



City of North Port

ORDINANCE NO. 2024-19

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REPEALING ARTICLE 1 AND SECTIONS 26-19, 26-20, AND 26-22 THROUGH 26-35 OF CHAPTER 26 OF THE CODE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO FIRE PREVENTION AND PROTECTION; AND AMENDING THE CODE OF THE CITY OF NORTH PORT, FLORIDA, SECTIONS 26-1 THROUGH 26-20 AND 26-22 THROUGH 26-23, RELATING TO FIRESAFETY AND PREVENTION; PROVIDING DIRECTION FOR STATE FIRE MARSHAL REVIEW; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

1 **WHEREAS**, the Code of the City of North Port, Florida (“City Code”), Chapter 26 – Fire Prevention and
2 Protection, was adopted and last updated on June 18, 1990, through Ordinance No. 90-13; and
3

4 **WHEREAS**, City Code Chapter 26 contains the City’s fire prevention and protection regulations, providing
5 standards for fire prevention, fire suppression, and life safety for the community and environment of the
6 City; and
7

8 **WHEREAS**, the City Commission for the City of North Port, Florida desires to establish new development
9 standards to protect City residents from the effect of fire, to provide for the safety of citizens in public
10 places, and to reduce the likelihood of economic loss to the community due to fire, by adopting these
11 amendments regulating the construction of buildings, roadways, infrastructure, and related fire
12 protection systems in the City, including uniform design, installation requirements, and labeling of safety
13 features, emergency services notifications, fire suppression systems, signage, elevators, and generators;
14 and
15

16 **WHEREAS**, the City Commission finds that fire and life safety regulations can improve the response time
17 and the manpower required for emergency responses, benefiting City residents and businesses, and
18 reduce fire assessments and insurance premiums; and
19

20 **WHEREAS**, the City Commission finds that adopting new firesafety regulations, in conjunction with the
21 Florida Fire Prevention Code, Florida Statutes Chapter 633, and the National Fire Protection Association
22 Fire and Life Safety Codes improves citizen protection; and
23

24 **WHEREAS**, upon adoption of the amendments and pursuant to the requirements provided by Florida
25 Statutes Section 633.202(8), the City Commission directs the City Manager to have the amended code
26 language transmitted to the Florida Building Commission and State Fire Marshal for review; and
27

28 **WHEREAS**, the City Commission finds that its action and these amendments serve the public health,
29 safety, and welfare of the citizens of the City of North Port, Florida.
30

31 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**
32

33 **SECTION 1 – FINDINGS**
34

- 35 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
36
37 1.02 The City Commission finds the regulations in this ordinance to be consistent with the North Port
38 Comprehensive Plan.
39
40 1.03 The City Commission further finds:
41
42 a. The amendments provide a higher level of protection to the public than the level specified in
43 the Florida Fire Prevention Code (“FPC”) and become effective without approval of the State
44 Fire Marshal because they provide a growth management plan requiring buildings and
45 structures to be equipped with more stringent firesafety requirements than those in the FPC
46 that are to be used as the basis for planning infrastructure development, uses, or housing
47 densities as required under Florida Statutes Section 633.202(10)(c).
48
49 b. The amendments do not require more stringent uniform firesafety standards for specific
50 types of buildings and structures as prohibited by Florida Statutes Section 633.206.
51
52 c. The amendments to firesafety standards that are more stringent than those provided by the
53 FPC do not have the effect of amending building construction standards and as provided in
54 Florida Statutes Section 633.208(3) are to be applied on a case-by-case basis in order to meet
55 special situations arising from historic, geographic, or unusual conditions, and result in a level
56 of protection to life, safety, or property equal to or greater than the applicable minimum
57 firesafety standards the FPC.
58
59 1.04 Pursuant to Florida Statutes Section 166.041(4)(c), a business impact estimate was not required
60 because this ordinance is enacted to implement Florida Statutes Section 633.202, relating to the
61 Florida Fire Prevention Code.
62

63 **SECTION 2 – REPEAL OF CITY CODE CHAPTER 26**
64

- 65 2.01 Chapter 26, Article I, entitled “IN GENERAL,” of the Code of the City of North Port, Florida is hereby
66 repealed in its entirety.
67
68 2.02 Section 26-19, entitled “Definitions;” of the Code of the City of North Port, Florida is hereby
69 repealed in its entirety.
70

- 71 2.03 Section 26-20, entitled "Adoption of Standards by reference;" of the Code of the City of North
72 Port, Florida is hereby repealed in its entirety.
73
- 74 2.05 Section 26-22, entitled "Responsibilities of life safety/fire prevention office;" of the Code of the
75 City of North Port, Florida is hereby repealed in its entirety.
76
- 77 2.06 Section 26-23, entitled "Key box requirements;" of the Code of the City of North Port, Florida is
78 hereby repealed in its entirety.
79
- 80 2.07 Section 26-24, entitled "Residential smoke detectors;" of the Code of the City of North Port,
81 Florida is hereby repealed in its entirety.
82
- 83 2.08 Section 26-25, entitled "Order to correct violations;" of the Code of the City of North Port, Florida
84 is hereby repealed in its entirety.
85
- 86 2.09 Section 26-26, entitled "Failure to comply;" of the Code of the City of North Port, Florida is hereby
87 repealed in its entirety.
88
- 89 2.10 Section 26-27, entitled "Open burning;" of the Code of the City of North Port, Florida is hereby
90 repealed in its entirety.
91
- 92 2.11 Section 26-28, entitled "Extraordinary fire hazards;" of the Code of the City of North Port, Florida
93 is hereby repealed in its entirety.
94
- 95 2.12 Section 26-29, entitled "Right of entry for inspection;" of the Code of the City of North Port, Florida
96 is hereby repealed in its entirety.
97
- 98 2.13 Section 26-30, entitled "Mitigation of fire hazards in wildland/urban interface and clearance of
99 brush or vegetative growth from structures;" of the Code of the City of North Port, Florida is
100 hereby repealed in its entirety.
101
- 102 2.14 Section 26-31, entitled "Accessibility of Fire Department apparatus to buildings;" of the Code of
103 the City of North Port, Florida is hereby repealed in its entirety.
104
- 105 2.15 Section 26-32, entitled "Cost recovery for emergencies caused by negligent, unlawful or
106 unauthorized acts;" of the Code of the City of North Port, Florida is hereby repealed in its entirety.
107
- 108 2.16 Section 26-33, entitled "Water supply element;" of the Code of the City of North Port, Florida is
109 hereby repealed in its entirety.
110
- 111 2.17 Section 26-34, entitled "Record of fires;" of the Code of the City of North Port, Florida is hereby
112 repealed in its entirety.
113
- 114 2.18 Section 26-35, entitled "Investigation of fires;" of the Code of the City of North Port, Florida is
115 hereby repealed in its entirety.
116

117 **SECTION 3 – ADOPTION OF AMENDMENTS TO CITY CODE**

118

119 3.01 Chapter 26 of the Code of the City of North Port, Florida is hereby amended as follows:

120

121 **“Chapter 26 – FIRESAFETY AND PREVENTION CODE ~~FIRE PREVENTION AND PROTECTION~~**

122

123 **ARTICLE I. – IN GENERAL**

124

125 **Sec. 26-1. – Adoption of standards by reference.**

126

127 The Florida Fire Prevention Code, F.S. ch. 633, including the National Fire Protection Association
128 (“NFPA”) Fire and Life Safety Codes, Florida Rules of Administrative Procedure, chapters 61G15-
129 32 and 69A-60, as amended, are hereby adopted by reference and incorporated herein as part of
130 the city’s firesafety and prevention code. In the event where there is a conflict between this Code
131 and the Florida Fire Prevention Code, the more stringent code shall apply.

132

133 **Sec. 26-2. – Definitions.**

134

135 For purposes of this chapter, the following words, terms, and phrases shall have the meanings
136 ascribed to them in this section, except where context clearly indicates otherwise. Where a word,
137 term, or phrase is not defined in this section, it shall be defined using the most current edition of
138 the Florida Building Code or Florida Fire Prevention Code, as applicable.

139

140 *Access box.* A container installed on the exterior of a structure that complies with Underwriters
141 Laboratories Standard (“UL”) 1037, as amended, providing accessibility to a fire alarm control unit,
142 fire sprinkler riser, elevator, roof access, equipment, mechanical, or electrical room, building,
143 structure, or common area.

144

145 *Corporate counsel.* The city attorney or designee.

146 *Defensible space.* The area around a structure that provides, through the reduction of hazardous
147 vegetation or other combustible material, a means to slow the spread of urban wildfire and that
148 provides fire rescue a greater opportunity to extinguish fires.

149

150 *District.* The North Port Fire Rescue District.

151

152 *Enforcement official.* The city’s building official, fire chief, or their designees, and any firesafety
153 inspector as defined in F.S. § 633.214. These individuals are designated as code enforcement
154 officers as defined in sec. 2-504 of this Code for enforcement purposes.

155

156 *Fire alarm control unit.* A component of the fire alarm system, provided with primary and
157 secondary power sources, that receives signals from initiating devices or other fire alarm control
158 units, and processes these signals to determine part or all of the required fire alarm system output
159 function(s).

160

161 *Fire chief.* For purposes of enforcing this chapter, the city’s fire chief is designated as the authority
162 having jurisdiction as that term is used in the Florida Fire Prevention Code, F.S. ch. 633, and the
163 National Fire Protection Association Life Safety Code, Florida Rules of Administrative Procedure,
164 chapters 61G15-32 and 69A-60, and is responsible for ensuring compliance with this chapter, the

165 Florida Fire Prevention Code, and for approving equipment, materials, installations, and
166 procedures regulated by this chapter and the Florida Fire Prevention Code, as amended.

167
168 FDC or fire department connection. A connection through which fire rescue can pump
169 supplemental water into a sprinkler system, standpipe, or other system, furnishing water for fire
170 extinguishment to supplement existing water supplies.

171
172 Fire prevention code. Includes the Florida Fire Prevention Code, F.S. ch. 633, and the National Fire
173 Protection Association (“NFPA”) Fire and Life Safety Codes, as amended.

174
175 Fuel hazard rating. The rating assigned to each wildland/urban interface and wildland/urban
176 intermix. (i.e. small, light fuels (grass, weeds, shrubs); medium size fuels (brush, large shrubs,
177 small trees); or heavy, large fuels (woodland, timber, heavy large brush).)

178
179 Fuel modification zone. A strip of land where combustible vegetation has been removed or
180 modified, an area partially or totally replaced with drought-tolerant, fire-resistive plants to
181 provide an acceptable level of risk from wildland fires.

182
183 Life safety code. The National Fire Protection Association Life Safety Code, Florida Rules of
184 Administrative Procedure, chapters 61G15-32 and 69A-60, as amended and adopted by the state
185 fire marshal pursuant to F.S. § 633.202.

186
187 Minimum firesafety standard. A requirement or group of requirements adopted by the county or
188 city pursuant to F.S. § 633.208, or by the state fire marshal pursuant to F.S. § 394.879, for the
189 protection of life and property from loss by fire; that must be met, as a minimum, by every
190 occupancy, facility, building, structure, premises, device, or activity to which it applies, or as
191 otherwise defined by F.S. § 633.102.

192
193 NFPA. Means the National Fire Protection Association.
194 Open fire. A fire in which material is burned in an open, outdoor area or in a receptacle without
195 the use of a smokestack or chimney.

196
197 Prescribed burn. A permitted kindling or maintaining any open fire or a fire in any public street,
198 alley, road, or other public or private property. Instructions and stipulations must be adhered to
199 except for cooking fires, which are exempt and do not require a permit.

200
201 Smoke alarm. A device that detects the visible or invisible particles of combustion and that
202 complies with the standards of Underwriters Laboratories (“UL”), their subsidiaries, or other
203 nationally recognized testing laboratory.

204
205 Wildland/urban interface. An area where development and wildland fuels meet at a well-defined
206 boundary.

207
208 Wildland/urban intermix. An area where development and wildland fuels meet with no clearly
209 defined boundary.

210
211
212

Sec. 26-3. – Fire sprinkler systems in commercial and multifamily residential buildings.

- 215 (a) All commercial buildings must be designed and constructed with a complete fire sprinkler
216 system in accordance with NFPA 13, Standard for Installation of Fire Sprinkler Systems.
- 217
- 218 (b) Fire sprinkler risers must be installed on a building’s interior, in an environment that provides
219 protection from the Florida climate.
- 220
- 221 (c) All multifamily residential buildings, containing three or more attached residential units
222 (apartments, dwelling units, or townhouses), must be designed and constructed with a
223 complete fire sprinkler system that complies with and is in accordance with NFPA 13, Standard
224 for Installation of Fire Sprinkler Systems, NFPA 13R, Standard for Installation of Fire Sprinkler
225 Systems in Residential Occupancies up to and Including Four Stories, or NFPA 13D, Standard
226 for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured
227 Homes.
- 228
- 229 (d) The city will not issue a building permit for a commercial or multifamily residential building
230 until it receives a professional engineer’s fire protection specifications for the building’s
231 construction, modification, alteration, repair, or rehabilitation. Fire protection specifications
232 must be included with the building’s construction documents or as part of its final master
233 utility plan. Submitted fire protection specifications must comply with the requirements
234 provided in F.A.C. rule 61G15-32. All data must be less than six months old when submitted.
- 235
- 236 (e) A Florida licensed sprinkler contractor must submit the fire sprinkler shop drawings, hydraulic
237 calculations, and product information sheets to the fire chief for review and approval.
- 238
- 239 (f) All documents submitted to the city must comply with the requirements provided in F.A.C.
240 rule 61G15-32, and include confirmation from the engineer of record, identify that the
241 documents conform with the intent of the engineer, meet the criteria of the overall project,
242 and that the effect of the work on the overall project generally conforms with the engineer’s
243 intent.
- 244

Sec. 26-4. – Fire department standpipes.

- 246
- 247 (a) Any structure that is three stories tall or greater must have a class-1 standpipe system and
248 fire sprinkler system installed.
- 249
- 250 (b) The standpipe system may be made a part of the fire sprinkler riser system if approved in
251 writing by the fire chief. A freestanding standpipe system must include its own appropriately
252 labeled fire department connection.
- 253
- 254 (c) Standpipe systems must be installed in accordance with the standards provided in NFPA 14 –
255 Standard for the Installation of the Standpipe Systems.
- 256
- 257 (d) A Florida licensed fire sprinkler contractor must install all standpipe systems, and a system
258 specific permit application must be submitted to the fire chief for review and approval.
- 259
- 260

261 **Sec. 26-5. – Underground fire lines.**

262

263 Underground fire lines must be installed in accordance with the standards provided in NFPA 24 –
 264 Standard for the Installation of Private Fire Service Mains and their Appurtenances, and must
 265 comply with the following:

266

267 (a) All underground fire lines subject to pressure must be American Water Works Association
 268 (“AWWA”) designated fire line C-900/DR14, installed by a Florida licensed Class I, II, or V fire
 269 system contractor, and installed subject to a system specific permit application reviewed and
 270 approved by the fire chief.

271

272 (b) The underground fire line to any building must extend to one foot above the finished floor or
 273 one foot above the finished grade inside the building.

274

275 (c) All restraining rods and bolts securing an underground fire line must be coated in bituminous
 276 or other corrosion retarding material as approved by the fire chief, that is applied prior to the
 277 trench being backfilled. Trench backfill must be at least 36 inches of tamped clean dirt cover.

278

279 (d) All underground fire lines must have a continuous number 12 wire, color coded blue, attached
 280 securely to the pipe. The wire must be placed on top of the pipe, secured to restrainer bolts,
 281 and taped at intervals of not more than 10 feet.

282

283 (e) Three inch metallic location tape identifying “FIRE LINE BELOW” must be located 18 inches
 284 above all underground fire lines.

285

286 (f) Where the fire chief deems valves in a dedicated underground fire line necessary, post
 287 indicator valves (“PIV”) must be used. No other valves are permitted to be used in an
 288 underground fire line.

289

290 (g) All double detector check valve assemblies must be chained and padlocked following any
 291 installation, maintenance, inspection or testing of the assembly. Maintenance and painting of
 292 a double detector check valve assembly must be conducted annually. The owner, association,
 293 or representative must promptly submit the maintenance, inspection, and testing
 294 certification to the district as required by NFPA 25 – Standard for the Inspection, Testing, and
 295 Maintenance of Water-based Fire Protection Systems.

296

297 **Sec. 26-6. – Fire department connections (FDC).**

298

299 (a) Placement. The fire chief or designee must determine the location for placement of each FDC
 300 prior to its installation.

301

302 (b) Fire line size. Unless pre-approved in writing by the fire chief, all fire lines must comply with
 303 the following requirements:

304

305 (1) Fire lines that are three inches or less in diameter must use a single, two- and one-half-
 306 inch connection that meets American National Fire Hose Connection screw thread
 307 requirements of 2.5 – 7.5 NH standard thread, must be located no less than 25 feet and

308 no more than 100 feet from a fire hydrant, and must be located no more than 10 feet
309 from the curb line.

311 (2) Fire lines greater than three inches in diameter must use a five inch Stortz connection,
312 must be located no less than 25 feet and no more than 100 feet from a fire hydrant, and
313 must be located no more than 10 feet from the curb line.

314
315 (c) Installation.

316
317 (1) Double detector check valves and FDC assemblies must run parallel to the street where
318 the valves and assemblies are located.

319
320 (2) An FDC must be a yard post, affixed to the system side of the double detector check valve,
321 or wall mounted.

322
323 (3) An FDC must be installed at a minimum height of 18 inches and a maximum height of 42
324 inches from the finished grade to the center of the opening, and be painted “fire engine
325 red.”

326
327 (4) An FDC must have a minimum clearance of seven and one-half feet on each side, seven
328 and one-half feet at the front, and four feet at the rear.

329
330 (5) Every FDC must be marked pursuant to the requirements provided in subsection (d)
331 herein.

332
333 (d) Markings. The area around an FDC is considered a fire lane, and must comply with the
334 following:

335
336 (1) This area must be a minimum width of 15 feet (seven and one-half feet on each side of
337 the FDC) and must be completely outlined with yellow traffic paint by a stripe of at least
338 8 inches in width. Diagonal striping must be a minimum 4 inches wide, and 4 feet on
339 center to the curb line.

340
341 (2) The curb, or the line of the curb, must be painted traffic yellow for the entire length of
342 the FDC fire lane. Within the stripes shall be the words “FDC – NO PARKING” in block
343 letters of not less than 12 inches in height, with at least a 3-inch stroke, directly in front
344 of the FDC.

345
346 (3) All pavement lettering must be 90-mil thermoplastic.

347
348 (4) Every FDC must have a sign posted 18 to 24 inches above the appliance, and not more
349 than 4 feet directly behind the FDC. The sign must be weather resistant, and suitable for
350 the environment, with the letters “FDC” in 6-inch red block letters with a half-inch stroke
351 on a white background.

352
353
354
355

356 **Sec. 26-7. – Fire alarms in buildings.**
357

358 (a) All commercial and multifamily residential buildings containing three or more attached
359 residential units (apartments, dwelling units, or townhouses) must be designed and
360 constructed with a commercial fire alarm system that complies with NFPA 70 – National
361 Electrical Code, and NFPA 72 – National Fire Alarm and Signaling Code.

362
363 (b) All one- or two-story residential buildings, containing three or more attached residential units
364 (apartments, dwelling units, or townhouses), must be designed and constructed with a
365 commercial fire alarm system that complies with NFPA 70 – National Electrical Code, and
366 NFPA 72 – National Fire Alarm and Signaling Code. The fire chief may waive this requirement
367 in writing where the residential buildings are separated by a minimum two-hour fire wall
368 designed and constructed in accordance with Florida Building Code Section 706, Fire Walls.

369
370 (c) All fire alarm systems installed pursuant to this section must comply with the following:

371
372 (1) Heat and/or smoke detectors must be installed where required by the fire prevention
373 code, or as determined necessary by the fire chief.

374
375 (2) All fire alarm systems must have a waterproof exterior horn-strobe installed that is visible
376 to responding emergency vehicles. The fire chief shall determine and approve the location
377 of the horn-strobe.

378
379 (3) The fire alarm control unit must be installed on the building’s interior, and in an
380 environment that provides protection from the Florida climate. The fire chief shall
381 determine and approve the location of the fire alarm control unit.

382
383 (4) The city must receive a professional engineer’s fire alarm and detection specifications for
384 a commercial or multifamily residential building’s construction, modification, alteration,
385 repair, or rehabilitation before a building permit will be issued. Fire alarm and detection
386 specifications must be included with the building’s submitted construction documents.
387 Submitted fire alarm and detection specifications must comply with the requirements
388 provided in F.A.C. rule 61G15-32.

389
390 (5) A Florida licensed fire alarm contractor must submit the engineered fire alarm and
391 detection drawings, battery calculations, and product information sheets to the fire chief
392 for review and approval.

393
394 (6) All documents submitted to the city must comply with the requirements provided in
395 F.A.C. rule 61G15-32, and include confirmation from the engineer of record, identify that
396 the documents conform with the intent of the engineer, meet the written criteria of the
397 overall project, and that the effect of the work on the overall project generally conforms
398 with the engineer’s intent.

399
400 (7) All fire alarm systems must be electronically monitored 24 hours a day by an Underwriters
401 Laboratories (“UL”) listed fire central receiving station. Documentation verifying the
402 monitoring station is UL listed must be submitted when the fire alarm system plan is
403 submitted for review.

404 (d) All commercial buildings that do not support the required level of radio signal strength
405 coverage for emergency responders must install a two-way radio communication
406 enhancement system that supports the required level or signal strength coverage. The system
407 must be capable of transmitting all public radio frequencies required to meet the minimum
408 firesafety standard, the fire prevention code, or other standard as established by the fire
409 chief.

410

411 **Sec. 26-8. – Alternative power sources.**

412

413 Any building or structure using an alternative power source, such as photovoltaic (solar) or
414 generator power, must post a sign at the electric meter identifying that there is an alternative
415 power source and identify its location. The posted sign must be permanently affixed to the
416 electrical meter of the building, and at the electrical panel, be weather resistant and suitable for
417 the environment where it is located, have a white background with red lettering that is no less
418 than 1 inch in height. The sign shall be posted in a location approved by the fire chief.

419

420 **Sec. 26-9. – Elevators.**

421

422 (a) Buildings or structures more than 25 feet high that have an elevator accessible for public use
423 must have at least one elevator car that can accommodate a horizontal ambulance stretcher
424 measuring 76 inches long and 24 inches wide.

425

426 (b) Buildings or structures greater than three stories, or that have two or more elevators, must
427 have at least one elevator that is served by an emergency generator.

428

429 (c) A single generator may be used to serve multiple buildings.

430

431 (d) All elevator cars accessible for public use must have emergency communication systems that
432 comply with the requirements in the Safety Code for Elevators and Escalators, American
433 Society of Mechanical Engineers/American National Standards Institute (ASME/ANSI) A17.1-
434 2000, Safety Code for Elevators and Escalators.

435

436 (e) An elevator operation and door key must be stored in the building’s access box.

437

438 **Sec. 26-10. – Gasoline stations.**

439

440 When Florida law requires a gasoline station permitted for new construction to have an
441 operational emergency generator or generator connection installed that will allow gasoline to
442 continue to be pumped during an emergency or other event when electricity may not be available,
443 the fire chief or enforcement official shall determine and approve the location of the emergency
444 generator or connection.

445

446 **Sec. 26-11. – Permits.**

447

448 (a) The fire chief is authorized to establish and issue permits, certificates, and approvals where a
449 condition, operation, or material associated with the permit is hazardous to life or property
450 as referenced in the administration chapter of the fire prevention code. Any change that
451 affects a condition of a permit requires the issuance of a new or amended permit. A permit

- 452 may be subject to revocation where a permittee fails to remain in compliance with the
453 requirements of the permit or of this Code.
454
- 455 (b) Operations that require a permit shall be in accordance with the administrative chapter of the
456 fire prevention code and Florida Building Codes.
457
- 458 (c) The fire chief's initially approved conditions of a use, occupancy, permit, or construction shall
459 remain with the use, occupancy, permit, or construction unless modified by the fire chief.
460 Permitted conditions of approval shall be memorialized via recording in the public records as
461 part of the plat, permit, or other method.
462
- 463 (d) A permit constitutes the fire chief's written authority to maintain, store, use, or handle
464 materials, to conduct processes that could produce conditions hazardous to life or property,
465 or to install equipment used in connection with such activities requiring the permit.
466
- 467 (e) The fire chief may require an inspection prior to the issuance of a permit.
468
- 469 (f) A copy of the permit must be posted or otherwise readily accessible for inspection by an
470 enforcement official at each location covered by the permit.
471
- 472 (g) A permit issued under this section shall be active only during the period designated on the
473 permit until revoked, suspended, expired, or as subject to a stop work order and notice of
474 violation. An enforcement official may grant an extension of a permit when authorized by rule
475 or law.
476
- 477 (h) A permit shall only be issued to an individual or business and for the location and purpose
478 described in the permit.
479
- 480 (i) Any change that affects a condition of a permit shall require a new or amended permit.
481
- 482 (j) The building official working in conjunction with the fire chief may grant an extension of a
483 permit period in accordance with the Florida Building Code, fire prevention code, or this Code.
484
- 485 (k) Application for a permit must be made in accordance with the administrative chapter of the
486 fire prevention code and Florida Building Code, and in such form and detail as required by the
487 enforcement official.
488
- 489 (l) Fees. District fees related to permits are set forth in the city fee structure.
490
- 491 (m) Recording. Conditions of approval must be in writing and documented in the public record as
492 part of a plat, permit, or other method as determined by the fire chief.
493
- 494 (n) Suspension or revocation. The enforcement official may suspend or revoke any permit, or
495 related approval or certificate, when an inspection finds a permittee or other person
496 performing work under the permit has or attempted to misrepresent or otherwise
497 deliberately or knowingly design; install; service; maintain; operate; sell; represent for sale;
498 or falsify a record, report, or application; or other related activity in violation of the
499 requirements prescribed in this chapter.

