

LEGISLATIVE #

120051A

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ORDINANCE NO. 120051

1
2
3 **An ordinance of the City of Gainesville, Florida, amending**
4 **Chapter 10 of the Code of Ordinances of the City of**
5 **Gainesville, relating to fire prevention; amending Sec. 10-10. -**
6 **Amendments to NFPA 1 Section 13.1.3 of the Florida Fire**
7 **Prevention Code; Sec. 10-11. - Amendments to NFPA 1 Section**
8 **13.1.4 18.3.3 of the Florida Fire Prevention Code; Sec. 10-12. -**
9 **Amendments to NFPA 1 Section 13.1.3 18.3.6 of the Florida**
10 **Fire Prevention Code; Sec. 10-13. - Amendments to NFPA 1**
11 **Section 13.1.7 18.4.5 of the Florida Fire Prevention Code; Sec.**
12 **10-50. – Definitions; Sec. 10-51. - Requirements for assembly**
13 **occupancy owners and crowd managers; Sec. 10-52. - Fire**
14 **rescue connections; providing directions to the codifier;**
15 **providing a severability clause; providing a repealing clause;**
16 **and providing an immediate effective date.**
17

18 **WHEREAS**, at least 10 days notice has been given of the public hearing once by
19 publication in a newspaper of general circulation notifying the public of this proposed ordinance
20 and of a public hearing in the City Commission meeting room, first floor, City Hall in the City of
21 Gainesville; and

22 **WHEREAS**, the public hearings were held pursuant to the published notice described at
23 which hearings the parties in interest and all others had an opportunity to be and were, in fact,
24 heard.

25 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
26 **CITY OF GAINESVILLE, FLORIDA:**

27 **Section 1.** Chapter 10, Section 10-10, entitled “Amendments to NFPA 1 Section 13.1.3
28 of the Florida Fire Prevention Code”, Code of Ordinances of the City of Gainesville, is amended
29 as follows. Except as amended herein, the remainder of Section 10-10 remains in full force and
30 effect.

31 **Sec. 10-10. – Amendments to NFPA 1 Section 13.1.3 of the Florida Fire Prevention Code.**

32 NFPA 1 Section 13.1.3 is amended by adding the following:

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1 ~~(a) Protection from obstructions and damage.~~

2 ~~(1) Obstructions unlawful; exceptions. Each fire hydrant shall be free~~
3 ~~from obstructions on all sides by a minimum clearance of three~~
4 ~~feet. It shall be unlawful for any person to cause, suffer or permit~~
5 ~~the obstruction of a fire hydrant; or to allow access to any fire~~
6 ~~hydrant to be obstructed by the erection, construction, or~~
7 ~~installation of any object, pole, shrub, bush, or any other object~~
8 ~~within a three-foot radius from any fire hydrant. This section does~~
9 ~~not prohibit grass, paving, or other material located at ground level~~
10 ~~that does not interfere with access to the hydrant or its operation in~~
11 ~~the opinion of the fire chief or designee.~~

12 ~~(2) Fire hydrant protection posts. The fire chief or designee may~~
13 ~~require the placement of protection posts to be erected and~~
14 ~~maintained around a fire hydrant under the following conditions:~~
15 ~~Fire hydrants that are exposed to vehicular damage or obstructions~~
16 ~~(i.e., a loading dock), in the opinion of the fire chief or designee,~~
17 ~~shall be protected by protection posts as provided in subsection (2)~~
18 ~~below.~~

19 ~~(3) Protective posts shall meet the following minimum requirements:~~

20 ~~a. Be a minimum of three-inch diameter schedule 40 PVC or~~
21 ~~three-inch diameter steel pipe set in 36 inches depth of~~

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1 concrete at least 15 inches in diameter. The inside of the
2 pipe shall be filled with solid concrete.

3 b. ~~Be located at least three feet from the fire hydrant.~~

4 e. ~~Extend above ground to a minimum of fire hydrant height.~~

5 d. ~~Be spaced a minimum of three linear feet to protect the fire
6 hydrant.~~

7 (b) ~~Schedule for compliance.~~

8
9 (1) ~~All existing fire hydrants shall comply with subsection (1) of this
10 section.~~

11 (2) ~~Protective posts as provided in subsection (2) above shall be
12 required as a condition of site plan approval, or shall be required
13 for any existing fire hydrant by order of the fire chief or designee
14 and the owner/operator shall be allowed at least 60 days to comply
15 with said order.~~

16 Interfering with fire hydrants prohibited; exception.

17 It shall be unlawful for any person to interfere with the fire hydrants in the city by
18 unscrewing the caps on same or by taking water therefrom for private or personal
19 use, except with the written consent of the fire chief.

