



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: August 15, 2017

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Automatic External Defibrillator (AED) Ordinance 17-08

Background: The City Manager is requesting the Council review the draft of Ordinance 17-08. Although Council did not direct this ordinance be written, it should be strongly considered, especially for public places and places of business that meet the criteria established by the ordinance. The purpose of an AED is to allow any individual to convert a life threatening arrhythmia to a stable rhythm that allows for the arrival of pre-hospital EMS and subsequent transport to an emergency room at the nearest hospital. The AEDs are designed for safe and single use by the first person at the scene of a sudden cardiac arrest. An internal computer analyzes the heart rhythm and guides the user step by step with voice prompts. The BIPD currently teaches AED Classes. Throughout the State and the Country, there are many programs in place for AED placement that are public, public/private, or private sector driven.

Staff Recommendation: Review the draft ordinance; make any necessary changes, then send it to the P&Z Board for review and comment.

Suggested Motion: I move that we refer ordinance 17-08 (as amended, if necessary) to the P&Z Board for their review and comment at their September meeting

Alternatives: Do not move the ordinance forward

Fiscal Impact: Depending on the model, \$1,200-\$1,900 per unit, however, grant funding is usually available for AEDs or special pricing.

Attachments: Draft Ordinance 17-08

ORDINANCE 17-08

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, CREATING A DEFINITION FOR "AUTOMATED EXTERNAL DEFIBRILLATORS"; CREATING CHAPTER ENTITLED "AUTOMATED EXTERNAL DEFIBRILLATORS" TO REQUIRE AUTOMATED EXTERNAL DEFIBRILLATORS AT CERTAIN BUILDINGS; PROVIDING FOR THE INSTALLATION AND OPERATION REQUIREMENTS TO MAINTAINING AN AUTOMATED EXTERNAL DEFIBRILLATOR; PROVIDING FOR FEES, PENALTIES AND APPLICABILITY; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Belle Isle's existing Code for regulating the health, safety, and general welfare of its citizens does not recognize that there are devices that may be desirable to provide emergency medical treatment to City residents at certain buildings;

WHEREAS, the Commission of the City of Belle Isle finds that it is in the best interest of the citizens of Belle Isle to require the use of Automated External Defibrillators in certain buildings within the city;

WHEREAS, the Commission of the City of Belle Isle wishes to provide procedures and requirements for the installation and operation of Automated External Defibrillators in order to promote public health, safety, and general welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF BELLE ISLE, FLORIDA:

SECTION 1: The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section _____. DEFINITION.

A defibrillator device that 1) is commercially distributed in accordance with the Federal Food, Drug, and Cosmetic Act, 2) is capable of recognizing the presence or absence of ventricular fibrillation, and is capable of determining without intervention by the user of the device whether defibrillation should be performed, and 3) upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual.

Section _____. AUTOMATIC EXTERNAL DEFIBRILLATOR DEVICES REQUIRED.

Automated external defibrillator devices shall be installed in the following buildings located within the geographical boundaries of the City:

- (A) Places of public assembly as defined in the Florida Building Code;
- (B) Office Buildings in excess of 20,000 square feet;
- (C) Gymnasium, fitness centers and indoor recreational centers in excess of 1,500 square feet;
- (D) Restaurants with 100 or more seats including indoor, outdoor and bar;
- (E) Commercial and retail spaces in excess of 36,000 square feet; and
- (F) All hotels and motels.

Section _____. INSTALLATION AND OPERATION.

- (A) The City, or the City's designated representative (for example, Orange County Fire Department) shall inspect all automated external defibrillator devices for operation prior to being placed in service or available for use, and on an annual basis.
- (B) Automated external defibrillator devices shall be:

- a. Conspicuously located in plain view of the primary public entrance, with unobstructed access;
 - b. Housed in a cabinet with a clear window in the door, an audible alarm signaling the opening of the door, permanently affixed to a wall, and whose top is no more than 48 inches above the floor;
 - c. Located below a sign having a minimum area of 70 square inches and containing the letters "AED" and the universally recognizable "AED" symbol, which shall be placed no more than 60 inches, on center, above the floor;
 - d. Readily accessible and immediately available when needed for on-site employees and the general public, including disabled persons; and
 - e. Placed near the elevator(s) in the first floor lobby, if the building contains an elevator.
- (C) Automated external defibrillator devices shall contain adult and pediatric pads and bandage scissors.
- (D) All automated external defibrillator devices shall be used in accordance with manufacturer's guidelines.
- (E) It shall be the responsibility of the owner of the building to:
- a. Install automated external defibrillator devices;
 - b. Provide all necessary training for appropriate use; and
 - c. Maintain automated external defibrillator devices in accordance with manufacturer's recommended maintenance requirements and as required herein.
- (F) If an automated external defibrillator device is removed for repair, a replacement shall be provided by the building owner.

Section _____. FEES

Fees for automated external defibrillator device permits and inspections shall be set by resolution.

Section _____. APPLICABILITY.

The owner of an existing building required to have an automated external defibrillator device shall comply with this chapter within 180 days of the effective date of this chapter. After the effective date of this chapter, the owner of any new building constructed that is required to have an automated external defibrillator device shall comply with this chapter.

Section _____. INSTALLATION AND OPERATION.

- (A) The City shall inspect all Automated External Defibrillator devices for operation prior to being placed in service or available for use, and on an annual basis.
- (B) Automated External Defibrillator devices shall be:
- a. Conspicuously located in plain view of the primary public entrance, with unobstructed access;
 - b. Housed in a cabinet with a clear window in the door, an audible alarm signaling the opening of the door, permanently affixed to a wall, and whose top is no more than forty-eight (48) inches above the floor;
 - c. Located below a sign having a minimum area of 70 square inches and containing the letters "AED" and the universally recognizable "AED" symbol, which shall be placed no more than sixty (60) inches, on center, above the floor;
 - d. Readily accessible and immediately available when needed for on-site employees and the general public, including disabled persons; and
 - e. Placed near the elevator(s) in the first (1st) floor lobby, if the building contains an elevator.
- (C) Automated external defibrillator devices shall contain adult and pediatric pads and bandage scissors.
- (D) All automated external defibrillator devices shall be used in accordance with manufacturer's guidelines.

- (E) It shall be the responsibility of the owner of the building to:
 - a. Install automated external defibrillator devices;
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- (F) If an automated external defibrillator device is removed for repair, a replacement shall be provided.

Section _____. FEES.

Fees for automated external defibrillator device permits and inspections shall be set by resolution.

Section _____. Penalties.

It shall constitute a violation of the City Code, punishable by a fine no greater than Five Hundred Dollars and 00/100 (\$500.00) and/or other Court action including criminal charges, to intentionally or willfully:

- (A) Render an Automated External Defibrillator device inoperable except during such time as the Automated External Defibrillator device is being serviced, tested, repaired, or recharged, except pursuant to court order;
- (B) Obliterate the serial number on an Automated External Defibrillator device for purposes of falsifying service records;
- (C) Improperly service, recharge, repair, test, or inspect an Automated External Defibrillator device;
- (D) Use the inspection certificate of another person;
- (E) Hold an inspection certificate and allow another person to use said inspection certificate number.

SECTION 2. SEVERABILITY.

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court or competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 3. REPEALER.

All ordinance or parts or ordinances in conflict herewith, be and the same, are hereby repealed.

SECTION 4. CODIFICATION.

It is the intention of the Commission of the City of Belle Isle, Florida, that the provisions of this ordinance shall become and be made a part of the City of Belle Isle Code of Ordinances; and that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective thirty days from the date of its adoption by the City Commission.