a permit and the plans for such installation are to be reviewed and approved by the fire department.

(f) Except as provided in subsection (g), underground storage tanks for flammable or combustible

liquids and liquefied petroleum gas shall be permitted in all zoning districts, subject to the following:

- (1) While underground storage tanks are not subject to capacity restrictions applicable to aboveground storage tanks, they shall be located so that they are accessible for fueling and fire department operations.
- (2) All underground storage tanks shall be installed, operated and maintained in accordance with all applicable requirements of the city's adopted state minimum building codes, the adopted minimum fire safety standards, and uniform fire safety standards and any other city requirements.
- (3) Underground storage tanks shall not be located in vehicular use areas or any place where vehicles were meant to travel or park, such as rights-of-way and parking lots, whether paved or unpaved.

(g) Notwithstanding any other provision of this Code to the contrary, tanks containing gasoline for retail sale in approved gasoline service stations, located anywhere within the city (or at approved locations for disbursement of gasoline or diesel fuel to public vehicles operated by public employees) shall comply with all regulations pertaining thereto of the state fire marshal, applicable state and local industry regulations, and this Code. Additionally, such storage is limited herein by providing that tank capacities shall not individually exceed ten thousand (10,000) gallons and otherwise not exceed five (5) such tanks in number at any one (1) location and shall be located as recommended by the building official and fire chief to the council and as approved by the council. Notwithstanding, portable containers with a total combined number of gallons not to exceed fifteen (15), shall be permitted in connection with the running of lawn mowers and other yard equipment, both for gasoline storage in case vehicle tanks get low, and for other customary purposes. These portable tanks will comply with the National Fire Protection Association (NFPA) standards. Such portable containers shall be allowed in any zoning district.

(h) Any existing storage tanks, which are not in conformance with this section, shall be removed by January 1, 2005.
(Code 1964, § 11-2; Ord. No. 1602, § 2, 1-11-89; Ord. No. 1652, § 3, 9-27-89; Ord. No. 2289, § 1, 12-18-2002)

Sec. 8-4. Fire and burn control permits.

No person shall kindle, maintain or assist in maintaining any fire (except in fireplaces the structure of which has been approved, and fires in appropriate enclosed fire containers) within the city until a permit shall have been issued therefor by the fire chief, or his designated authority. Such individuals shall have their names and business and residence addresses on file and maintained current with the city clerk and are hereafter collectively referred to as the "issuer of the permit." Such permit shall have as minimum requirements that the permittee maintains sufficient safe control of the fire at an approved location, is responsible for all damages therefrom, completely removes or extinguishes all resultant embers or ashes at the close of the fire with such additional burn control requirements, restrictions and regulations as the issuer of the permit may deem proper in order to fully safeguard the citizenry of the city, including but not limited to the requiring at the discretion of the issuer of the permit that a competent person be in permanent attendance during the burning of the fire and that such person have specified fire control equipment present at the fire location. The issuance of fire permits shall rest in the complete discretion of the issuer of the permit. All fire permits issued shall be issued in duplicate

with the duplicate copy filed with the city clerk who shall maintain all such duplicate fire permits as official records of the city.
(Code 1964, § 11-3)

Sec. 8-5. Fire extinguishers--Requirements for service stations.

The South Florida Building Code specifies that a CO₂ fifteen (15) pound fire extinguisher or its equivalent be provided in service stations or self-service islands dispensing gasoline. The city herewith adopts as such equivalent and shall henceforth required one ABC 4A sixty (60) BC rating ten (10) pounds to be mounted for each two (2) pumps at a service station without regard to whether such service station be self-service or dispensed by employees of the manager of such station at the islands where such pumps are located during the hours of operation of such pumps. The mountings may be such as to permit the employees and manager of such service station to dismount the extinguishers and store same inside the service station during hours when the pumps are not in operation.
(Code 1964, § 11-4)

Sec. 8-5.1. Fire alarm pull station covers.

In all new and existing buildings, there shall be installed UL rated fire alarm pull station covers when the fire chief determines that the covers will control or eliminate false alarms.
(Ord. No. 2049, § 1, 10-11-95)

Sec. 8-6. Same--Labeling of devices in enclosed containers.

All fire extinguisher devices which are enclosed in glass or in another type transparent container shall be color coded or bear words upon the device itself describing the contents, use and function of the fire extinguisher device. The color coding or wording upon such fire extinguisher device shall be those as approved by the bureau of fire prevention. The lettering for the words upon any such fire extinguisher device shall be no smaller than seven-sixteenths of an inch high.
(Code 1964, § 11-14.1)

Sec. 8-7. Answering false alarms occasioned by defective electronic detection equipment.

It shall be unlawful for any person within the city to maintain on premises occupied by such person a defective electronic detecting device which triggers a fire response either by signal to an alarm company which in turn notifies the fire department or by a direct signal to the fire department. A presumption of violation of this section shall be created against the occupant of premises whenever within a period of sixty (60) days following receipt by the occupant of written notice that a false alarm was answered by virtue of a defective electronic detecting device triggering a fire response, a second false alarm is also answered by virtue of the same defective detecting alarm system electronically triggering a fire alarm. The occupant of such premises shall be afforded seventy-two (72) hours after the receipt of such notice in writing of such initial or first false alarm in which to repair the defective electronic detecting system before such presumption of violation of this section is created by the fire department answering the second false alarm for such premises within said sixty-day period.
(Code 1964, § 11-5)

Sec. 8-8. Inspections of buildings, premises.

(a) It shall be the duty of the chief of the fire department to inspect or cause to be inspected by the officers or members of the fire prevention bureau, as often as may be necessary but not less than annually, during normal business hours for the establishment in question, all buildings and premises, including common or public areas of condominium buildings, except the interior of private residential dwelling units (unless invited therein by the owner or occupant thereof), as well as all public aisles, corridors, halls, rooms, storage areas or other nonresidential areas of such buildings for the purpose of ascertaining and causing to be corrected any condition liable to cause fire or any violation of the provisions or intent of the city fire prevention code, and to otherwise enforce any violation of the fire prevention code. Whenever the chief of the fire departments or the officers of the fire prevention bureau determine that a violation exists, the person responsible for maintaining the building or area where such violation exists shall be given reasonable written notice of such violation and if the violation thereafter continues, a presumption of a violation of the fire prevention code shall be created against the person responsible for maintaining the building or area where such violation exists.

(b) If the fire chief or the officers of the fire prevention bureau finds a critically hazardous condition which presents immediate danger to life, he shall be authorized to order the hazard removed or remedied immediately and shall be empowered to order the closing of the public building or place where such danger-to-life violation exists until such time as same has been corrected. Any person aggrieved by such order may seek redress for compliance with such order from the city council or otherwise seek injunctive relief from the county circuit court, but may not fail to comply with such order when issued. Any failure of immediate compliance shall empower the fire chief or officer of the fire prevention bureau finding such hazardous condition creating immediate danger to life to close such building or cause same to be closed and the people therein evacuated and barred from reentering until such time as such immediate danger to life has been corrected.

(c) The fire chief or the officers of the fire prevention bureau are given authority to order any gas company, power company or other utility company to disconnect its service to any building or buildings containing gas or power installations where such installations in the opinion of the fire chief or officer creates an immediate danger to life and to otherwise close or evacuate such building and to bar reentry thereto to the public until such installation is repaired or replaced and such hazard to life ceases to exist. Any person aggrieved by such order may seek redress for compliance with such order from the city council or seek injunctive relief from the circuit court of the county, but may not fail to comply with such order when issued.

(d) If an inspected premises is exempt from the local business tax, then a regulatory fee shall be charged by the city clerk to the owner or manager of the exempt premises for the cost of the fire inspections contemplated and required under subsection (a) above, such fee to be twenty-five dollars (\$25.00) per establishment, If the fire safety inspection is conducted as part of a code compliance review under other applicable sections of this Code, there shall be no separate, additional charge under this section for the inspection because the code compliance review fee would include a fifteen dollars (\$15.00) fire safety inspection fee. However, fire safety inspections are required under this section regardless of whether they are part of a regular or nonregular code compliance review. Accordingly, if a fire safety inspection is conducted under this section and if such fire safety inspection is not part of a code compliance review, then a fifteen dollar (\$15.00) inspection fee shall be charged under this section by the mayor's designee to the owner or manager of the inspected premises. Failure to pay the fire inspection regulatory fee as provided for herein will be a violation of this Code, punishable as provided for in this Code.

(Code 1964, § 11-6; Ord. No. 1601, § 2, 1-11-89; Ord. No. 2379, § 3, 12-13-2006; Ord. No. 2416, § 1, 8-20-2008)

Cross References: General penalty, § 1-13; building regulations, Ch. 5; code compliance reviews, § 5-118 et seq.; code

enforcement, Ch. 6.

Sec. 8-9. Review of site plans to determine accessibility for fire-fighting equipment.

All buildings requiring site plan approval by the zoning board under the comprehensive zoning ordinance of the city shall have such site plan submitted to the fire chief for inspection in order to ascertain that such improvements have full accessibility to the fire department and its equipment so as to control and extinguish fires and to remove or evacuate occupants of such buildings. In determining accessibility, the access property must be able to support the weight and size of the fire-fighting apparatus needed to control and/or extinguish fires and remove or evacuate the occupants of the buildings. The fire chief shall cause regulations not inconsistent with the fire prevention code to be promulgated dealing with the accessibility of fire-fighting apparatus and equipment to such buildings and cause such regulations to be filed with the city clerk and with each fire station where equipment is parked and maintained and shall from time to time implement such regulations as needed and uniformly apply same in determining the adequacy of accessibility of buildings requiring site plan approval for the fire-fighting equipment and apparatus of the city. When requested site plan approvals are filed and placed on the agenda of the public hearing thereon before the zoning board, a copy of the site plan designating the accessibility of fire-fighting apparatus and equipment to such buildings shall be submitted to the fire chief concurrently with the submissions of the site plans and other data to the city planner for review prior to the public hearing thereon before the zoning board. A report from the fire chief or his designated representative shall be submitted to the zoning board at the public hearing before such board on the requested site plan approval and whenever a disagreement between the recommendations of the fire chief to the zoning board on such accessibility and the recommendations thereon of the zoning board to the city council exists, then a representative from the zoning board and from the fire department shall each attend the public hearing of the city council where such site plan approval is sought by the applicant and the council shall resolve such disagreement. Thereafter, the regulations of the fire department shall be amended, implemented or changed, as dictated by such city council resolution. At no time may the regulations of the fire chief dealing with accessibility of fire-fighting equipment and apparatus to buildings requiring site plan approval be less restrictive than the requirements of the printed codes and standards of the fire prevention code as adopted in section 8-2. Nothing contained herein shall be construed as limiting or in any way delegating the authority of the city council to ultimately pass upon the recommendations of the fire chief or the zoning board.
(Code 1964, § 11-7)

Sec. 8-10. Bureau of fire prevention established; powers.