20 **Section 2.** Chapter 10, Section 10-11, entitled "Amendments to NFPA 1 Section 13.1.4
21 of the Florida Fire Prevention Code", Code of Ordinances of the City of Gainesville, is amended
22 as follows. Except as amended herein, the remainder of Section 10-11 remains in full force and
23 effect.

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1 **Sec. 10-11. - Amendments to NFPA 1 Section 13.1.4 18.3.3 of the Florida Fire Prevention**
2 **Code.**

3 NFPA 1 Section 13.1.4 18.3.3 is amended by adding the following:

4 ~~Fire hydrants—Requirements and standards; internal, external fire protection systems.~~

5 ~~Fire hydrant requirements.~~

6 (1) ~~No portion of any one and two family dwelling shall be more than 500 feet, as~~
7 ~~measured by way of fire apparatus access, from a fire hydrant which meets the fire~~
8 ~~hydrant standards of this section and the Gainesville Regional Utilities' "Materials~~
9 ~~Manual."~~

10 (2) ~~No portion of any building shall be more than 500 feet, as measured by way of fire~~
11 ~~apparatus access, which meets the fire hydrant standards of this section and the~~
12 ~~Gainesville Regional Utilities' "Materials Manual."~~

13 (3) ~~The provisions in subsections (a)(1) and (a)(2) notwithstanding, the fire hydrant~~
14 ~~requirements of this section may be varied at the discretion of the fire chief if such~~
15 ~~official finds that adequate fire protection can be provided from an approved fire~~
16 ~~hydrant which does not meet such requirements and/or a fully automatic fire~~
17 ~~extinguishing system.~~

18 (4) ~~Each fire hydrant which serves any portion of any building shall be in proper~~
19 ~~operating condition and accessible by the fire rescue department at all times.~~

20 (1) Every water supply for fire protection use shall be designed and installed in
21 accordance with the Gainesville Regional Utilities' "Potable Water, Wastewater &

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1 Reclaimed Water Design Standards and Construction Details, and Material
2 Standards Manual."

3 (2) The fire protection water supply for a building equipped with an automatic fire
4 sprinkler system shall be designed and installed so as to provide an adequate fire
5 flow in accordance with section 18.4 of the 2009 edition of NFPA 1. The fire
6 protection water supply for a building not equipped with an automatic fire
7 sprinkler system shall be designed and installed so as to provide an adequate fire
8 flow in accordance with the greater requirement of either section 18.4 of the 2009
9 edition of NFPA 1, or the 2008 edition of the Guide for Determination of
10 Required Fire Flow, published by Insurance Service Office. One copy of the ISO
11 guide and one copy of section 18.4 of the 2009 edition of NFPA 1 have been
12 deposited in the office of the city clerk and shall be kept in that office for public
13 use, inspection and examination. The provisions of this subsection
14 notwithstanding, the fire flow requirements may be varied at the discretion of the
15 fire chief, or designee, if such official finds that adequate fire protection can be
16 provided without such fire flow and/or the building is provided with a fully
17 automatic fire extinguishing system.

18 (3) Where the fire protection water supply is not provided by the central water
19 distribution system, it shall be separate and distinct from any domestic water
20 supply provided by the central water distribution system.

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1 (4) The installation of the fire protection water supply shall be coordinated with the
2 installation of other underground utilities to be located on the property. A water
3 supply for fire protection, either temporary or permanent, shall be made available
4 as soon as combustible material accumulates. Where underground water mains
5 and hydrants are to be provided, they shall be installed, completed, and in service
6 prior to building construction work.

7 (5) Where the fire protection water supply is provided by an extension of the central
8 water distribution system, the extension, if approved and accepted by GRU, shall
9 be conveyed to the city, at no cost to the city, together with any necessary
10 easements to permit city maintenance of the water supply.

11 (6) All costs associated with the construction and installation of a water distribution
12 system extension, including the cost of inspection services performed by the city,
13 shall be paid in full by the owner or developer prior to acceptance of the extension
14 by the city.

