

ORDINANCE NO. 2023-15

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 5 OF THE CITY OF GREENACRES CODE OF ORDINANCES ENTITLED, "FIRE PREVENTION AND PROTECTION," SECTION 5-3, ENTITLED, "ADOPTION OF THE FIRE PREVENTION CODE," TO ADOPT THE FLORIDA FIRE PREVENTION CODE 8th EDITION, TOGETHER WITH THE LOCAL AMENDMENTS THERETO AS SET FORTH IN EXHIBIT "A" AND AS CONFORMED TO THE CITY'S OPERATIONAL STANDARDS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, INCLUSION IN CODE, AND AN EFFECTIVE DATE.

WHEREAS, the State Fire Marshal has adopted a new edition of the Florida Fire Prevention Code, pursuant to Rule 69A-60 of the Florida Administrative Code which incorporates by reference the 2021 Florida Edition of the National Fire Protection Association Fire Code (NFPA 1) and the 2021 Florida Edition of the National Fire Protection Association Life Safety Code (NFPA 101), both amended by the Florida State Fire Marshal by Administrative rule, which is known as the "Florida Fire Prevention Code 8th edition"; and

WHEREAS, Chapter 633, Florida Statutes, authorizes local governments to adopt more stringent local amendments to the Florida Fire Prevention Code, which strengthens the requirements of the minimum fire safety code; and

WHEREAS, Chapter 633, Florida Statutes, requires local governments to re-adopt local amendments with every adoption of the new edition of the Florida Fire Prevention Code, which shall be every third year; and

WHEREAS, it is essential for continued, successful fire safety and prevention to establish certain procedures regarding inspections, investigations, and fees associated with same; and

WHEREAS, the adoption of the provisions contained herein will greatly promote the health, safety, and welfare of the residents of the City of Greenacres and serves a valid public purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES,
FLORIDA AS FOLLOWS:**

SECTION 1. The foregoing recitals are incorporated into this Ordinance as true and correct findings of the City Council of the City of Greenacres, Florida.

SECTION 2. That Sec. 5-3 “Adoption of the Fire Prevention Code” of the City of Greenacres Code of Ordinances is amended as follows (deleted language is indicated by strike-through type and added language is indicated by underlining):

Sec. 5-3. – Adoption of the Fire Prevention Code.

- (a) The city hereby adopts by reference the Florida Fire Prevention Code 8~~7~~th edition adopted by the state fire marshal in rule chapter 69A-60 of the Florida Administrative Code as may be amended, including NFPA 1 Fire Code (Florida 2021~~2018~~ edition), and NFPA 101 Life Safety Code (Florida 2021~~2018~~ edition), save and except those portions such as are hereinafter deleted, modified, or amended to conform to the city's operational standards as referenced herein.
- (b) The city hereby adopts by reference the amendments to the Florida Fire Prevention Code 7~~th~~8th edition as reflected in Exhibit "A" attached to Ordinance No. 2020-44~~2023-15~~ and by this reference made a part hereof. These amendments are being made to strengthen the minimum fire code and to conform to the city's operational standards.

SECTION 3. Exhibit “A” referenced in Section 5-3 (above) is repealed and replaced with the Exhibit “A” attached hereto and incorporated herein by reference. Exhibit “A” to this Ordinance shall not be codified.

SECTION 4. Repeal of Conflicting Ordinances. All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 5. Severability. If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this

Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part of parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 6. Inclusion in Code. It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word “ordinance” may be changed to “Section”, “Article” or another word.

SECTION 7. Effective Date. The provisions of this Ordinance shall become effective five (5) days after it is adopted.

Passed on the first reading this 4th day of December 2023.

PASSED AND ADOPTED on the second reading this 8th day of January 2024.

Joel Flores, Mayor

Voted:
Peter Noble, Deputy Mayor

Attest:

Quintella Moorer, City Clerk

Voted:
John Tharp, Council Member, District I

Voted:

Judith Dugo, Council Member, *District III*

Voted:

Suzy Diaz, Council Member, *District IV*

Voted:

Paula Bousquet, Council Member, *District V*

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney