

# **Broward County Board of Rules and Appeals Meeting Agenda**

**April 14, 2022**  
**Time: 7:00 P.M.**

## **Zoom Meeting Information:**

<https://broward-org.zoomgov.com/j/1601833146>

Meeting ID: 160 183 3146

One tap mobile

+16692545252,,1601833146# US (San Jose)

+16468287666,,1601833146# US (New York)

Dial by your location

+1 669 254 5252 US (San Jose)

+1 646 828 7666 US (New York)

+1 551 285 1373 US

+1 669 216 1590 US (San Jose)

Meeting ID: 160 183 3146

Find your local number: <https://broward-org.zoomgov.com/u/abKfIP1rf1>

Join by SIP

[1601833146@sip.zoomgov.com](mailto:1601833146@sip.zoomgov.com)

Join by H.323

161.199.138.10 (US West)

161.199.136.10 (US East)

Meeting ID: 160 183 3146

## **Call Meeting to Order**

## **Roll Call**

## **Approval of Agenda**

## **Approval of Minutes – March 10, 2022**

## **CONSENT AGENDA**

**Certifications – Staff recommended**

### **BROWARD COUNTY SHERIFF FIRE RESCUE**

BOSSLE, JOSHUA, FIRE PLANS EXAMINER

RAMIREZ, ANTONIO, FIRE PLANS EXAMINER

### **CITY OF COCONUT CREEK**

ROSE, JOHANN, FIRE PLANS EXAMINER

### **CITY OF DANIA BEACH**

BENDAVID, ANDRE, ASSISTANT BUILDING OFFICIAL

### **CITY OF FORT LAUDERDALE**

BOURGEOIS, JOHN, FIRE PLANS EXAMINER

### **CITY OF LIGHTHOUSE POINT**

CONKIE, DANIEL, CHIEF ELECTRICAL INSPECTOR

**CITY OF MARGATE**

SCHOLL, DAVID, FIRE CODE OFFICIAL

**CITY OF MIRAMAR**

PLA, YAIQUIMI ALBERTO, PLUMBING INSPECTOR (TEMPORARY 120-DAY)

**COUNTYWIDE**

ENCARNACION, JOSE L., STRUCTURAL INSPECTOR

MARTINEZ, LEONARDO, STRUCTURAL PLANS EXAMINER

RODRIGUEZ, ROLANDO, STRUCTURAL PLANS EXAMINER-LIMITED

VIEIRA, PEDRO P., ELECTRICAL INSPECTOR

**REGULAR AGENDA**

**1. Request of Mr. Vesa Karttunen for an extension to close out open and ongoing permits through July 14, 2022**

- a. Staff Report
- b. Request of Mr. Karttunen
- c. Board Questions
- d. Board Action

**2. Request of Mr. Jose L. Encarnacion to appeal Staff's denial of his application for Structural Plans Examiner**

- a. Staff Report
- b. Request of Mr. Encarnacion
- c. Board Questions
- d. Board Action

**3. Formal Interpretation #30 – Fee-Simple Townhouses designed and constructed according to Florida Building and Residential Codes are exempt from the Building Safety Inspection Program**

- a. Staff Report
- b. Board Questions
- c. Public Comment
- d. Board Action

**4. First Reading of Amendment to Section 110.15, Chapter 1, Florida Building Code, 7<sup>th</sup> Edition – Adding Fee-Simple Townhouses designed and constructed according to definitions and requirements for townhouses in the Florida Building and Residential Codes to the Building Safety Inspection Program Exempt Properties**

- a. Report of Administrative Director
- b. Board Questions
- c. Board Action

**5. Local Amendment to Florida Fire Prevention Code for 2nd Reading – New Code Section F-108.9.3, Entry Gates recommended by Fire Code Committee**

- a. Staff Report
- b. Board Questions
- c. Public Hearing
- d. Board Action

**6. Local Amendment to Florida Fire Prevention Code for 2nd Reading – New Code Section F-121, Automatic External Defibrillator and Stop the Bleed Kit recommended by Fire Code Committee**

- a. Staff Report
- b. Board Questions
- c. Public Hearing
- d. Board Action



7. Request of Administrative Director to ratify the appointment of the new Board of Rules and Appeals Chief Plumbing Code Compliance Officer
  - a. Report of Administrative Director
  - b. Board Questions
  - c. Board Action
8. Update concerning the Building Safety Inspection Program audits for 2019, 2020 and 2021
  - a. Report of Administrative Director
  - b. Board Questions
  - c. If desired, motion accepting update
9. Director's Report
10. Attorney's Report
11. Committee Reports
12. General Board Member Discussion
13. Public Comment (3-minute limit per person) and written communications
14. Adjournment

*If a person desires to appeal any decision with respect to any matter considered at this meeting, such person will need a record of the proceedings and, for this reason, such person may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be based (FS Sec.286.0105)*

*Members: If you cannot attend the meeting, please contact Mr. DiPietro at 954-931-2393 between 6:00 p.m. and 7:00 p.m.*

March 10, 2022  
Board Minutes

**BROWARD COUNTY BOARD OF RULES & APPEALS**  
**MARCH 10, 2022**  
**MEETING MINUTES**

**Call to Order**

Chairman Daniel Lavrich called a published virtual meeting of the Broward County Board of Rules and Appeals to order at 7:00 p.m.

**Present:**

Daniel Lavrich, Chair  
Stephen Bailey  
Ron Burr  
Robert A. Kamm  
Sergio Pellecer  
David Rice  
Daniel Rourke  
David Tringo  
Dennis Ulmer

A quorum was present.

**Approval of Agenda**

Mr. Bailey made a motion and Mr. Burr seconded the motion to approve the agenda as posted. The motion carried by unanimous vote of 9-0.

**Approval of Minutes – January 13, 2022**

Mr. Tringo made a motion and Mr. Bailey seconded the motion to approve the minutes as submitted. The motion carried by unanimous vote of 9-0.

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**CONSENT AGENDA**

Certifications - Staff Recommended.

**CITY OF HOLLYWOOD**

YOUNG, TRESSELAR, SR., PLUMBING INSPECTOR (120-DAY TEMPORARY)  
ZELINKA, MICHAEL, FIRE INSPECTOR

**TOWN OF LAZY LAKE**

AL-IMAM, RICHARD, CHIEF STRUCTURAL INSPECTOR

**CITY OF MIRAMAR**

BRYAN, JON-PAUL, FIRE PLANS EXAMINER

**CITY OF PEMBROKE PINES**

JIMENEZ, MATTHEW, STRUCTURAL INSPECTOR (120-DAY TEMPORARY)  
RIPOLL, JOEL, CHIEF STRUCTURAL INSPECTOR

**CITY OF WEST PARK**

MANSOR, SIMO, CHIEF STRUCTURAL INSPECTOR

## COUNTYWIDE

CASTELLANOS, LEANDRO A., STRUCTURAL INSPECTOR  
COLLIE, STEVEN F., STRUCTURAL PLANS EXAMINER – LIMITED  
GARCIA, ERICH, ELECTRICAL INSPECTOR  
HASSENPLUG, JEREMY WERNER, PLUMBING PLANS EXAMINER  
JONES, TIMOTHY S., STRUCTURAL PLANS EXAMINER  
MEDIAVILLA, ARMANDO, ELECTRICAL INSPECTOR  
PYCO, JOSE M., STRUCTURAL PLANS EXAMINER  
RIPOLL, JOEL, STRUCTURAL INSPECTOR  
RIPOLL, JOEL, STRUCTURAL PLANS EXAMINER  
ROBINSON, JOSEPH C., III, STRUCTURAL PLANS EXAMINER  
SHAH, SYED ASIF, STRUCTURAL PLANS EXAMINER  
SZABO, MARIUS, MECHANICAL INSPECTOR

Mr. Ulmer made a motion and Mr. Pellecer seconded the motion to approve the certifications as recommended. The motion carried by unanimous vote of 9-0.