500 (1) The revocation or suspension process will begin upon the enforcement official providing
501 written notice to the permittee.

502
503 (2) Nothing contained herein shall prevent or restrict the city from taking such other lawful
504 action in any court of competent jurisdiction as is necessary to prevent or remedy any
505 violation or situation of noncompliance.

506
507 **Sec. 26-12. – Project review.**

508
509 An enforcement official must review all new construction, modification, alteration, repair, or
510 rehabilitation projects to ensure compliance with proper operating practices. Recommendations
511 and operating procedures shall be governed as directed by law, local standards of practice, and
512 at the fire chief’s discretion as provided in this chapter. These responsibilities include but are not
513 limited to all aspects of fire and life safety. The fire chief may delegate any powers or duties under
514 this chapter to a designee.

515
516 **Sec. 26-13. – Access box and entry gate requirements.**

517
518 (a) Access box.

519
520 (1) All commercial and multifamily buildings or structures must have a fire department access
521 box installed on the exterior of the building, 6 feet above finished grade, centered on the
522 hinge side of the main entrance, or other access point as determined by the fire chief.

523
524 (2) Every access box must contain keys to the building’s fire alarm control unit, fire sprinkler
525 riser, elevator, roof access, equipment, mechanical, or electrical rooms, building,
526 structure, and common areas.

527
528 a. Purchase and installation of the access box is the responsibility of the building
529 developer, owner, association, or representative.

530
531 b. The application for an access box must be submitted before a temporary certificate
532 of occupancy will be issued, and an access box must be installed before a certificate
533 of occupancy will be issued.

534
535 (3) All fire sprinkler riser rooms, fire alarm control unit rooms, elevator equipment rooms,
536 and interior roof access areas must be clearly identified with a permanently affixed sign.
537 The sign must be weather resistant, suitable for the environment where it is located, in a
538 color contrasting to its background, with lettering that are 3 inches in height with a three-
539 eighths inch stroke. The sign must be posted in a location approved by the fire chief.

540
541 (b) Entry gate.

542
543 (1) Gated subdivisions, buildings, or communities must provide a 10-digit, 300 mega-hertz,
544 multi-code frequency transmitter and receiver gate system, or a Knox Key Switch on a
545 mounting plate, at 6 feet above the roadway in a location approved by the fire chief.

546

547 (2) Upon request by a developer and/or gate contractor, the district will provide gate coding
548 information to allow remote entry/access by the district.

549
550 (3) At the time of permitting for the installation of an electronic gate, the district must be
551 provided with two (2) remote control units for operation of the gate.

552
553 (4) At the time a subdivision, building, or community reaches an occupancy level that
554 requires electronic gate access, all primary and secondary entrance and exit electronic
555 gates must be fully operational as intended by the manufacturer. The fire chief must
556 inspect and approve all gates before they can be placed into service.

557
558 **Sec. 26-14. – Residential smoke alarms.**

559
560 All new construction dwelling, and any dwelling where an alteration, repair, modification, or
561 addition requires the issuance of a certificate of occupancy, must have the required number of
562 working smoke alarms installed before a certificate of occupancy will be issued. The installation
563 and operation of any smoke alarm must comply with the requirement in NFPA 72 – National Fire
564 Alarm and Signaling Code and F.S. §§ 553.883 and 553.885.

565
566 **Sec. 26-15. – Open fire or prescribed burn.**

567
568 (a) An open fire or prescribed burn is only permitted for the following purposes, and only where
569 the activity is not found to create a smoke nuisance, health, or other hazardous condition:

570
571 (1) Land clearing. Clearing of land for development purposes or agricultural operation
572 approved by the Florida Forestry Service.

573
574 (2) Cooking. Cooking fires on private property by the property owner, provided the fire is
575 contained in one of the approved containers identified herein, or on a campsite that
576 provides for such a purpose. The flame height of a cooking fire must never reach over 1
577 foot high. Approved cooking containers are as follows:

578
579 a. A 3 foot by 3 foot cement block container, with no more than one area for cooking
580 and one area for split oak logs or charcoal. The container must include 1 foot of space
581 between the cooking area and the fire to allow for proper air flow (no wood type
582 other than oak may be used).

583
584 b. Split oak wood or charcoal are approved for cooking or smoking food.

585
586 c. A gas or charcoal grill approved for cooking food by Underwriters Laboratories (UL)
587 or other nationally recognized testing laboratory.

588
589 (3) Warming or campfires:

590
591 a. A campfire is only permitted in a designated campground or park area approved by
592 the Florida Forest Service for such use.

593

594 b. A warming fire must be contained in a container approved for such use by
595 Underwriters Laboratories (UL) or other nationally recognized testing laboratory. A
596 warming fire in such a container is only permitted for use on private property by the
597 property owner and must pass through a stack, duct, or chimney. No wood type other
598 than oak may be used in a warming fire, and no building materials, rubbish, trash,
599 yard waste, or combustible waste material is permitted to be burned in a warming
600 fire.

601
602 (4) Ceremonial. A ceremonial or similar fire is permitted only upon receipt of the fire chief's
603 advance written permission.

604
605 (b) An open fire or prescribed burn permit is issued by the Florida Forest Service and must be
606 received before an open fire or prescribed burn is conducted.

607
608 (c) The fire chief or enforcement officer can require any open fire or prescribed burn
609 extinguished where the activity or its smoke is determined to be a nuisance, health, or a
610 hazardous condition, even if a permit has been issued.

611
612 **Sec. 26-16. – Extraordinary fire hazard.**

613
614 (a) The fire chief may declare the existence of an extraordinary fire hazard when, due to climatic,
615 meteorological, or other condition, the forest, grass, woods, wild lands, fields, or marshes
616 within the city become so dry or parched that a fire hazard endangering life or property is
617 created.

618
619 (b) Suspension of an open fire or prescribed burn permit.

620
621 (1) Upon the declaration of an extraordinary fire hazard, the ability to conduct an open fire
622 or prescribed burn is suspended until the fire chief determines that the conditions causing
623 the extraordinary fire hazard no longer exist.

624
625 (2) Upon the declaration of an extraordinary fire hazard, no open fire or prescribed burn
626 permits will be issued. All issued and active open fire and prescribed burn permits shall
627 be suspended until the fire chief determines that the conditions causing the extraordinary
628 fire hazard no longer exist.

629
630 **Sec. 26-17. – Right of entry for inspection.**

631
632 (a) To the full extent permitted by law, district personnel are authorized, at all reasonable times,
633 to enter and examine any public building, structure, marine vessel, vehicle, or premises for
634 the purpose of conducting a fire and life safety inspection, hazardous materials inspection, or
635 pre-fire plan.

636
637 (b) When there is reasonable cause to believe that a violation of F.S. ch. 633, F.S. § 509.215, or
638 this chapter may exist in a building or structure, an enforcement official is authorized to
639 inspect the building or structure subject to the requirements of F.S. ch. 633, F.S. § 509.215,
640 and this chapter. All inspections shall be conducted at a reasonable hour. The authority to

641 inspect extends to all equipment, vehicles, and chemicals located on the surrounding property
642 or within the premises of any building or structure where reasonable cause exists.

643
644 **Sec. 26-18. – Mitigation of fire hazards in wildland/urban interface and clearance of brush or**
645 **vegetative growth from structures.**

646
647 (a) Positive steps toward prevention of wildland fire in the wildland/urban interface are directed
648 toward life safety and property protection of those single improvable lots and acreage of any
649 size, subdivision, and activity center.

650
651 (b) Any person that owns, leases, controls, operates, or maintains a building or structure in, upon,
652 or adjoining a hazardous fire area, and any person that owns, leases, or controls land adjacent
653 to such a building or structure must:

654
655 (1) Ensure that an effective firebreak is maintained by having any flammable vegetation or
656 combustible growth removed or cleared from any area within 15 feet of the lot line, or
657 the same distance required by this Code or the Florida Building Code for an easement
658 located between dwellings or roads. Single specimens of trees, ornamental shrubbery, or
659 similar plants used as ground cover are exempt from the requirements of this section if
660 they do not form a means of rapidly transmitting fire from the native growth to a building
661 or structure.

662
663 (2) Ensure that any portion of a tree or limb that extends to within 10 feet of a chimney outlet
664 is removed, and that any tree adjacent to or overhanging a building is free of deadwood.

665
666 (3) Ensure that the roof of any building or structure remains free of leaves, pine needles, or
667 other dead vegetative growth.

668
669 (4) Ensure that any link connecting low, medium, or high fuels to a structural component is
670 eliminated.

671
672 **ARTICLE II. – FIRE SAFETY**

673
674 **Sec. 26-19. – Accessibility of district apparatus to buildings.**

675
676 (a) District apparatus must have accessible means to all buildings by means of a hard, all-weather
677 driving surface. The driving surface must be capable of supporting the imposed loads of
678 district apparatus used to navigate a fire lane, private street, street, parking lane, or
679 combination thereof.

680
681 (b) Road width must be sufficient for travel, passing, or operating an apparatus in the vicinity of
682 a fire scene. Minimum dimensions of the driving surface must be no less than 20 feet of
683 unobstructed width, and 13 feet and 6 inches of vertical clearance. Roads in excess of 150
684 feet in length must be built to allow district apparatus to turn around.

685
686 (c) Parking is not permitted within 20 feet of a fire hydrant, fire rescue connection, fire sprinkler,
687 or standpipe connection when the parking will obstruct or interfere with the district’s use of
688 the hydrant or connection.

689 (d) Where automatic gates are utilized to secure access to a community or property, the gate(s)
 690 must be equipped with a second receiver for use by emergency services vehicles (fire, police,
 691 and EMS). This coded frequency must be the same for all emergency access gates within the
 692 City's corporate limits, or the response jurisdiction of the district, to allow one remote
 693 operator in an emergency vehicle with the ability to control any security gate.

694
 695 **Sec. 26-20. – Enforcement.**

696
 697 (a) *Written notice.* An enforcement official who identifies a deficiency or violation of the fire
 698 prevention code or this chapter may issue the violating association, representative, property
 699 owner, owner operator, or occupant of the business a written warning, stop work order,
 700 and/or notice of violation, and a reasonable amount of time to correct or eliminate the
 701 violation.

