



Legislation Text

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LIFE SAFETY VIOLATIONS IN PLACES OF PUBLIC ASSEMBLY (B)

Ordinance No. 0-09-08

An ordinance of the City of Gainesville, Florida, amending Chapter 10 of the Code of Ordinances relating to Fire Prevention and Protection; changing the title of the fire department and the fire prevention bureau; adopting the Florida Fire Prevention Code and the Life Safety Code adopted by the State Fire Marshall; updating numerical references to the Florida Fire Prevention Code in Article II; creating and adding a new Article V, relating to assembly occupancy safety; providing for identification and training and responsibilities of crowd managers; requiring approved counting devices to ensure safe occupant loads; requiring an emergency evacuation alert network; providing for security of fire rescue connections; providing penalties; authorizing the name change of fire department to fire rescue department in the Code of Ordinances; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

PUBLIC SAFETY COMMITTEE REPORT

At its October 28, 2008 meeting, the Public Safety Committee discussed a proposal from Gainesville Fire Rescue to strengthen enforcement and penalties for life safety violations in public assemblies. This effort was originally geared towards bars and clubs in hospitality districts but as proposed would apply to similar types of establishments anywhere within the City. This proposal is consistent with the Hospitality District proposals recommended by the Public Safety Committee.

The proposed ordinance would strengthen penalties of the fire codes and the capability of issuing civil citations. In addition, because GPD officers are on the streets every night, whereas GFR inspectors are not it may also be possible for police officers to exercise limited enforcement authority for clear violations creating an immediate risk to public safety. GFR and the City Attorney's Office are exploring this option (see City Attorney Memorandum below). The recommendations include definitions of words, terms and phrases in the Article; training for crowd managers of public assembly occupancies; blocked or locked exits; fire protection systems; promoters utilizing public assemblies; overcrowding in public assemblies; and the enforcement of the public assembly ordinance.

CITY ATTORNEY MEMORANDUM

At its February 4, 2009 meeting, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise amendments to the Public Assemblies Serving Alcohol-Life Safety Ordinance incorporating the changes proposed for Article V, Section 10.

This ordinance updates some outdated code references and internal titles, provides definitions; provides for crowd manager training for public assembly occupancies; provides for the security of fire protection systems; provides for occupancy monitoring; emergency evacuation alert system, and provides penalties.

The NFPA 1, Uniform Fire Code section 1.7.3 provides that Police and other enforcement agencies shall have authority to render necessary assistance in the enforcement of this code when requested to do so by the authority

having jurisdiction, so utilizing the police for enforcement assistance is not an issue. No code amendment is necessary.

The Public Safety Committee is still examining the issue of regulating "promoters".

This ordinance requires two readings. Should the Commission pass this ordinance on first reading, second and final reading will be held on May 7, 2009.