## REGULAR AGENDA

### 1. Local Amendment to Florida Fire Prevention Code for 1<sup>st</sup> Reading – New Code Section F-108.9.3, Entry Gates, recommended by Fire Code Committee

#### a. Staff Report

Mr. Bryan Parks, Chief Fire Code Compliance Officer, noted that Ms. Lori Hastings is present this evening representing the Fire Chiefs Association of Broward County.

Mr. Parks noted the amendments in Items 1 and 2 are being brought forward to the Board by the Fire Chiefs Association of Broward County. He advised that this amendment would expedite access by fire and rescue apparatus responding to calls for help. Apparatus is prevented from entry to gated communities. Protocol in Broward County is closest unit response. For example, via GPS an apparatus for a call from a Cooper City address could be handled by Miramar if Cooper City apparatus are tied up at that time and there happens to be a Miramar ambulance returning from a hospital and is in the area. This amendment will provide a uniform approach and criteria throughout the county.

#### b. Board Questions

In response to Mr. Bailey, Mr. Parks advised the amendment would apply to all entry gates where the responding units do not have a means of access. He went on to explain how existing gates could be updated and indicated there are several methods.

Chief Jeff Lucas, Fire Code Official, City of Fort Lauderdale, understood a device would tie into the existing gate. It is intended only for those properties that have an automatic device or card reading device. With this new device fire apparatus would have countywide access.

In response to Mr. Burr, Mr. Parks indicated properties would have a year to implement and if necessary, an extension could be accommodated. It will become mandatory.

Chief Tommy Demopoulos, Fire Code Official, City of Tamarac, indicated the system has been successful in Tamarac. It would become mandatory. There is already a mandatory universal system in Palm Beach County.

c. Board Action

Mr. Rice made a motion and Mr. Bailey seconded the motion to approve the code amendment on first reading as recommended. The motion carried by unanimous vote of 9-0.

2. **Local Amendment to Florida Fire Prevention Code for 1<sup>st</sup> Reading – New Code Section F-121, Automatic External Defibrillator and Stop the Bleed Kit, recommended by Fire Code Committee**

a. Staff Report

Mr. Parks noted this amendment is also being brought forward to the Board by the Fire Chiefs Association of Broward County. Mr. Parks commented that several cities have already started implementation through local ordinances. This amendment provides uniform criteria.

b. Board Questions

In response to Mr. Ulmer, Mr. Parks indicated that the Stop the Bleed Kit is essentially first aid supplies. An individual can bleed out and die within two to five minutes. These tools can save lives. Training requirements are included in this amendment.

c. Board Action

Mr. Pellecer made a motion and Mr. Rourke seconded the motion to approve the code amendment on first reading as recommended. The motion carried by unanimous vote of 9-0.

3. **Modification of Board of Rules and Appeals Pay Plan to provide that the existing restriction of the hiring rate not to exceed 50% of the pay range will not apply to the position of Administrative Director**

a. Request of Administrative Director

Mr. James DiPietro, Administrative Director, explained that frequently pay rate changes are done in October and it is anticipated a new director would be hired prior to October 1. Generally, the Board follows any base rate changes made by the County. The problem is that the recruitment criteria would be based upon the pay scale that has not yet been updated. With new ranges there could be a compression problem with the Code Compliance Officers. This modification simply removes the limit and provides more flexibility for the Board for this one position.

b. Board Questions

The question of limit was clarified that it is actually being removed for this one position.

c. Board Action

Mr. Bailey made a motion and Mr. Burr seconded the motion to approve the pay plan modification as recommended. The motion carried by unanimous vote of 9-0.

4. **Director's Report**

**Building Safety Inspection Program**

Mr. DiPietro noted action by Miami-Dade County is not anticipated until the first week in May. There are also proposals pending at the State level. Anything that is approved would be brought forward to the Board. He referred to the Summary of Notices sent and Inspection Reports Received for 2019, 2020 and 2021 provided to the Board, and indicated that 75% of the inspection reports have been returned. There are some reasonable explanations, and the percentage of the reasonable explanation cases is unknown. For example, when there is no inspection report returned, it becomes a code enforcement case. He would like to request the cities and the County to respond with updates to the information in the Summary. For those jurisdictions that have not reached 90%, the Board's staff will make individual contact calls and representatives from those jurisdictions will be asked to come before the Board and provide an explanation.

Chairman Lavrich indicated that he has been discussing this matter with Mr. DiPietro for some time and will continue to do so in order to find out why things are not getting done. There will be more correspondence to the cities, pressing for answers in more detail.

**Revenues; Budget**

Mr. DiPietro noted information provided to the Board concerning the current fund balance of over \$9.2 million along with some history on the amount showing that it is growing. He may be recommending a rate reduction when the Board considers the upcoming budget.

Mr. Bailey questioned how much of a reduction would bring it to the break-even point. Mr. DiPietro indicated that in the past six or seven years there have been two rate cuts with the last one intended to come to break-even. There is a danger with being too low and with being too high. The revenue is much higher than the projection with the last rate cut. He pointed out that there was a point in time when the money ran out and a minimum permit fee of \$2 was imposed similar to the State's rate structure to help with such reduced construction. The Board will have an opportunity to deliberate and decide when the budget is presented. In response to Mr. Ulmer, some discussion ensued on the rate adjustment history. Mr. DiPietro commented that the Board went thirty-five years before the first-rate increase.

5. **Attorney's Report** - none

6. **Committee Reports**

Mr. Rice indicated that as a part of his education program for electrical inspectors, Mr. Castronovo, Chief Electrical Code Compliance Officer invited Florida Power and Light to discuss communication issues. There have been horrendous problems. He will be working with Mr. Castronovo to arrange another meeting with Florida Power and Light for engineers and contractors.

7. **General Board Member Discussion**

**Administrative Director Search Committee**

Chairman Lavrich indicated that he has appointed a selection screening committee with respect to selection of a new administrative director as a result of Mr. DiPietro's upcoming retirement. Other Board members that will serve on the Committee are Mr. Burr, Mr. D'Attile, Ms. Giles-Nelson, Mr. Rice and Mr. Zackria. The first meeting will be next week to formulate a plan for the search and selection. The Committee will screen candidates and bring a short list to the full Board of Rules and Appeals. He will keep the Board informed.

**Attendance**

Chairman Lavrich indicated there are plans to have discussions with those members who do not attend regularly because full participation is the goal.

8. **Public Committee (3-minute limit per person) and written communications** - none

9. **Adjournment**

There being no further business, the meeting adjourned at 7:41 p.m.

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Daniel Lavrich, P.E. - Chair

# Certifications



Broward County Board of Rules and Appeals

**BROWARD COUNTY SHERIFF FIRE RESCUE**

BOSSLE, JOSHUA, FIRE PLANS EXAMINER  
RAMIREZ, ANTONIO, FIRE PLANS EXAMINER

**CITY OF COCONUT CREEK**

ROSE, JOHANN, FIRE PLANS EXAMINER

**CITY OF DANIA BEACH**

BENDAVID, ANDRE, ASSISTANT BUILDING OFFICIAL

**CITY OF FORT LAUDERDALE**

BOURGEOIS, JOHN, FIRE PLANS EXAMINER

**CITY OF LIGHTHOUSE POINT**

CONKIE, DANIEL, CHIEF ELECTRICAL INSPECTOR

**CITY OF MARGATE**

SCHOLL, DAVID, FIRE CODE OFFICIAL

**CITY OF MIRAMAR**

PLA, YAIQUIMI ALBERTO, PLUMBING INSPECTOR (TEMPORARY 120-DAY)

**COUNTYWIDE**

ENCARNACION, JOSE L., STRUCTURAL INSPECTOR  
MARTINEZ, LEONARDO, STRUCTURAL PLANS EXAMINER  
RODRIGUEZ, ROLANDO, STRUCTURAL PLANS EXAMINER-LIMITED  
VIEIRA, PEDRO P., ELECTRICAL INSPECTOR

# Section 1



**BROWARD COUNTY**

# **Board of Rules & Appeals**

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

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Date: April 14, 2022  
To: Members of the Broward County Board of Rules and Appeals  
From: John Morell Chief Structural Code Compliance Officer *John Morell*  
RE: Vesa Karttunen request extension to July 14, 2022 to close out open permits

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## **Recommendation:**

**The board approve by vote to grant Mr. Vesa Karttunen request for an extension to close out open permits by July 14, 2022, caused by unforeseen delays.**

## **Reason:**

**Mr. Karttunen is requesting an extension to complete the outstanding permits due to delays to delivery of materials. He anticipates having the work completed by April 12 and needs the extension in case there are any additional delays.**

## **Additional Information:**

**See attached request, list of open permits, Board Policy 18-02**



DEPARTMENT OF DEVELOPMENT SERVICES  
CITY OF POMPANO BEACH  
BUILDING INSPECTIONS DIVISION  
100 West Atlantic Boulevard – Room 360  
Pompano Beach, FL 33060

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3.7.2022

James Dipietro,

Do to delays in material I expect to be able to close all of my permits before the deadline of April 12, 2022.  
I expect to be able to close the permit in first part of may but I would like extension of the BORA deadline by 90 days to make sure that I am able to comply and that I do not have to request another extension.

Sincerely

Vesa Karttunen

To:

Broward County Board of Rules and Appeals

RD & P Construction has two active jobs.

Collier County permit PRBD 2020093427

The is ready to be closed out when the home owner returns to Florida

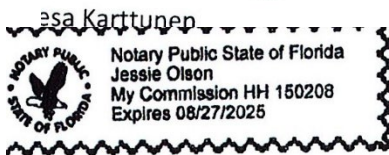
She expected to return by end October 2021

Collier County permit PRBD 20210625688

Window and door replacement to be completed with two weeks of product delivery.

Expected delivery of product to be November 15, 2021





Vesa

Karttunen

10/14/2021

DR. Lic.#K635-875-65-468-0

  
Notary: Jessie Olson

Commission Expires 08/27/2025

**SUBJECT:** Board Policy #18-02 - Design Professional and Contractor requirements to become a certified inspector, as it relates to the closing out of open and ongoing projects.

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**POLICY:**

This policy applies to all individuals that seek certification through Broward County Board of Rules and Appeals ("BORA") to be certified as a building code professional. Any code professional (such as but not limited to engineers, architects or structural, plumbing, mechanical, or electrical contractors) who are required to hold or who otherwise holds a Certificate of Competency ("Certificate") or Professional License ("License") in any area of construction shall not use that Certificate or License to engage in free enterprise thereby competing against persons or firms whose work he may also inspect, nor may this individual allow their Certificate or License to be used by another person or firm.

Per Florida Statute 71-575 (4)b, commencing with the time of application submission, an applicant is prohibited from engaging in free enterprise including but not limited to bids, proposals, contracts, permits, etc. The applicant shall be required to provide a detailed list of all open and ongoing projects currently under construction which will include information such as the municipality they are located within, the existing permit number and the time frame in which the project will be completed. This time frame shall not exceed a 180 days period from the time the application for certification was submitted to BORA.

If this 180 days' time frame is required to be extended, a written request shall be submitted to the Director of the BORA no later than 30 days prior to the expiration of the 180 days period. This request for extension will be reviewed by the Board of Rules and Appeals ("Board") for approval at the next, upcoming meeting. An extension, if granted will be set by the Board depending on circumstances, unless the Board does not meet that month in which case the Administrative Director may extend the time frame until the next scheduled meeting. All extensions beyond this point shall follow the same notification rule as mentioned previously and shall be reviewed and voted on by the Board on a case by case basis.

**Florida Statute 71-575 (4)b**

*Any Inspector (such as and including but not limited to structural, engineering, plumbing, mechanical, or electrical) or other building official charged with enforcing or otherwise supervising or inspecting any work covered under any section of the South Florida Building Code as applicable to Broward County pursuant to Chapter 71-575, Laws of Florida, and who is required to hold or who otherwise holds a Certificate of Competency in any area of construction shall not use that Certificate of Competency to engage in free enterprise thereby competing against persons or firms whose work he may also inspect, nor may he allow his Certificate of Competency to be used by another person or firm.*

# Section 2





BROWARD COUNTY

# Board of Rules & Appeals

1 North University Drive, Suite 3500B, Plantation, Florida 33324

**To:** Members of the Board of Rules and Appeals  
**From:** Michael Guerasio, Chief Structural Code Compliance Officer  
Rolando Soto, Chief Mechanical Code Compliance Officer  
**Date:** April 14th, 2022  
**Re:** Denial of Mr. Jose L. Encarnacion application for Structural Plans Examiner

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## Subject

Mr. Jose L. Encarnacion has requested that he be given the opportunity to discuss his qualifications and experience to be reconsidered by the Board for approval following staff being unable to approve his certification for Structural Plans Examiner. Mr. Encarnacion has also applied for structural inspector in which he was approved for on March 7<sup>th</sup>, 2022.

## Reason

Mr. Encarnacion holds a Civil Engineering license issued by the State of Florida, license #PE80123, on November 19th, 2015, and a Civil Engineering license in the commonwealth of Puerto Rico, license #PE20082.