The city fire department is authorized to establish a bureau of fire prevention, to provide for its method of selection, and its officers by such means, whether appointive or elective, as they shall deem advisable. The mayor and the city council must approve all selected officers before any such appointment is made effective. When the bureau is properly established, it shall have the powers, duties and obligations as designated by the fire chief to enforce the fire prevention code as adopted by this article.
(Code 1964, § 11-8)

Sec. 8-11. Continuing validity of building code, other applicable ordinances.

Nothing in this chapter shall be deemed to nullify or abrogate those portions of the South Florida Building Code pertaining to the prevention or fighting of fires or any previously adopted ordinance or resolution of the city pertaining to fire fighting, fire control, fire prevention, the retarding of fire, the distribution and spacing of fire hydrants and a water system for fighting fires, the maintenance of fire equipment, the fire

department and its personnel, and the erection of buildings wherein people are likely to be located, with the standards of the materials and their fire resistance that are to be placed in such buildings. Accordingly, all such fire-related ordinances and resolutions of the city and portions of the South Florida Building Code are declared to remain in full force and effect and are deemed to supplement the fire prevention code.

(Code 1964, § 11-11)

Sec. 8-12. Key boxes.

In all new and existing buildings, there shall be installed a key box for such buildings when the fire chief determines that access to or within a structure or an area is unduly difficult because of secured openings, or where immediate access is necessary for life-saving or fire-fighting purposes. The key box shall be a type approved by the fire chief, and shall contain:

- (1) Keys to locked points of ingress, whether on the interior or exterior of such buildings;
- (2) Keys to locked mechanical equipment rooms;
- (3) Keys to locked electrical rooms;
- (4) Keys to elevator controls;
- (5) Keys to other areas as directed by the fire chief.

If at any time the keys stored in the lock box change, then the building owner or manager is to notify the fire department and supply new keys to the fire chief. The fire chief shall approve the location of lock boxes. This section shall not apply to the construction, improvements or renovation to any single-family residential building.

(Code 1964, § 11-13)

Cross References: Buildings and building regulations, Ch. 5; licenses and business regulations, Ch. 14.

Sec. 8-13. Fire inspection and permit fees.

(a) The table in subsection (b) is the fire department fee schedule. These fees shall be levied as described below and shall encompass plan review and necessary fire inspections required prior to the issuance of a certificate of occupancy. The mayor is authorized to waive the fee for all governmental buildings and events. The fees below shall be in addition to any fees, charges and surcharges which may be provided for elsewhere in this Code (section 27-64, for example), or provided for by state law.

(b) *Fee schedule.* As used in this table, "RSM" means the total cost of the project or subcontract calculated consistent with section 5-21, of this Code. The fees calculated and paid at the time a permit is issued shall not later be adjusted downward or be recalculated and decreased based upon actual costs or revised contract costs or the like, or because of estimate errors made by the applicant, or for any other reason.

- (1) Construction:

a. Residential:	0.30% × RSM/p
-----------------	---------------

b. Commercial (where the life safety systems' component costs of the total construction costs are separately calculated by the applicant):	0.30% × RSM/p (for construction costs excluding life safety systems)
	In addition to the .30% of RSM/p set forth above, an additional fee for life safety systems will be payable and calculated based on the following sliding scale applied to the dollar values on construction costs for life safety systems only:
	5% of the first \$20,000.00 plus
	4% of \$20,001.00 to \$50,000.00 plus
	3% of \$50,001.00 to \$100,000.00 plus
	2% of \$100,001.00 to \$150,000.00 plus
	1% of \$151,001.00 to \$1,000,000.00
	0.5% of any amount over \$1,000,001.00 or RSM/s
Commercial (where the life safety systems' component costs of the total construction costs are not separately calculated by the applicant):	The fee will be payable and calculated based on the following sliding scale applied to the dollar values on construction costs:
	5% of the first \$20,000.00 plus
	4% of \$20,001.00 to \$50,000.00 plus
	3% of \$50,001.00 to \$100,000.00 plus
	2% of \$100,001.00 to \$150,000.00 plus
	1% of \$150,001.00 to \$1,000,000.00
	0.5% of any amount over \$1,000,001.00 of RSM/p

(Life safety systems include the following: Fire sprinkler, standpipe, and fire pumps, fire alarm, smoke control and exhaust, duct detectors, dampers (for smoke control and exhaust systems), generators, emergency lights and exit signs, hood and hood suppression systems, other type suppression systems, explosives storage and containment and facilities, fuel lines and fuel storage tanks, means of egress (doors and windows), automatic gate systems, etc., and all system appurtenances and building appurtenances which the fire chief or his designee reasonably determine to be life safety systems.)

- (2) Additions, alterations, repairs: Fee is the same as for new commercial.
- (3) Residential and commercial reinspection fees:

Reinspection	\$100.00
Each additional space that is not a common area	30.00

Except as noted above, the minimum permit fee shall be seventy-five dollars (\$75.00).

Payment of fees, for reinspection due to correction of any violations, shall be made before any further inspections or permits will be issued to the responsible person or owner. Inspections which are requested on a priority basis, fast-track inspections, and/or inspections which are requested during hours when the city is closed, shall also be subjected to the cost recovery fees as set forth in section 27-64 of this Code.

(4) Verification for replacement drawings:

Fifty (50) percent of original processing fee

(5) Expired permit:

If an applicant applies for permit renewal before expiration of the permit, the renewal fee shall be one-half (1/2) of the original fee or seventy-five dollars (\$75.00), whichever is greater.

If the renewal application is made after expiration of the permit, application for a new permit must be made accompanied by payment of the full fee. The failure of a licensed contractor to request final inspection, when work is completed, shall render the contractor ineligible to obtain further permits in the city until the payment of a two hundred dollar (\$200.00) fee and satisfactory passage of the final inspection.

(6) Replacement permit card: \$25.00

(7) Work without permit:

Any licensed contractor, who commences work without a valid permit, shall be charged a fee of three hundred dollars (\$300.00) or a double permit fee, whichever is greater.

Any owner, who commences work without a valid permit, shall be charged a double permit fee.

[(8)--(10) Reserved.]

(11) The following annual and semi-annual inspection fees are in addition to, and not intended to replace, any other fee in this Code:

a. Residential occupancies (no single-family): Seventy-eight dollars (\$78.00) or four dollars (\$4.00) per dwelling unit, whichever is greater.

b. Commercial, industrial, public assembly, and other occupancies: up to five thousand (5,000) square feet, one hundred thirty-one dollars (\$131.00) and eight dollars and fifty cents (\$8.50) per one thousand (1,000) square feet thereafter.

c. Life safety systems:

1. Standpipe \$65.00
2. Fire sprinkler \$65.00
3. Fire alarm \$65.00
4. Smoke evacuation/exhaust \$65.00
5. Fire pump \$65.00
6. Emergency generator \$65.00
7. Commercial cooking hood \$50.00
8. Halon, dry chemical or water \$25.00

d. Reinspections for violations that have not been corrected:

Reinspection	Percentage of Initial Fee
First	25
Second	50
Third	75
Every inspection thereafter	100

Interim fee. Any or part of fee for an annual inspection or system inspection that occurs outside of the annual cycle as ordered by the department or requested by a premises.

e. Hazardous materials fee for all SARA title III facilities \$50.00

(Ord. No. 1804, § 1, 9-11-91; Ord. No. 2226, §§ 1, 2, 7-26-2000; Ord. No. 2257, § 1, 8-8-2001; Ord. No. 2281, § 3, 9-11-2002; Ord. No. 2354, § 1, 10-5-2005; Ord. No. 2416, § 2, 8-20-2008)

Secs. 8-14--8-19. Reserved.

Sec. 8-20. Emergency medical services and response fees.

(a) The fees to be charged for emergency medical services and responses are as follows:

Basic life support (BLS) \$510.00

Advanced life support, Level 1 (ALS1) 530.00

Advanced life support, Level 2 (ALS2) 635.00

Charge for oxygen usage 30.00

Per mile charge during transport 9.00 per mile

Nonemergency patient assist 50.00

(Ord. No. 2276, § 2, 6-19-2002; Ord. No. 2416, § 3, 8-20-2008)

Secs. 8-21--8-20. Reserved.

ARTICLE II.

SMOKE AND HEAT DETECTORS*

* **Cross References:** Buildings and building regulations, Ch. 5; licenses and business regulations, Ch. 14.

Sec. 8-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Builder means the one who constructs or puts up a building containing one (1) or more residential dwelling units.

Heat detector means a device which detects a preset temperature and gives an alarm when such temperature is reached in the atmosphere at the location of such detector.

Living area includes that portion of a dwelling unit not considered as a sleeping area, such as the family living-dining rooms, etc.

Occupant means the subsequent occupant of a dwelling unit, after the issuance of a certificate of occupancy thereon, following its initial construction and erection or following substantial rehabilitation being done thereto as hereinafter defined.

Owner means the person who has legal title to a residential dwelling unit when same is being built or substantially rehabilitated as hereafter defined.

Sleeping area means a room intended for sleeping or a combination of rooms for sleeping within a dwelling unit being serviced by a single access hallway.

Smoke detector means a device which detects visible or invisible particles of combustion.

Substantially rehabilitated means improvement for residential dwelling units which is valued at greater

than one-half of the originally assessed value of the property or unit, including its land.
(Code 1964, App. A, Art. XVIII, § 44(1))

Cross References: Definitions and rules of construction generally, § 1-2.

Sec. 8-32. Required in new or substantially rehabilitated dwelling units.

The owner or builder of either a new dwelling unit or a substantially rehabilitated dwelling unit shall be required to install smoke detectors and heat detectors as required by this article prior to the issuance of a certificate of occupancy for such dwelling unit.

(Code 1964, App. A, Art. XVIII, § 44(2)(a))

Sec. 8-33. Location on wall or ceiling.

Every smoke detector installed in a dwelling unit shall be installed so as to be a minimum of six (6) inches from the wall if installed on the ceiling, or a minimum of six (6) inches from the ceiling if installed on a wall, so as to avoid being in dead air spaces where the ceiling meets the wall.

(Code 1964, App. A, Art. XVIII, § 44(2)(b))

Sec. 8-34. Emission of audible signal.

All smoke detectors which are capable of sensing visible or invisible particles of combustion shall emit an audible signal and be in accordance with manufacturer's specifications and in compliance with the National Fire Prevention Association Standard 72E and 74 (1974 Edition) as such standards are from time to time revised and in effect.

(Code 1964, App. A, Art. XVIII, § 44(2)(c))

Sec. 8-35. Required number; variance.

The owner or builder of each residential dwelling unit, whether new or substantially rehabilitated, shall install at least one (1) smoke detector to protect each sleeping area, and at least one (1) smoke or heat detector for each living area or such additional smoke detectors and heat detectors as may be required by the fire department. The owner or builder has a right of appeal to the board of adjustment to seek a variance on such required detectors if the owner or builder feels the requirements of the fire department for such detectors are too onerous. All heat detectors contemplated hereunder shall meet the National Fire Prevention Association Standards in effect at the time permits are issued (heat detectors being envisioned as more appropriate in living areas small in size where smoke is likely to be generated through use of kitchen appliances).

(Code 1964, App. A, Art. XVIII, § 44(2)(d))

Sec. 8-36. Permit required for wiring to electrical system.

No owner or builder may permanently wire a smoke or heat detector to the electrical system of any structure without obtaining an electrical permit from the building department.

(Code 1964, App. A, Art. XVIII, § 44(2)(e))

Sec. 8-37. Maintenance; periodic inspections.

Maintenance of all smoke and heat detectors shall be by the occupant of the dwelling unit, who shall be

charged with maintaining such detectors in a reliable operating condition, and shall make periodic inspections and tests to ensure that each such detector is in proper working condition. Similarly, no certificate of occupancy may be issued until all such detectors are shown to be in proper working condition.

(Code 1964, App. A, Art. XVIII, § 44(2)(f))

Secs. 8-38--8-50. Reserved.

ARTICLE III.

EXPLOSIVES

Sec. 8-51. Exceptions.

Nothing in this article shall be construed as applying to:

- (1) The Armed Forces of the United States or any law enforcement officer or auxiliary law officer;
- (2) Small arms, rifle, shotgun, BB pellets, air gun, dart and weaponry ammunition, commonly used in hunting, sport or target shooting, and the component parts for the manufacture of such weaponry ammunition by the user;
- (3) Federally licensed firearms dealers.

(Code 1964, § 11-23)

Sec. 8-52. Manufacture, storage, sale.

The manufacture, storage or sale of explosives or blasting agents shall be prohibited within the city. This shall not apply to the hand loading of small-arms ammunition.

(Code 1964, § 11-24)

Sec. 8-53. Report of stolen or misplaced explosives.

If any explosive is stolen, misplaced or lost, such occurrence shall be reported immediately to the police department. The area in which the incident occurs shall be secured until investigation has been made and the scene released by proper authority.

(Code 1964, § 11-25)

Sec. 8-54. Transporting--Identification of vehicles.

Every vehicle transporting explosives shall be marked or placarded on both sides, front and rear, with the word "EXPLOSIVES" in letters not less than three (3) inches high on a contrasting background.

(Code 1964, § 11-31)

Sec. 8-55. Same--Blasting caps to be transported alone.

Blasting caps, or electric blasting caps, shall not be transported over the highways of the city on the

same vehicle with other explosives.
(Code 1964, § 11-32)

Sec. 8-56. Same--Distance between vehicles.

Vehicles transporting explosives and traveling in the same direction shall not be driven within three hundred (300) feet of each other.
(Code 1964, § 11-33)

Sec. 8-57. Same--Vehicles to be attended at all times.

Vehicles transporting explosives shall not be left unattended at any time.
(Code 1964, § 11-34)

Sec. 8-58. Same--Vehicles involved in accidents.

The fire and police departments shall be promptly notified when a vehicle transporting explosives is involved in an accident, breaks down or catches fire. Only in the event of such an emergency shall the transfer of explosives from one vehicle to another vehicle be allowed on highways within the city and only when qualified supervision is provided. Except in such an emergency, a vehicle transporting explosives shall not be parked before reaching its destination on highways within the city or adjacent to or in proximity with any bridge, tunnel, building or place where people work, congregate or assemble.
(Code 1964, § 11-35)

Sec. 8-59. Delivery to authorized persons only.

Delivery shall only be made to authorized persons who shall be responsible for the safe transportation of unused explosives and blasting caps to approved magazines or like places of storage outside the city at the conclusion of each day's permitted blasting operations within the city.
(Code 1964, § 11-36)

Sec. 8-60. Hours for blasting operations.

Blasting operations shall be conducted between 8:00 a.m. and 5:00 p.m. on weekdays, not including Saturdays and Sundays.
(Code 1964, § 11-42)

Sec. 8-61. Who may handle.

The handling of explosives shall be performed by a person possessing a permit to use explosives or by employees under his direct supervision who are at least eighteen (18) years old.
(Code 1964, § 11-43)

Sec. 8-62. Blaster to notify utility companies.

Whenever blasting is being conducted in the vicinity of gas, electric, water, fire alarm, telephone,

telegraph or steam utilities, the blaster shall notify the appropriate representatives of such utilities at least twenty-four (24) hours in advance of blasting, specifying the location and intended time of such blasting. Verbal notice shall be confirmed with written notice. In an emergency this time limit may be waived by the building and zoning department.

(Code 1964, § 11-44)

Sec. 8-63. Conduct of operations.

Blasting operations shall be conducted in accordance with nationally recognized good practice.

(Code 1964, § 11-45)

Sec. 8-64. Permit fees.

The permit fees charged by the city shall be two hundred dollars (\$200.00).

(Code 1964, § 11-46; Ord. No. 2069, § 1, 1-31-96)

Sec. 8-65. Issuance of permit.

(a) The building and zoning department is authorized to issue blasting permits only to users who qualify for a permit as required and issued pursuant to this section and section 8-66 and to those who or which are also otherwise qualified, under state law.

(b) Such permits shall be issued only after:

(1) Payment of the established fee;

(2) The filing of an application on a form prescribed by the building and zoning department, to be filed with that department, signed and sworn to by the applicant showing the applicant's name, address, the location or locations where the blasting is to be performed, a statement that blasting at such location is authorized or permitted pursuant to applicable county regulations, and a description and aerial map of the nature of all improved property within twenty-five hundred (2,500) feet of the property line of the blasting site;

(3) The fire chief approves the permit based upon the applicant posting the bond required in section 5237 of the South Florida Building Code, based upon the other requirements of such code being satisfied, and based upon the fire chief's requirements for site marking, explosives storage, and site control over ingress and egress;

(4) All other pertinent and reasonable information deemed by the director of building and zoning or fire chief to be necessary for the issuance of such permit is submitted and evaluated;

(5) A minimum cost recovery deposit recovery account has been established by the applicant and maintained in the minimum amount of three thousand dollars (\$3,000.00) (All of the city's administrative and outside consultant expenses associated with the review, processing and enforcement of the permit, as well as all costs incurred by the city in monitoring permit compliance (which shall include such fees as the county might charge the city for instrument

testing of vector sum particle velocity; or, alternatively, the city's rental of such equipment, and the city's costs of a blasting consultant), shall be recovered through the city cost recovery program, as otherwise prescribed by City Code section 27-64);

- (6) Approval by the city governing body as required under section 8-66 of this Code;
- (7) A certification from the applicant being made to the building and zoning director that all monitoring equipment is in place, operable and will be operating prior to the first blast being conducted, and throughout all blasting; and
- (8) A date certain upon which blasting will commence in the event the application for a blasting permit is approved, such date being no earlier than six (6) months from the date the application is submitted, or three (3) months after the application is approved by the city, whichever date is later (herein, the anticipated "first blast date").
- (9) Verification by the city risk manager that the applicant possesses public liability insurance. Proof of insurance shall be submitted in an amount not less than one hundred thousand dollars (\$100,000.00) per person and five hundred thousand dollars (\$500,000.00) per occurrence. An excess umbrella policy shall also be provided. The amount of excess umbrella insurance required shall be the greater of (i) an amount equal to one million dollars (\$1,000,000.00), or (ii) an amount determined by the following formula:

$$I = \frac{U}{0.4(Bm + Bn)}$$

$0.4(Bm + Bn)$

I
= Insurance factor.

U
= Number of residential or nonresidential units within a one-mile radius of the property.

Bm
= Magnitude of blast expressed in pounds of explosives used per hole per event.

Bn
= Number of blasts expressed in actual number of detonations per minute.

The blasting plan permitted by the city shall be used in determining the variables to be used in the above formula. Insurance to be carried shall be calculated by using the following formula:

I value	Coverage
0.00-0.50	\$1,000,000.00
0.51-1.00	2,000,000.00
1.01-3.00	3,000,000.00

3.01-4.00	4,000,000.00
4.01 and up	5,000,000.00

(Code 1964, § 11-47; Ord. No. 1602, § 3, 1-11-89; Ord. No. 2069, § 2, 1-31-96)

Sec. 8-66. Conditions imposed in permits.

(a) Blasting shall be conducted such that the vector sum particle velocity shall not exceed the Broward County standard of one-half (0.50) inch per second, or such lesser standard as is prescribed or administered by the county for blasting, or such lesser standard as is imposed in the blasting permit, measured on the ground at the nearest building or structure not owned by the permittee, and at such other site(s) as requested by the building and zoning director no closer than the foregoing distance.

(b) All blasting permits shall be reviewed and approved by the city governing body prior to the permit being issued.

(c) When considering blasting permit applications, the city governing body may add to each blasting permit issued such limitations and conditions as to:

- (1) Days and hours when blasting may be performed;
- (2) The period of time for which permits are valid;
- (3) Restrict the amount and type of explosive which may be employed at any one time, whether fired or detonated instantaneously as a single charge or by a delay-series charge, as may be reasonable under the circumstances. In determining and imposing such reasonable conditions and limitations, the city governing body shall consider and be guided by:
 - a. The formation and structure of the ground, and its particular susceptibility to transmitting vibrations caused by the proposed blasting;
 - b. The type of blasting to be performed;
 - c. The anticipated noise generated from the blasting;
 - d. The length of time during which the blasting will be performed and the times of day at which blasting will be conducted (the city will not favor allowing blasting at times other than 9:00 a.m. to 11:00 a.m., Monday through Friday, and 2:00 p.m. to 4:00 p.m., Monday through Friday, and also shall also not favor allowing blasting on legal holidays. The city will also not favor allowing blasting for a period longer than one (1) week where the detonation sites within the blasting area are within 1,000 feet of a hospital, nursing home, convalescent center, or adult congregate living facility, police station, fire station, communications tower that is used for public safety purposes, or a residential structure);
 - e. The proximity of the proposed detonation sites within the blasting area to adjacent structures, and the occupancy class, construction, and condition of all structures within a distance, of twenty-five hundred (2,500) feet from the property lines of the blasting site

(the city will not favor approving blasting applications for a blasting intensity which is estimated to result in a vector sum particle velocity in excess of fifteen-hundredths (0.15) inch per second, or where the detonation sites within the blasting area are within one thousand (1,000) feet of a hospital, nursing home, convalescent center, adult congregate living facility, police station, fire station, communications tower that is used for public safety purposes, or a residential structure);

- f. Recommendations of a city-retained blasting consultant, other staff, and public comment;
- g. Whether an adjustment to the approved site plan would reduce a demonstrated need for blasting by relocating or reconfiguring on-site water areas which are required for storage, drainage, or project open space amenities; and
- h. Why the blasting is necessary (the city will not favor approving blasting applications for a blasting intensity which is estimated to result in a particle vector sum velocity in excess of fifteen-hundredths (0.15) inch second where the blasting is utilized to provide a source of on-or off-site landfill).

(d) The city governing body may give the building and zoning department the authority from time to time to change, amend or modify the imposed conditions and limitations in order to meet the purpose for which they were imposed if changing conditions or circumstances so dictate after first considering the guides enumerated above; however, the imposed limitations and conditions as to the amount of explosives permitted in any permit shall not be increased so as to provoke or result in a vector sum particle velocity in excess of the amount established by permit.

(e) The city council quasi-judicial hearings concerning blasting applications shall be advertised by the city clerk sending written notice of the time and place of the scheduled city council hearing to consider the blasting application at least thirty (30) days in advance of such hearing, to the owners of all property within two thousand five hundred (2,500) feet of the property line of the blasting site, as such owners are reflected on the most current ad valorem tax assessment roll. This notice shall advise the property owners of the anticipated first blast date, and that the name and address of the surety issuing the bond and insurer providing required insurance will be available at the building and zoning department if and when the permit is issued. The notice shall also advise homeowners that if any claim for structural damage is denied, they may need to sue the blasting applicant or property owner owning the land where the blasting was conducted for recovery of damages, and may wish to consult with an attorney before the anticipated first blast date so as to obtain advice concerning how admissible evidence of their property's condition before and after the blasting can be developed. All information that the blasting applicant wishes the city council to consider shall be submitted to the building department, and reviewed by the building official, city engineer and a city blasting consultant so that the city council may have the advice and comments of the building official, city engineer and blasting consultant at the time the application is considered. This review shall be furnished and on file with the city clerk prior to the advertisement being made.

(f) In the event the building and zoning director ascertains that any blasting was conducted without being monitored, such blasting shall be deemed an irreparable or irreversible violation of this Code for each known charge detonation. In the event any blasting results in a blasting intensity which exceeds a vector sum particle velocity which is established in the blasting permit, each and every such blast shall be deemed an

irreparable or irreversible violation of this Code. Prior to any further blasting being permitted, an alleged irreparable or irreversible violation of this Code shall be considered by the code enforcement board which shall have the authority to impose a fine not to exceed five thousand dollars (\$5,000.00), which fine, if any, shall be paid. In the event judicial review of the code enforcement board decision is commenced, blasting shall only be permitted if the court enters an injunction or similar order requiring the city to allow continued blasting during the pendency of such judicial review.

(Code 1964, § 11-48; Ord. No. 2069, § 3, 1-31-96)

Sec. 8-67. Blasters to keep records.

Any and all users of explosives shall keep daily records for a period of three (3) years of all blasting performed on a form or forms prescribed by the building and zoning department for inspection by him or his deputies, and signed copies of such records shall be furnished to the building and zoning department upon their request. The minimum data to be shown on such record shall be:

- (1) Name and location of blasting site;
- (2) Date and time of firing;
- (3) Arrangements and spacing of charges;
- (4) The amount of explosive for each blast or delay series;
- (5) Delay interval;
- (6) Name of person in charge of loading and firing;
- (7) Blasting permit number, and signature and title of person making report;
- (8) Any instrument reading which may have been taken by or for the blasting permit holder or pursuant to his authority, with complete and full details.

(Code 1964, § 11-49)

Sec. 8-68. Hazardous substances; recovery of costs.

- (a) *Definitions.* As used in this section, the following terms shall be defined as follows:

Costs means those necessary and reasonable costs incurred by the city in connection with investigating, mitigating, minimizing, removing or abating discharges of hazardous substances, including, but not limited to, the following: actual labor costs of city personnel or its authorized agents, cost of equipment operation and rental, cost of expendable items including, but not limited to, firefighting foam, chemical extinguishing agents, absorbent material, sand, recovery drums, acid suits, acid gloves, goggles, protective clothing, and actual enforcement costs of obtaining the recovery costs including reasonable attorney fees and taxable court costs at the trial and all appellate levels.

Discharge means any intentional or unintentional action or omission resulting in the releasing, spilling,

pumping, pouring, emitting, emptying or dumping of a hazardous substance upon public or private property located within the corporate limits of the city.

Hazardous substances means substances or materials in a quantity or form, which, in the determination of the fire chief or his authorized designee, poses an unreasonable and imminent risk to the life, health, safety or welfare of persons or property within the city, and shall include, but not be limited to those hazardous substances listed in the "N.F.P.A. Guide on Hazardous Materials" or the E.P.A.'s list of extremely hazardous substances, or the "Florida Substance List" promulgated by the department of labor and employment security.

(b) *Cleanup, removal or abatement.* The fire department is hereby authorized to take such steps as necessary to clean up, remove or abate the effects of any hazardous substances discharged upon or into public or private property or facilities located within the corporate limits of the city.

- (1) Any person responsible for causing or allowing an unauthorized discharge of hazardous substances that requires emergency action by the fire department of the city or its authorized agents in order to protect the public health, safety or welfare, shall be jointly and severally liable to the city for the costs incurred by the city in investigating, mitigating, minimizing, removing and abating any such discharge.
- (2) When responding to the emergency caused by the unauthorized discharge of hazardous substances, the fire department shall keep a detailed record of the costs attributable thereto.
- (3) The authority to recover costs under this section shall not include costs incurred for actual fire suppression services which are normally or usually provided by the city's fire department or its authorized agents.

(c) *Costs.* Any person responsible for causing or allowing an unauthorized discharge of hazardous substances shall reimburse the city for the full amount of all costs, as defined herein, associated with the investigating, mitigating, minimizing, removing and abating any such discharge within a period of thirty (30) days after receipt of an itemized bill for such costs for the city.

(d) *Fines.* Any person responsible for causing or allowing an unauthorized discharge of hazardous substances and who fails to reimburse the city within the time set forth in subsection (c) hereof, shall be subject to a fine equal to the greater of fifty dollars (\$50.00) per day or ten (10) percent of the total amount of the bill for each additional day that the bill for such costs remains unpaid.

(e) *Remedy supplemental.* The remedy provided for in this section shall be supplemental to and in addition to all other available remedies at law and equity.

(Ord. No. 1696, § 1, 4-11-90)

Cross References: Definitions and rules of construction generally, § 1-2.

ARTICLE IV.

STANDBY FIRE WATCH

Sec. 8-69. Need determined by fire chief.

Whenever in the opinion of the fire chief or his designee it is essential for public safety in any place of public assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display contest, or activity, the fire chief may require the owner, agent, or lessee to employ one or more certified fire inspectors or firefighters as required and approved by the fire chief, to be on duty at such place. The fire inspector/firefighters shall be subject to the fire chief's and/or his designee's orders at all times, when so employed, and shall remain on duty during the time such places are open to the public, or when such activity is being conducted. Except in the case of an emergency standby fire watch, before each performance or the start of such activity, the fire chief and/or his designee shall require the owner, agent or lessee to agree in writing to pay to the city the hourly rates hereinafter set forth for such standby fire watch, which hourly rates shall include all charges incurred by the city in processing and record-keeping such details. In the case of an emergency where the fire chief determines a standby fire watch is necessary and essential for public safety as a condition of allowing the continued public assembly of such place or structure, then and in such event, the owner, agent or lessee responsible for the then operation of such place or structure shall be conclusively presumed to have requested such standby fire watch in order to keep such place or structure open to the public during such emergency and shall be bound to pay to the city the hourly rates hereinafter set forth for such standby fire watch including all charges incurred by the city in processing and record-keeping such details.

(Ord. No. 1802, § 1, 9-4-91)

Sec. 8-70. Roster of volunteers.

The office of the fire chief shall maintain a roster of certified fire inspectors or firefighters who volunteer for such special standby fire watch duty details and such requests will be filled from such roster on a rotating as-received basis once the office of the fire chief and/or his designee approves such standby fire watch and orders same.

(Ord. No. 1802, § 1, 9-4-91)

Sec. 8-71. Authority, duties of standby fire watch personnel.

The certified fire inspectors/firefighters assigned to standby fire watch shall be subject to the fire chief's and/or his designee's orders at all times when so employed and shall remain on duty during the time such places are open to the public, or when such activity is being conducted. Before each performance or the start of such activity, the fire inspector/firefighters shall inspect all required fire/life safety equipment, to ensure that such equipment is in proper working order, and shall keep diligent watch for any emergency that should arise. Should any emergency arise, the fire inspector/firefighter shall take whatever action necessary to protect the occupants and public from injury or any life threatening condition and shall otherwise be subject only to the direction and control of the fire chief and/or his designee and, thus, not under either the direction or supervision of the party or person requesting and/or paying for such fire watch so as to ensure that the fire inspector/firefighter is acting under the direction and control of the fire chief and/or his designee for the purpose of workman's compensation insurance and thus while so employed shall be deemed an employee of the city and entitled to receive compensation from the city in accordance with Chapter 440, the Workman's Compensation Law of the State of Florida.

(Ord. No. 1802, § 1, 9-4-91)

Sec. 8-72. Hourly pay rate.

The regular hourly rate established by the city for the services of all certified fire inspectors/firefighters volunteering under this article for standby fire watch shall, from time to time, be set by the fire chief with the approval of the administration and, if no such approval can be obtained by the fire chief, with the approval of the city council by enactment of a resolution. All such revisions in such rates shall be filed over the cosignature of the mayor and fire chief (if approved by the administration and fire chief) or by enactment of a resolution with the city clerk and upon such filing, such revisions in the rates shall be deemed effective until further revised. At this time, the regular hourly rate established, until revised, as contemplated herein, shall be eighteen dollars (\$18.00) per hour for such standby fire watch duty of which some fifteen dollars (\$15.00) shall be paid to the fire inspector/firefighter performing such standby fire watch and three dollars (\$3.00) to the city for bookkeeping and record costs as well as to defer the cost of insuring such standby fire watch services and providing workman's compensation coverage therefor.

(Ord. No. 1802, § 1, 9-4-91)

Sec. 8-73. Billing by comptroller; delinquent accounts; deposit of funds.

(a) The office of the fire chief shall forward to the comptroller of the city all requests for standby fire watch or all emergency orders entered by the fire chief or his designee requiring such standby fire watch and the comptroller shall promptly bill at the aforespecified hourly rate, the personnel or entity requesting such details or responsible for the payment therefor when emergencies require such standby fire watches as a condition of continued public assembly in structures under the control of such persons or entities.

(b) The comptroller shall notify the office of the fire chief of any account that is more than thirty (30) days delinquent and the office of the fire chief shall not thereafter accept requests from such delinquent accounts until the account is paid current, but shall be authorized in view of the public safety concerns to issue orders to vacate or cancel the premises, performance, exhibition, display, contest or activity which would otherwise require such standby fire watches. All monies received on such standby fire watches shall be deposited in the general fund of the city and the fire inspector/firefighter performing such standby fire watch duties shall be reimbursed for such special duty. The remaining fund shall remain in the general fund for the purpose of reimbursing the city for its costs of insurance, overhead, taxes, processing, etc.

(Ord. No. 1802, § 1, 9-4-91)