15 (7) The number of fire hydrants required for a project will be determined based on the
16 fire flow demand calculations identified in (2) above. One hydrant will be
17 required for each 1000 GPM of demand, with at least one hydrant located within
18 500 feet of the most remote point of the building, as the fire truck drives. The
19 remaining hydrants shall be located within 1000 feet of the most remote point of
20 the building, as the fire truck drives. All fire hydrants must meet the fire hydrant
21 standards of this section and the Gainesville Regional Utilities' "Potable Water,

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1 Wastewater & Reclaimed Water Design Standards and Construction Details, and
2 Material Standards Manual.”

3 (8) The provisions in subsection (7) notwithstanding, the fire hydrant requirements
4 may be varied at the discretion of the fire chief if such official or their designee
5 finds that adequate fire protection can be provided from an approved fire hydrant
6 which does not meet such requirements and/or a fully automatic fire extinguishing
7 system.

8 (9) No hydrant shall be installed that is not capable of providing at minimum a 1000
9 gpm or greater flow. The water distribution system supplying the hydrants must be
10 capable of providing at minimum a 1500 GPM or greater flow.

11 (10) Cost of reconstruction. Where a portion of the central water distribution system
12 must be reconstructed to meet the requirements of this section, the owner or
13 developer will be assessed any costs incurred by the city in accordance with
14 section 27-99 of the City of Gainesville Code of Ordinances.

15 (11) Access during construction or alteration. During construction or alteration of any
16 building, access to the building and any hydrant which serves any portion of the
17 building shall be provided for fire protection purposes without interference or
18 obstruction.

19 (12) Prohibitions. It shall be unlawful for any person to construct, or cause to be
20 constructed, any building which does not meet the requirements of this section
21 unless the requirements have been varied by the fire chief designated in this article
22 as being authorized to vary such requirements. It shall also be unlawful to alter,

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1 cause to be altered, occupy or allow to be occupied any building constructed after
2 August 10, 1981, which does not meet the requirements of this section unless the
3 requirements have been varied as provided in this section.

4 **Section 3.** Chapter 10, Section 10-12, entitled “Amendments to NFPA 1 Section 13.1.3
5 of the Florida Fire Prevention Code”, Code of Ordinances of the City of Gainesville, is amended
6 as follows. Except as amended herein, the remainder of Section 10-12 remains in full force and
7 effect.

8 **Sec. 10-12. - Amendments to NFPA 1 Section ~~13.1.3~~ 18.3.6 of the Florida Fire Prevention**
9 **Code.**

10 ~~NFPA 1 Section 13.1.3 is amended by adding the following:~~

11 ~~Interfering with prohibited; exception.~~

12 ~~It shall be unlawful for any person to interfere with the fire hydrants in the city by~~
13 ~~unscrewing the caps on same or by taking water therefrom for private or personal use,~~
14 ~~except with the written consent of the fire chief.~~

15 NFPA 1 Section 18.3.6 is amended by adding the following:

16 When required, protective posts shall meet the following minimum requirements:

- 17 a. Be a minimum of three-inch diameter schedule 40 PVC or three-inch diameter
18 steel pipe set in 36 inches depth of concrete at least 15 inches in diameter. The
19 inside of the pipe shall be filled with solid concrete.
- 20 b. Be located at least three feet from the fire hydrant.
- 21 c. Extend above ground to a minimum of fire hydrant height.
- 22 d. Be spaced a minimum of three linear feet to protect the fire hydrant.

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1 **Section 4.** Chapter 10, Section 10-13, entitled "Amendments to NFPA 1 Section 13.1.7
2 of the Florida Fire Prevention Code", Code of Ordinances of the City of Gainesville, is amended
3 as follows. Except as amended herein, the remainder of Section 10-13 remains in full force and
4 effect.

5 **Sec. 10-13. - Amendments to NFPA 1 Section ~~13.1.7~~ 18.4.5 of the Florida Fire Prevention**
6 **Code.**

7 NFPA 1 Section ~~13.1.7~~ is amended by adding the following:

8 ~~Internal fire protection system requirements.~~

9 (1) ~~An internal fire protection system shall be provided for each building, except that~~
10 ~~one and two family dwellings shall be exempt from this requirement. The term~~
11 ~~"internal fire protection system" is hereby defined as the water lines, fire hydrants,~~
12 ~~fittings, valves and other appurtenances required to be installed on private~~
13 ~~property to provide fire protection, but excluding any appurtenances within ten~~
14 ~~feet of any building and excluding any part of the fire protection system located~~
15 ~~within any building.~~

16 (2) ~~Every internal fire protection system shall be designed and installed in accordance~~
17 ~~with the Gainesville Regional Utilities' "Materials Manual."~~

18 (3) ~~Every internal fire protection system shall be designed and installed so as to~~
19 ~~provide an adequate fire flow in accordance with the "Guide for Determination of~~
20 ~~Required Fire Flow," published by Insurance Service Office. One copy of the~~
21 ~~guide has been deposited in the office of the city clerk and shall be kept in that~~
22 ~~office for public use, inspection and examination. The provisions of this~~

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1 ~~subsection notwithstanding, the fire flow requirements may be varied at the~~
2 ~~discretion of the fire chief if the official finds that adequate fire protection can be~~
3 ~~provided without such fire flow and/or the building is provided with a fully~~
4 ~~automatic fire extinguishing system.~~

5 ~~(4) Each internal fire protection system shall be separate and distinct from the~~
6 ~~domestic water supply system located on the property. The requirement of this~~
7 ~~subsection may be varied at the discretion of the fire official if the official finds~~
8 ~~that adequate water and fire protection service can be provided without regard to~~
9 ~~such requirement.~~

10 ~~(5) The installation of the internal fire protection system shall be coordinated with the~~
11 ~~installation of other underground utilities to be located on the property and the~~
12 ~~system shall be activated prior to the start of construction.~~

13 ~~(6) The internal fire protection system shall be conveyed to the city, at no cost to the~~
14 ~~city, together with any necessary easements to permit city maintenance of the~~
15 ~~system.~~

16 ~~(7) All costs associated with the construction and installation of an internal fire~~
17 ~~protection system, including the cost of inspection services performed by the city,~~
18 ~~shall be paid in full by the owner or developer prior to acceptance of the system~~
19 ~~by the city.~~

20 ~~(8) External fire protection system requirements. No construction or development~~
21 ~~shall be permitted unless the central water distribution system located outside of~~
22 ~~the property will provide an adequate fire flow in accordance with "Guide for~~

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1 ~~Determination of Required Fire Flow". The provisions of this subsection~~
2 ~~notwithstanding, the fire flow requirements may be varied at the discretion of the~~
3 ~~fire chief if the official finds that adequate fire protection can be provided without~~
4 ~~such fire flow.~~

5 ~~(9) Cost of reconstruction. Where an existing water distribution system must be~~
6 ~~reconstructed to meet the requirements of this section, the owner or developer will~~
7 ~~be assessed a share of any costs incurred by the city in accordance with section~~
8 ~~27-99~~

9 ~~(10) Access during construction or alteration. During construction or alteration of any~~
10 ~~building access to the building and any hydrant which serves any portion of the~~
11 ~~building shall be provided for fire protection purposes without interference or~~
12 ~~obstruction.~~

13 ~~(11) Prohibitions. It shall be unlawful for any person to construct, or cause to be~~
14 ~~constructed, any building which does not meet the requirements of this section~~
15 ~~unless the requirements have been varied by the fire chief designated in this article~~
16 ~~as being authorized to vary such requirements. It shall also be unlawful to alter,~~
17 ~~cause to be altered, occupy or allow to be occupied any building constructed after~~
18 ~~August 10, 1981, which does not meet the requirements of this section unless the~~
19 ~~requirements have been varied as provided in this section.~~

20 NFPA 1 Section 18.4.5 is amended by adding the following:

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1 The Authority Having Jurisdiction (AHJ) reserves the right to establish needed fire flow for
2 structures not meeting the definition of a building in NFPA 1 Section 3.3.27 that based upon
3 stock, supplies, equipment, or content, presents a significant fire suppression load.

4 **Section 5.** Chapter 10, Section 10-50, entitled “Definitions”, Code of Ordinances of the
5 City of Gainesville, is amended as follows. Except as amended herein, the remainder of Section
6 10-50 remains in full force and effect.

7 **Sec. 10-50. - Definitions.**

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

11 Assembly occupancy owner shall refer to the owner of the business providing direct
12 services relating to the activities that occur within the building, and shall refer to the owner of the
13 property that may have leased the structure to the individual owning the business.

14 *Crowd manager*, as required by section 20.1.5.6, NFPA 1, means an individual who has
15 successfully completed a crowd manager program, approved by the Gainesville Fire Rescue
16 Department, and has obtained an official identification card.

17 *Emergency evacuation alert network* means an automated system to alert patrons to an
18 emergency, adequate to be heard and effective by a person of normal sensitivity, especially in
19 relation to the level of noise and distraction accompanying the event.

20 *Fire ~~rescue~~ department* connection means a connection to the automatic sprinkler system
21 or standpipe system of a structure that is utilized by fire rescue to provide additional water
22 pressure for the system to work at capacity due to hose streams or inadequate supply.

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1 Section 6. Chapter 10, Section 10-51, entitled “Requirements for crowd managers”,
2 Code of Ordinances of the City of Gainesville, is amended as follows. Except as amended
3 herein, the remainder of Section 10-51 remains in full force and effect.

4 **Sec. 10-51. - Requirements for assembly occupancy owners and crowd managers.**

5 ~~(a) Each crowd manager on duty must have the official valid crowd manager~~
6 ~~identification card on his/her person.~~

7 ~~(b) The crowd manager of assembly occupancies shall provide staff with approved~~
8 ~~counting devices to keep accurate count of occupant load at all times the business~~
9 ~~is open to the public.~~

10 ~~(c) The crowd manager of assembly occupancies shall provide an approved~~
11 ~~emergency evacuation alert network to assist with evacuations.~~

12 (a) Each assembly occupancy owner shall ensure: that a credentialed crowd manager
13 is on duty for every 250 individuals within their facility or special permitted area
14 (unless exempt) and, the crowd manager is equipped with the supplies listed
15 within (b) and (c) of this section and the crowd manager is ensuring compliance
16 with (d), (e), and (f) of this section.

17 (b) Each crowd manager on duty must have a valid GFR Risk Reduction Bureau
18 issued crowd manager identification card available on premises and a counting
19 device for keeping track of the occupant load.

20 (c) Each crowd manager, designated by the assembly owner, shall ensure an accurate
21 count of occupant load is maintained at all times the business is open to the
22 public, for the purpose of preventing overcrowding.

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1 (d) Each crowd manager, designated by the assembly owner, shall ensure all exits are
2 open and free of obstruction.

3 (e) Each crowd manager, designated by the assembly owner, shall ensure a
4 mechanism for alerting the crowd and providing evacuation instructions are
5 operational and available for use.

6 (f) Each crowd manager, designated by the assembly owner, shall ensure, based upon
7 maintaining an accurate crowd count, that overcrowding is avoided.

8 **Section 7.** Chapter 10, Section 10-52, entitled “Fire rescue connections”, Code of
9 Ordinances of the City of Gainesville, is amended as follows. Except as amended herein, the
10 remainder of Section 10-52 remains in full force and effect.

11 **Sec. 10-52. - Fire ~~reseue~~ department connections.**

12 Assembly occupancies shall ensure the security of all fire ~~reseue~~ department
13 connections, utilizing an approved fire ~~reseue~~ department connection securing device that
14 prevents tampering, prevents debris from entering the sprinkler or standpipe system, and
15 prevents the caps from theft.

16 **Section 8.** It is the intention of the City Commission that the provisions of Sections 1
17 through 7 of this ordinance shall become and be made a part of the Code of Ordinances of the
18 City of Gainesville, Florida, and that the sections and paragraphs of this Ordinance may be
19 renumbered or relettered in order to accomplish such intentions.

20 **Section 9.** If any word, phrase, clause, paragraph, section or provision of this ordinance
21 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
22 finding shall not affect the other provisions or applications of the ordinance which can be given

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1 effect without the invalid or unconstitutional provisions or application, and to this end the
2 provisions of this ordinance are declared severable.

3 **Section 10.** All ordinances or parts of ordinances, in conflict herewith are to the extent of
4 such conflict hereby repealed.

5 **Section 11.** This ordinance shall become effective immediately upon final adoption.

6 **PASSED AND ADOPTED** this ____ day of August, 2012.

7
8
9

10 _____
11 CRAIG LOWE
12 MAYOR

13 ATTEST: Approved as to form and legality

14
15
16

17 _____
18 KURT M. LANNON
19 CLERK OF THE COMMISSION

20 _____
21 MARION J. RADSON
22 CITY ATTORNEY

23 This Ordinance passed on first reading this _____ day of August, 2012.

This Ordinance passed on second reading this ____ day of August, 2012.