702
 703 (b) *Failure to comply.* Where a deficiency or violation has not been corrected or eliminated within
 704 the time period provided in a notice of violation, a hearing will be requested with the city's
 705 hearing officer pursuant to section 2-507 of this Code. A person who willfully refuses to sign
 706 and accept a notice of violation issued by a firesafety inspector commits a misdemeanor of
 707 the second degree, punishable as provided in F.S. § 775.082 or F.S. § 775.083.

708
 709 (c) *Hearing.* The city's hearing officer shall have the jurisdiction and authority to hear and decide
 710 the enforcement of any violation of this chapter. Hearings related to violations of this chapter
 711 shall be conducted in compliance with section 2-508 of this Code.

712
 713 (d) *Appeal.*

714
 715 (1) The decision of the hearing officer shall be final, and the violator shall be deemed to have
 716 exhausted all administrative remedies. Decisions of the hearing officer may be appealed
 717 pursuant to section 2-513 of this Code.

718
 719 (2) A stop work order shall remain in effect during its appeal to the hearing officer and during
 720 any judicial review.

721
 722 (e) *Abatement.*

723
 724 (1) When an enforcement official discovers a flammable, combustible, or explosive material;
 725 accumulation of rubbish; any highly flammable material susceptible to fire; or an
 726 obstruction to or on a fire escape, stair, passageway, door, or window that may interfere
 727 with the operations of the district or life safety of an occupant, in a building, structure, or
 728 upon a premises; the enforcement official may order the item or condition removed, issue
 729 a written warning, stop work order, and/or notice of violation, initiate a code
 730 enforcement action, or take any other action necessary to correct or eliminate the item
 731 or condition.

732
 733 (2) An enforcement official who identifies a violation of the fire prevention code or this
 734 chapter that presents a condition that is an immediate danger to the life, safety, health,
 735 or welfare of the community, may immediately abate the condition.

736

737 **Sec. 26-21. – Required permits; issuance; fees; revocation.**

738 . . .

739

740 **Sec. 26-22. – Investigation of fires.**

741

742 (a) The district must promptly initiate any activity required to investigate the origin, cause, and
743 determination of every fire occurring in the city where property has been destroyed or
744 damaged or where a person has been injured.

745

746 (b) In instances where the fire is of suspicious, incendiary, or of undetermined origin, the district
747 must secure and protect any physical evidence. Notification by the district must be made to
748 proper authorities designated by law to conduct the investigation of all such incidents.

749

750 **Sec. 26-23. – Cost recovery and fines.**

751

752 (a) Recoverable expenses. When the district’s response to an incident results in the expenditure
753 of district funds recoverable under the Federal Emergency Management Agency’s (“FEMA”)
754 schedule of equipment rates, an invoice of costs shall be created pursuant to the FEMA
755 schedule of equipment rates. The invoice of costs shall be provided to the individual,
756 association, representative, property owner, or occupant of a business whose actions caused
757 the incident. These incidents include but are not limited to:

758

759 (1) Unlawful discharge of fireworks that results in a fire;

760

761 (2) Intentionally set fire (arson), including juveniles playing with fire;

762

763 (3) Inadequate control of permitted (burn permit issued) open fire or prescribed burn;

764

765 (4) Unauthorized release, discharge, or disposal of hazardous materials;

766

767 (5) Acts identified by a federal, state, or local authority as recoverable; and

768

769 (6) Unlawful or unauthorized incidents that initiate a district response.

770

771 (b) Illegal burning. A fine imposed for illegal burning under section 26-15 of this Code shall not
772 exceed the following amounts, unless otherwise provided by Florida law:

773

774 (1) Second offense—\$150.00 fine.

775

776 (2) Third offense—\$300.00 fine.

777

778 (3) Fourth offense or higher—\$500.00 fine.

779

780 (c) When an enforcement official, the city or its agent abates a dangerous condition, the
781 reasonable costs of abatement will be charged to the association, representative, property
782 owner, owner operator, or occupant of the business responsible for the violation.

783

784 (d) Failure to pay a fine or cost assessed under this section may result in a lien being placed
785 against the property pursuant to section 2-511 of this Code.”
786

787 **SECTION 4 – NOTICE**
788

789 4.01 Pursuant to Florida Statutes Section 633.202(8), within 30 days of the City Commission adopting
790 this ordinance the City Manager is directed to notify the Florida Building Commission and State
791 Fire Marshal of the adoption of this ordinance and submit the amended code language for review.
792

793 **SECTION 5 – CONFLICTS**
794

795 5.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in
796 whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.
797

798 **SECTION 6 – SEVERABILITY**
799

800 6.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase,
801 or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be
802 deemed a separate, distinct, and independent provision and will not affect the validity of the
803 remaining portions of the ordinance.
804

805 **SECTION 7 – CODIFICATION**
806

807 7.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any
808 additional codification information and notations appear in *italics*. These editorial notations are
809 not intended to appear in the codified text.
810

811 **SECTION 8 – EFFECTIVE DATE**
812

813 8.01 This ordinance takes effect on October 28, 2024.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on July 23, 2024.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on August 6, 2024.

CITY OF NORTH PORT, FLORIDA

ALICE WHITE
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY