

**ORDINANCE NO. 2018-8109**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH; AMENDING CHAPTER 10, FIRE AND LIFE SAFETY; ARTICLE III, FIRE PREVENTION, AND LIFE SAFETY; SEC. 10-3.03, CODES ADOPTED; TO PROVIDE REFERENCE TO THE STATE ADOPTED FLORIDA FIRE PREVENTION CODE; PROVIDING FOR UPDATES IN CHAPTER 10 BY ELIMINATING OBSOLETE PROVISIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Jacksonville Beach wishes to bring its fire code into compliance with the current State adopted Florida Fire Prevention Codes;

**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 Code, Article III. - Fire Prevention 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.**

The following model code is adopted in its entirety as an addition to the text of this article. The text of this adopted model code 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) Florida Fire Prevention Code (FFPC) ~~5<sup>th</sup> Edition~~ 6<sup>th</sup> Edition.

~~a. One (1) copy of the adopted model code is filed in the office of the city clerk.~~

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

**SECTION 2.** That the section of Chapter 10, Fire and Life Safety Code, Article III. - Fire Prevention and Life Safety, Sec. 10-3.12. Penalties and other remedies for violations, is hereby amended and shall henceforth read as follows:

**Sec. 10-3.12. Penalties and other remedies for violations.**

(c) The city may enforce this chapter using the proceedings set forth in Chapter 2 Administration, Article VI, ~~Codes Enforcement Board~~, of the Code of Ordinances, City of Jacksonville Beach, Florida.

**SECTION 3.** That the section of Chapter 10, Fire and Life Safety Code, Article III. - Fire Prevention and Life Safety, Sec. 10-3.16. Automatic fire sprinklers requirements, is hereby amended and shall henceforth read 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.

**SECTION 4.** That the section of Chapter 10, Fire and Life Safety Code, Article III. - Fire Prevention and Life Safety, Sec. 10-3.17. Building permits, is hereby amended and shall henceforth read as follows:

**Sec. 10-3.17. Building permits**

A permit for construction, erection, alteration, repair or demolition shall not be issued until the fire official has reviewed the plans and specifications for such proposal and the fire official has found the plans to be in compliance with this article and ~~Chapter 633, F.S.~~ latest edition of the Florida Fire Prevention Code.

**SECTION 5.** That the section of Chapter 10, Fire and Life Safety Code, Article III. - Fire Prevention and Life Safety, Sec. 10-3.19. Hazardous materials identification and information, is hereby amended and shall henceforth read as follows:

**Sec. 10-3.19. Hazardous materials identification and information**

(a) There is hereby adopted by the city for the purpose of prescribing regulations to identify hazardous materials manufacturing, storage and use facilities that certain code known as NFPA 704 "Identification of Fire Hazards of Materials," 2012 edition, of the National Fire Protection Association. ~~One (1) copy of the subject code has been and is filed in the office of the city clerk and~~ The same is hereby adopted and incorporated as fully as if set out at length herein, and from the effective date of this section the provisions of said standard shall control within the limits of the city.

~~(b) The fire official may require the installation of a weather proof box containing up to date hazardous materials safety data sheets, on the exterior of such buildings or structures that contain quantities of hazardous materials. It shall be the responsibility of the occupants storing, handling or using the hazardous materials to maintain this information as current.~~

**SECTION 6.** That the section of Chapter 10, Fire and Life Safety Code, Article IV. – Open Burning, Sec. 10-4.01. Open burning regulations, is hereby amended and shall read henceforth read 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~~, NFPA-1, 10.10.4 Florida Fire Prevention Codes (FFPC), the Air Quality ~~Division~~ Branch of the ~~Co~~ Jax/Duval County ~~Regulatory and Environmental Service Department (AQD)~~ Quality Division, and the Florida Department of Environmental Protection Agency.

(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~~ Air Quality Branch of the location, date, and time.

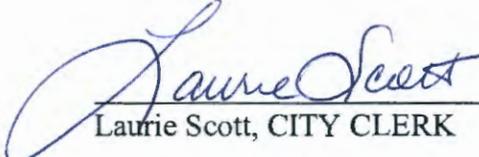
**SECTION 7.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 8.** Codification of this ordinance in the City Code of Ordinances is hereby authorized and directed.

**SECTION 9.** This ordinance shall take effect upon its passage and publication as required by law.

AUTHENTICATED THIS 21<sup>st</sup> DAY OF MAY, A. D., 2018

  
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William C. Latham, MAYOR

  
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Laurie Scott, CITY CLERK