To be eligible for certification as a Structural Plans Examiner in Broward County, the applicant must provide a minimum of five (5) years of verifiable evidence of experience practicing under their engineering license within the state of Florida in which two (2) years of shall have been within the HVHZ or by-passing BORA's HVHZ exam per BCAP Section 104.10.1.1. In contacting Mr. Encarnacion former employer, Mr. Gregorio Batista, President, and owner of G. Batista Engineering & Construction INC. Mr. Batista informed us by phone that Mr. Encarnacion did not perform any structural design or structural calculations while employed at his company from August of 2015 to January of 2022. In speaking with Mr. Encarnacion on the phone to explain the situation to him, Mr. Encarnacion did explain to us that he did perform design starting sometime in 2019 for a company named "Clear Choice Concrete Restoration & Waterproofing" until February 17<sup>th</sup>, 2022. Even with this amount of time in design, it still would not satisfy the five (5) year minimum requirement for plans examiner.

Mr. Encarnacion experience does not strictly meet the language of section 104.10.1.1 and staff is unable to approve his application for Structural Plans Examiner currently.

Please see Structural Plan Examiner application, resume, work experience affidavit, DBPR Engineer License, and Clear Choice Concrete Restoration & Waterproofing corporation papers attached. Also attached, see additional 58-page document supplied by Mr. Encarnacion.

Respectfully submitted,

A blue ink signature of Michael Guerasio, consisting of a large, stylized 'M' and 'G'.

Michael Guerasio  
Chief Structural Code Compliance Officer

A blue ink signature of Rolando Soto, consisting of a stylized 'R' and 'S'.

Rolando Soto  
Chief Mechanical Code Compliance Officer



## Soto, Rolando

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**From:** Guerasio, Michael  
**Sent:** Tuesday, March 8, 2022 7:41 AM  
**To:** Michael Rada  
**Cc:** Jeffrey Massie; Soto, Rolando; Guerasio, Michael  
**Subject:** Mr. Encarnacion applications for structural inspector and structural plans examiner

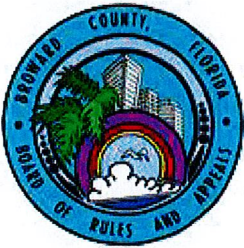
Good morning Mr. Rada,

We have completed our review of Mr. Encarnacion applications for structural inspector and structural plans examiner and our findings are as such. We were able to certify Mr. Encarnacion for structural inspector only and unable to verify the required minimum five (5) years practicing under Mr. Encarnacion license within the state of Florida with the documentation provided to us per BCAP Section 104.10.1.1.1. Please know that Mr. Encarnacion will be eligible to be certified for structural plans examiner after being a structural inspector for a minimum one year.

Also, we received an email from Mr. Encarnacion requesting to be placed on the board agenda to speak in reference to his qualifications and experience in order to be reconsidered by this Board for approval as structural plans examiner. We will be in contact with you and Mr. Encarnacion to explain and inform you of the process moving forward.

*Thank you*

**Respectfully**  
**Michael Guerasio**  
**Chief Code Compliance Officer, Structural**  
Board of Rules and Appeals  
1 N University Dr., Suite 3500B  
Plantation, Florida 33324  
954-765-4500 X 9886  
[broward.org/codeappeals](http://broward.org/codeappeals)



STRONGER CODES MEAN SAFER BUILDINGS  
~ESTABLISHED 1971~



*Please consider the Environment before printing*

## Soto, Rolando

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**From:** Jose Encarnacion <Jose.Encarnacion@copbfl.com>  
**Sent:** Monday, March 7, 2022 3:06 PM  
**To:** Guerasio, Michael; Soto, Rolando  
**Cc:** Carpelo Jeoboam; Jeffrey Massie; Michael Rada  
**Subject:** Structural Plan Examiner Application

**External Email Warning:** This email originated from outside the Broward County email system. Do not reply, click links, or open attachments unless you recognize the sender's **email address** (not just the name) as legitimate and know the content is safe. Report any suspicious emails to [ETSSecurity@broward.org](mailto:ETSSecurity@broward.org).

Good afternoon Mr. Guerasio and/or Mr. Soto;

The Pompano Beach Building Official (Mr. Michael Rada) just informed me that my application for Structural Plan Examiner was denied by the honorable Broward Board of Rules and Appeals. I would like to receive a written notification with the reasons for this decision, for a better understanding of this determination. Also, Could you provide me with the steps needed to present a formal appeal, in order to provide additional information supporting my qualifications and experience in order to be reconsidered by this honorable Board.

Best Regards,

Eng. Jose L. Encarnacion, PE  
FL-Lic.# 80123 (since 2015)  
PR-Lic.# 20082 (since 2005)

# Broward County Board of Rules and Appeals

## *Certification Form for the Position of Structural Plans Examiner*

For the Building Department of: City of Pompano Beach

Name: Jose L. Encarnacion

Home Address: [REDACTED]

City: [REDACTED]

State: [REDACTED]

Zip: [REDACTED]

Phone: [REDACTED]

Effective date of hire/promotion/contracted staff: 02/03/2022

- All applicants shall sign the attached affidavit to ensure compliance with Chapter 71-575, Paragraph 4(b), Laws of Florida. (BORA Policy #14-02, Effective May 9, 2014.)

**Please mark in each corresponding box to indicate compliance with appropriate Code Sections:**

☒ **104.10.1 Certification of Structural Plans Examiner.** To be eligible for appointment as a Structural Plans Examiner, such person shall be certified by BCAIB as a Standard Plans Examiner or be a Florida Registered Architect or Florida Licensed Professional Engineer in the discipline requested.

☒ **104.10.1.1** Such person shall also be certified by BORA by meeting at least one of the following:

☒ **104.10.1.1.1** Be a Florida Registered Architect or a Florida Licensed Professional Engineer, in the discipline requested and having practiced for a minimum of five (5) years within the State of Florida, two (2) years of which shall have been within the HVHZ or by passing BORA's HVHZ exam.

☐ **104.10.1.1.2** Be a Standard Inspector appointed as such, for a minimum of one (1) year by an AHJ or school board within the State of Florida and who complies with at least one (1) of the qualifications of Section 104.16.3.1.

☐ **104.10.1.2** Limited Plans Examiner certifications may be issued to individuals holding current Building Contractor or Residential Contractor licenses and who otherwise meet the requirements of the appropriate section under which they are qualifying, with duties limited to the scope of work authorized by their license.

☒ **104.10.1.3** Each of the applicants shall possess a current Certificate of Competency or a Professional Engineer license or Architect registration issued by at least one of the following entities:

- A. Florida Construction Industry Licensing Board
- B. Broward County Central Examining Board of Building Construction Trades
- C. Miami-Dade County Construction Trades Qualifying Board
- D. Florida Board of Professional Engineers  
Department of Business and Professional Regulation as an Architect

2022 FEB 17 AM 10:44  
RECEIVED BY  
BROWARD CO.  
BOARD OF RULES & APPEALS



# Broward County Board of Rules and Appeals

**Note:** All applications shall include the required information in the following order. Failure to include these items shall be cause for rejection.

1. This application is to be signed by the Building Official, Chief Executive Officer, Human Resources Director, or other duly authorized representative. For Building Official, the CEO (City Manager, Acting City Manager or Mayor) shall sign.
2. A clear copy of a current photo ID.
3. A copy of State Certification, State Provisional License or letter from employing official verifying applicant's submittal to State for each BCAIB certification and copies of appropriate Certificate of Competency or license.
4. Résumé of education and experience.
5. Verifiable evidence of employment such as, IRS forms, tax returns, W-2 forms or notarized written statements (affidavit) including contact information attesting to employment from former employers, partners or design professionals knowledgeable of the applicant professional or trade experience.
6. BORA staff is authorized to request additional information to verify employment and/or experience.

**Note:** For first time applicants only, upon staff approval, a 120-day temporary staff approval of bora certification application form will be issued; upon obtaining BCAIB Provisional and BORA approval, a certification card will be issued and mailed to the Building Official.

The undersigned makes application for certification and indicates compliance with aforementioned Code Sections and vouches for the truth and accuracy of all statements and answers herein contained by affixing his/her signature below.

Jose L. Encarnacion

Printed Name of Applicant

Signature of Applicant

State of Florida

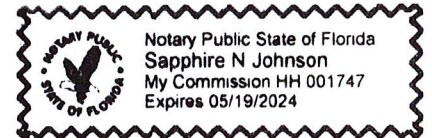
SS

County of Broward

On the 14 day of February, 2022, personally appeared before me the above-named individual who signed the foregoing declaring same to be true to his/her knowledge and belief.

Notary-Public: Sapphire N Johnson

S Johnson



My Commission Expires: 05/19/2024

The undersigned makes application for certification and indicates compliance with aforementioned Code Sections and vouches for the truth and accuracy of all statements and answers herein contained by affixing his/her signature below.

Michael Rada

Printed Name of Building Official, Chief Executive Officer, Human Resources Director, or other duly authorized representative.

Signature of Building Official, Chief Executive Officer, Human Resources Director, or other duly authorized representative.

State of Florida

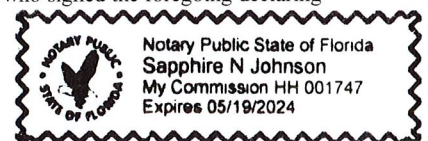
SS

County of Broward

On the 14<sup>th</sup> day of February, 2022, personally appeared before me the above-named individual who signed the foregoing declaring same to be true to his/her knowledge and belief.

Notary-Public: Sapphire N Johnson

S Johnson



My Commission Expires: 05/19/2024

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

Chief Code Compliance Officer

Disapproved: \_\_\_\_\_

Chief Code Compliance Officer

Date: 3/2/2022

Approved by BORA on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Page 2 of 4

**Subject:** Policy/Affidavit to ensure compliance with Chapter 71-575, paragraph 4(b), Laws of Florida

**POLICY/AFFIDAVIT**

The requirements below have been adopted by vote of the Broward County Board of Rules and Appeals on April 10, 2014, to help ensure compliance with Chapter 71-575, paragraph 4(b), Laws of Florida.

**NOTICE**

All applicants for certification or re-certification are required to execute the following statement and to have same notarized by a duly authorized Notary. Failure to execute and have this statement notarized will prevent the certification / re-certification process from proceeding to completion.

**THE UNDERSIGNED HEREBY VOLUNTARILY AND KNOWINGLY STATES AS FOLLOWS:**

The undersigned has read Chapter 71-575, paragraph 4(b), Laws of Florida and has had the opportunity to have same reviewed and explained by legal counsel. Undersigned understands the terms of same and that any Inspector (such as and including but not limited to structural, engineering, plumbing, mechanical, or electrical) or other building official charged with enforcing or otherwise supervising or inspecting any work covered under any section of the Florida Building Code as applicable to Broward County pursuant to Chapter 71-575, Laws of Florida, and who is required to hold or who otherwise holds a Certificate of Competency in any area of construction shall not use his/her Certificate of Competency to engage in free enterprise thereby, competing against persons or firms that may do business within Broward County whose work he/she may also inspect, nor may he/she allow his/her Certificate of Competency to be used by another person or firm. This includes any activity, such as, but not limited to bidding, contracting, code consulting, design, employment, plan review, special building inspections, etc., regardless of compensation. The undersigned makes application for certification or re-certification, affirms compliance with aforementioned Code Section, and vouches for the truth and accuracy of all statements and answers herein contained by affixing his/her signature below. The undersigned agrees that failure to comply with the requirements of chapter 71-575 shall be considered a material breach of the terms of certification and may result in decertification/ denial of certification.

A copy of a legal opinion with respect to Chapter 71-575 is available upon request.

Jose L. Encarnacion

Printed Name

Signature of Applicant

**State of Florida**

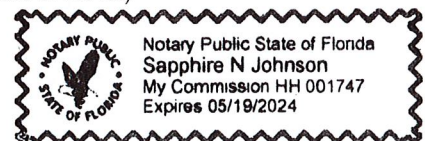
SS |

**County of Broward**

On the 14<sup>th</sup> day of February, 2022, personally appeared before me the above named individual who signed the foregoing instrument declaring same to be true to his knowledge and belief.

Notary-Public: Sapphire N Johnson S Johnson  
(Printed name and Signature of Notary Public, State of Florida)

(NOTARY SEAL)



Personally Known \_\_\_\_\_ OR Produced Identification ✓

Type of Identification Produced driver's license

*Editor's Note: Affidavit Authorized by BORA vote on May 8, 2014, and issued by Chair on May 9, 2014.*



## **JOSE L. ENCARNACION GARCIA, PE**

### **EDUCATION**

BS Civil Engineering, Polytechnic University of Puerto Rico, Hato Rey, P.R. from 1997-2002

### **REGISTRATIONS/LICENSES**

PE at the Commonwealth of Puerto Rico, License No. PE# 20082

PE at the State of Florida, License No. PE# 80123

OSHA 10-hours Construction Industry Outreach, Cet. # 36-003586674

### **PROFESSIONAL ASSOCIATIONS**

- Member of College of Engineers and Land Surveyors of P.R. (2003-Present)
- Student Member – ASCE –American Society of Civil Engineers (2001-2002)
- Director – College of Engineers and Land Surveyors of P.R. – Carolina Chapter (2005-2015)
- Vice-President – College of Engineers and Land Surveyors of P.R. – Carolina Chapter (2006-2008)
- Secretary – College of Engineers and Land Surveyors of P.R. – Institute of Civil Engineers (2005-2008)
- Director – College of Engineers and Land Surveyors of P.R.– Institute of Civil Engineers (2008-2015)
- Member of National Society of Professional Engineers

### **RELEVANT EXPERIENCE**

#### **August 2015 – January 2022 – G. Batista Engineering & Construction**

Position: Sr. Project Manager – Associate

Description: Main responsibilities included but were not limited to construction project administration, reviewing project specification, examining, preparing and submitting structural and civil project documentation (shop drawings, submittals, RFI, etc.), coordinating and supervising construction field personnel, developing working plans, performing quantity take-offs, and field measurements, performing quality control inspections of subcontractors, layout planning, establishing and executing production monitors and schedules, purchasing, contract negotiations, and any other facet of a project required for successful completion. Providing technical support in the structural and civil engineering fields. Conduct structural and civil inspections as Special Inspector representative to ensure the full compliance of the construction documents.

#### **February 2019 – August 2021 – Chron Construction Consulting**

Position: Professional Engineer - Consultant

Description: Main responsibilities included, but were not limited to providing consulting engineering services, cost estimating, structural inspections, and evaluations.

#### **November 2012 – March 2015 Engineered Parts & Services (General Contractor)**

Position: Project Engineer

Description: Main responsibilities included, but were not limited to construction project administration, reviewing project specification, examining, preparing and submitting structural project documentation (shop drawings, submittals, RFI, etc.), coordinating and supervising construction field personnel, developing working plans, performing quantity take-offs and field measurements, performed quality control inspections of subcontractors, layout planning, establishing and executing production monitors and schedules, purchasing, contract negotiations, and any other facet of a project required for successful completion.

Projects:

*Compliance Improvements to Esperanza Water Treatment Plant, Arecibo, PR.* This project's scope of work included upgrading an existing water treatment plant to comply with the U.S. Environmental Protection Agency (EPA) regulations. It was a \$1.2M capital improvement project from the Puerto Rico Aqueduct and Sewer Authority (PRASA).

*Compliance Improvements to Gurabo Water Treatment Plant, Gurabo, PR.* This project's scope of work included upgrading an existing water treatment plant to comply with the U.S. Environmental Protection Agency (EPA) regulations. It was a \$1.8M capital improvement project from the Puerto Rico Aqueduct and Sewer Authority (PRASA).

November 2010 – November 2012 – Constructores del Este, S.E. (General Contractor)

Position: Project Manager

Description: Main responsibilities included, but were not limited to construction project administration, reviewing project specifications, examining, preparing and submitting project documentation (shop drawings, submittals, RFI, etc.), coordinating and supervising construction field personnel, developing working plans, performing quantity take-offs and field measurements, performing quality control inspections of subcontractors, layout planning, establishing and executing production monitors and schedules, purchasing, contract negotiations, and any other facet of a project required for successful completion.

Projects:

*Relocation of Candelero Arriba Water Distribution Pump Station, Humacao, PR.* This project's scope of work included building a new water tank with a pump station to transfer potable water from the new tank to an existing one. It was a \$1.5M capital improvement project from the Puerto Rico Aqueduct and Sewer Authority (PRASA).

*Museo de Historia y Arte de Carolina, Carolina, PR.* This project's scope of work included the construction a modern four-story building around of 6,000 sf. The value of this project was \$5.5M

April 2010 – November 2010, JR Technical & Development (Engineering Firm)

Position: Project Engineer (Owner's Representative)

Description: As an owner's representative we monitored the administration of construction projects, serving as a technical expert in the construction field for the owners. Main responsibilities included, but were not limited to being in charge of monitoring, (not managing): the design development process to ensure project scope is achieved; the overall project; the bidding process; assist with jurisdictional reviews and project related mitigation issues; construction-related activities, including pay applications; project close-out and occupancy; move management and relocation.

April 2005 – September 2009, SEM & Associates, PSC (Engineering Consulting Firm)

Position: Project Engineer (Owner's Representative)

Description: As an owner's representative we monitored the administration of construction projects, serving as a technical expert in the construction field for the owners. Main responsibilities included, but were not limited to being in charge of monitoring, (not managing): the design development process to ensure project scope is achieved; the

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overall project; the bidding process; assist with jurisdictional reviews and project related mitigation issues; construction-related activities, including pay applications; project close-out and occupancy; move management and relocation.

January 2003 – April 2005, Geo-Engineering (Engineering Firm)

Positions: Engineer

Description: Main responsibilities included, but were not limited to the supervision of field and laboratory personnel, performing site visits, evaluating soil properties for engineering use, performing geotechnical evaluations, and evaluating concrete properties. I was in charge of the commercial Soil and Construction Material Testing Laboratory.



## Section VIII-Work Experience

WORK EXPERIENCE		
<p><b>This section must be completed by an architect, engineer, contractor, fire marshal, or building code administrator, who has personal knowledge of the applicant's experience for the period of time listed below.</b></p> <p><b>Instructions:</b>            Provide employment verification for the years of experience required for qualification for certification.            Attach additional copies of this page as necessary.  <b>Note: Local Government Employees-</b> To qualify for the fee reduction local government employees must provide Work Experience showing current employment with a local government agency that is signed by the building code administrator.</p>		
Applicant Name: Jose L. Encarnacion		
Employing Agency/Company Name: G. Batista Engineering & Construction		
Agency/Company Address: 3806 Davie Blvd., Fort Lauderdale, FL 33312		
Dates of employment by Agency/Company	Date (From) 08 / 03 / 2015	Date (To) 01 / 28 / 2022
Agency/Company Phone Number: 954-434-2053		
Position of Applicant: Sr. Project Manager		
Describe in detail the applicant's duties, including hands-on, supervisory or management responsibilities. Please be specific when explaining the applicant's duties and hands-on experience.		
<p>Main responsibilities included but were not limited to construction project administration, reviewing project specification, examining, preparing and submitting structural and civil project documentation (shop drawings, submittals, RFI, etc.), coordinating and supervising construction field personnel, developing working plans, performing quantity take-offs, and filed measurements, performing quality control inspections of subcontractors layout planning, establishing and executing production monitors and schedules, purchasing, contract negotiations, and any other facet of a project required for successful completion. Providing technical support in the structural and civil engineering fields. Conduct structural and civil inspections as Special Inspector representative to ensure the full compliance of the construction documents.</p>		
<p>I attest that the applicant named above has been employed by the agency/company in a: (Check One)</p> <p><input type="checkbox"/> supervisory <input checked="" type="checkbox"/> managerial <input type="checkbox"/> trade position for 6.42 years</p>		
<p>Providing false or misleading information is grounds for discipline of your license under 455.227(1)(a) and (I), F.S.</p>		
<p>Print name of licensed architect, engineer, contractor, fire marshal or building code administrator verifying employment and experience: <u>Gregorio Batista</u></p>		
<p>License number of person verifying employment and experience: <u>PE 52349</u></p>		
<p>Signature of person verifying employment and experience: <u>[Signature]</u></p>		
<p>Date: <u>2-22-22</u></p>		

## Section IX- Affirmation by Written Declaration

AFFIRMATION BY WRITTEN DECLARATION	
<p>I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this written declaration has the same legal effect as an oath or affirmation. Under penalties of perjury, I declare that I have read the foregoing application and the facts stated in it are true. I understand that falsification of any material information on this application may result in criminal penalty or administrative action, including a fine, suspension or revocation of the license.</p>	
Signature: <u>[Signature]</u>	Date: <u>2/22/22</u>
<p>Print Name: Jose L. Encarnacion</p>	



## **Affidavit of Eng. Jose L. Encarnacion**

State of Florida

County of Broward

BEFORE ME, the undersigned authority, ENG. JOSE L. ENCARNACION personally appeared, who after being duly sworn and states as follows under penalty of perjury:

1. My name is Jose L. Encarnacion, I am presently 41 years old, and my current address of residence is [REDACTED]
2. The purpose of this Affidavit is to establish and clarify my professional experience in the State of Florida, involvement in the private practices of the engineering field, and my current duties with the City of Pompano Beach Building Department.
3. I am a Professional Engineer, licensed in the State of Florida since November 19<sup>th</sup>, 2015.
4. I worked for G. Batista Engineering & Construction (formerly known as G. Batista & Associates) from August 3<sup>rd</sup>, 2015 to January 28<sup>th</sup>, 2022. This firm is located in Broward County at 3806 Davie Blvd., Fort Lauderdale, FL 33312. My direct supervisor was Eng. Gregorio Batista (President-Owner). The following persons can be contacted for any employment verification:

Giselle Rafael (Office Manager)

Phone: 954-434-2053

Email: giseller@askgbatista.com

Eng. Gregorio Batista (President-Owner)

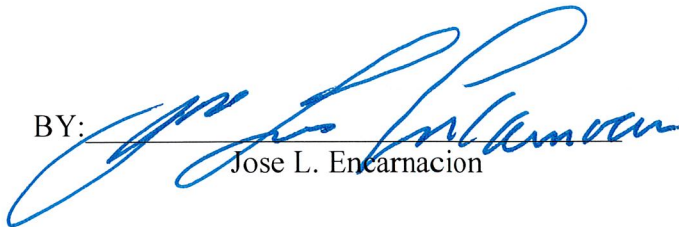
Phone: 954-434-2053

Email: gbatista@askgbatista.com

5. I held the position of Sr. Project Manager at G. Batista Engineering & Construction. As part of my duties, I have performed numerous special inspections in Broward County (as per Section 110.10 – Broward County Administrative Code) and led numerous design projects within the High-Velocity Hurricane Zones (HVHZ). Additional responsibilities included producing construction drawings, engineering calculations, performing shop drawing review and specification of materials. I was not required to sign and seal any documentation prepared by me, all documents were signed and sealed by Eng. Gregorio Batista (President-Owner) as a company policy.
6. On February 17<sup>th</sup>, 2022, I terminated the link (connection) of my professional engineering license with Clear Choice Concrete Restoration & Waterproofing, Inc.
7. I had a professional collaboration relationship with Clear Choice Concrete Restoration & Waterproofing Inc. to provide an integral design-build service to several clients. In which, I provided the engineering portion independently from Clear Choice Concrete Restoration & Waterproofing, Inc. I had no participation in the construction side; and Clear Choice Concrete Restoration & waterproofing, Inc. was not involved in the design portion. I have signed and sealed multiple structural building plans for commercial and residential projects, which have been submitted to various municipalities throughout Broward County and neighboring cities for permitting.
8. I do not possess any contractor license. I have no open permit under my name.
9. I have not engaged in any new private practice of engineering requiring the use of my license after my starting date as an employee of the City of Pompano Beach Building Department.
10. Since my starting date as an employee for the City of Pompano Beach Building Department, I am on training duties as an observer, learning how the software systems used by the Department works and taking certifications recommended by the Department. I am not performing or involved in the examination of any permit application.

FURTHER AFFIANT SAYETH NOT.

BY:

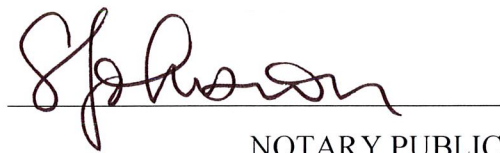
  
Jose L. Encarnacion

DATED:

2/23/22

Sworn and subscribed before me this 23 day of February 2022, by  
Sapphire N Johnson who appeared via [ ] physical presence or [ ] online  
notarization and [ ] is personally known to me or [☒] produced driver's license as  
identification.



  
NOTARY PUBLIC

My Commission Expires: 05/19/2024

THE OFFICIAL SITE OF THE FLORIDA DEPARTMENT OF BUSINESS &  
PROFESSIONAL REGULATION



Department of Business  
& Professional Regulation

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## LICENSEE DETAILS

6:34:50 AM 2/17/2022

### Licensee Information

Name:	ENCARNACION, JOSE LUIS (Primary Name)
Main Address:	[REDACTED]
County:	[REDACTED]

### License Information

License Type:	Professional Engineer
Rank:	Prof Engineer
License Number:	80123
Status:	Current,Active
Licensure Date:	11/19/2015
Expires:	02/28/2023

### Special Qualifications

### Qualification Effective

Civil	11/19/2015
Advanced Building Code Course Credit	03/13/2018

### Alternate Names

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## Detail by Entity Name

Florida Profit Corporation

CLEAR CHOICE CONCRETE RESTORATION AND WATERPROOFING, INC

### Filing Information

**Document Number** P17000094352  
**FEI/EIN Number** APPLIED FOR  
**Date Filed** 11/28/2017  
**Effective Date** 11/27/2017  
**State** FL  
**Status** ACTIVE

### Principal Address

8741 NW 16th STREET  
 PEMBROKE PINES, FL 33024

Changed: 04/23/2019

### Mailing Address

8741 NW 16th STREET  
 PEMBROKE PINES, FL 33024

Changed: 04/23/2019

### Registered Agent Name & Address

TICTAX & BUSINESS SERVICES, LLC  
 8500 SW 8 STREET  
 SUITE 266  
 MIAMI, FL 33144

Name Changed: 02/14/2022

### Officer/Director Detail

#### **Name & Address**

Title P

NUNEZ, JOHN  
 8741 NW 16th STREET  
 PEMBROKE PINES, FL 33024

### Annual Reports

Report Year	Filed Date
2020	06/23/2020
2021	04/30/2021
2022	02/14/2022

#### **Document Images**

<a href="#">02/14/2022 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
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<a href="#">11/28/2017 -- Domestic Profit</a>	<a href="#">View image in PDF format</a>

ADDITIONAL INFORMATION TO CLARIFY WORK  
EXPERIENCE IN THE STATE OF FLORIDA AND WITHIN  
THE HVHZ

(ENG. JOSE L. ENCARNACION)



## TABLE OF CONTENT

I.	ENGINEERING FIELD	PAGE 3
II.	DEFINITION OF THE PRACTICE OF ENGINEERING	PAGE 4
III.	DEFINITION OF DISCIPLINE	PAGE 4
IV.	EDUCATIONAL BACKGROUND	PAGE 5 - 6
V.	PROFESSIONAL LICENSES	PAGE 6
VI.	FLORIDA WORK EXPERIENCE – PRACTICING ENGINEERING	PAGE 7 - 11
VII.	PRIVATE PRACTICE OF ENGINEERING IN FLORIDA	PAGE 12 - 14
VIII.	ATTACHMENTS	
	a. Engineering Disciplines from bestcolleges.com	PAGE 15 - 21
	b. Civil Engineering from whatisengineering.com	PAGE 22 - 25
	c. Available Civil Engineering Degrees – NC State University	PAGE 26 – 28
	d. F.S. 471.005 Definitions	PAGE 29 - 31
	e. Definition: Practice of Engineering by the NSPE	PAGE 32 - 33
	f. Definition of discipline by Cambridge English dictionary	PAGE 34 - 35
	g. Broward County BORA certification form	PAGE 36 - 37
	h. PUPR diploma	PAGE 38 – 39
	i. Transcript	PAGE 40 - 44
	j. PUPR ABET Accreditation	PAGE 45 - 48
	k. ABET	PAGE 49 - 51
	l. Puerto Rico Engineering License (PE)	PAGE 52 - 53
	m. Florida Engineering License (PE)	PAGE 54 – 55
	n. GBE&C (formerly known as GB&A) hiring letter	PAGE 56 - 58

## I. ENGINEERING FIELD

The disciplines of engineering can be divided into five main categories:

- Chemical
- Civil
- Industrial
- Electrical
- Mechanical

Civil engineers are educated and trained to perform work in the following areas:

- Architectural Engineering
- Earthquake Engineering
- Environmental Engineering
- Geotechnical Engineering
- Hydraulic Engineering
- Mining Engineering
- Structural Engineering
- Traffic Engineering
- Water Resource Engineering

Note: The titles for civil engineers are:

Bachelor Degree: Bachelor of Science in Civil Engineering (BSCE)

Master Degree: Master of Science in Civil Engineering (MSCE)

Master of Engineering in Civil Engineering (MECE)

No title will identify if your engineering degree is oriented in a specific area. The master's degree is oriented to focus on a specific area of the engineering field (i.e., structural), but there is no official title for that. No title will indicate that you have a master's in structural engineering for example, your title will say Master of Science or Engineering in Civil Engineering.

## II. DEFINITION OF THE PRACTICE OF ENGINEERING:

Florida statutes 471.005 (Definitions) establish the following:

### F.S. 471.005 (5)

“Engineer” includes the terms “professional engineer” and “licensed engineer” and means a person who is licensed to engage in the practice of engineering under this chapter.

### F.S 471.005 (7)

“Engineering” includes the term “professional engineering” and means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, teaching of the principles and methods of engineering design, engineering surveys, and the inspection of construction for the purpose of determining in general if the work is proceeding in compliance with drawings and specifications, any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, process, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic, or thermal nature, insofar as they involve safeguarding life, health, or property: and includes such other professional services as may be necessary to the planning, progress, and completion of any engineering services. A person who practices any branch of engineering: who, by verbal claim, sign, advertisement, letterhead, or card, or in any other way, present himself or herself to be an engineer or, through the use of some other title, implies that he or she is an engineer or that he or she is licensed under this chapter; or who holds himself or herself out as able to perform, or does perform, any engineering service or work or any other service designated by the practitioner which is recognized as engineering shall be construed to practice or offer to practice engineering within the meaning and intent of this chapter.

## III. DEFINITION OF DISCIPLINE (BY THE CAMBRIDGE ENGLISH DICTIONARY)

**Discipline** (noun): A particular area of study, especially a subject studied at a college or university.

Note: The Florida Building Code – Broward County Amendments Section 104.10.1 (Certification of the Structural Plans Examiner):

“Section 104.10.1.1 Be a Florida Registered Architect or a Florida Licensed Professional Engineer, in the discipline requested and having practiced for minimum of five (5) years within the State of Florida, two (2) years of which shall have been within the HVHZ or by passing BORA’s HVHZ exam.”

The discipline is referring to architecture or engineering.



#### IV. EDUCATIONAL BACKGROUND

Bachelor of Science in Civil Engineering from the Polytechnic University of Puerto Rico (PUPR).

PUPR is accredited by the Accreditation Board for Engineering and Technology, Inc. (ABET) since 1994. ABET is a well-known nonprofit, ISO 9001 certified organization that accredits college and university programs in applied and natural science, computing, engineering, and engineering technology.

My university years started on [REDACTED] completing with all the institution (PUPR) requirements on [REDACTED]

The requirements at that time to obtain my bachelor's degree were:

*Preparatory Mathematics (3 credit hours)	*Hispanic Literature (3 credit hours)	*Calculus IV (3 credit hours)
*Preparatory Spanish (3 credit hours)	*Analysis of World Literature (3 credit hours)	*Physics III – Electricity (3 credit hours)
*Preparatory English (3 credit hours)	*Calculus I (3 credit hours)	*Physics III – Lab. (1 credit hour)
*Adjustment to University Life (3 credit hours)	*Freshman Engineering-Drafting (3 credit hours)	*Socio-Humanistic Study II (3 credit hours)
*Precalculus I (3 credit hours)	*Earth Sciences (3 credit hours)	*Applied Mechanics Statics (3 credit hours)
*Spanish Grammar (3 credit hours)	*Calculus II (3 credit hours)	*Mechanics of Materials (3 credit hours)
*English Grammar (3 credit hours)	*Physics I – Mechanics (3 credit hours)	*Surveying Instruments (1 credit hour)
*Introduction to Physics (3 credit hours)	*Physics I – Lab. (1 credit hour)	*Differential Equations (3 credit hours)
*Precalculus II (3 credit hours)	*Programming & Algorithm (3 credit hours)	*Applied Software for C (3 credit hours)
*Spanish Reading & Writing (3 credit hours)	*Physics II – Heat Light (3 credit hours)	*Engineering Mechanics – Dynamic (3 credit hours)
*English Reading & Writing (3 credit hours)	*Physics II – Lab. (1 credit hour)	*Fluid Mechanics (3 credit hours)
*Engineering Graphics-AutoCAD (2 credit hours)	*Socio-Humanistic Study I (3 credit hours)	*Fluid Mechanics – Lab. (1 credit hour)
*General Chemistry I (4 credit hours)	*Calculus III (3 credit hours)	*Principle of Electrical Engineering (3 credit hours)
*General Chemistry I – Lab. (0 credit hours)	*Probability & Statistics (3 credit hours)	*Applied Numerical Analysis (3 credit hours)
	*Descriptive Geometry (2 credit hours)	

\*Engineering Economics (3 credit hours)

\*Geotechnical Engineering I (3 credit hours)

\*Geotechnical Engineering I – Lab. (1 credit hour)

**\*Construction Materials (3 credit hours)**

**\*Lab. Of Construction Materials (1 credit hour)**

**\*Mechanics of Material (3 credit hours)**

**\*Mechanics of Material – Lab. (1 credit hour)**

\*Water Resources Engineering (3 credit hours)

\*Highway Design I (3 credit hours)

\*Highway Design II (3 credit hours)

\*Geotechnical Engineering II (3 credit hours)

\*Geotechnical Engineering II – Lab. (1 credit hour)

\*Water Supply Engineering (3 credit hours)

**\*Theory of Structures I (3 credit hours)**

**\*Theory of Structures II (3 credit hours)**

**\*Steel Structure Design (3 credit hours)**

\*Wastewater Engineering (3 credit hours)

\*Transportation Engineering (3 credit hours)

**\*Construction Management (3 credit hours)**

\*Social Psychology (3 credit hours)

**\*Special Topic Civil Engineering (3 credit hours)**

**\*Civil Engineering Capstone Design I (3 credit hours)**

**\*Foundation Engineering (3 credit hours)**

**\*Advanced Structural Design (3 credit hours)**

**\*Civil Engineering Undergraduate Research (3 credit hours)**

\*Environmental Engineering – Civil (3 credit hours)

\*Environmental Engineering – Civil – Lab. (1 credit hour)

**\*Civil Engineering Capstone Design II (3 credit hours)**

\*Ethics in Engineering (3 credit hours)

A total of **195** credit hours (a total of 72 courses) were successfully taken to complete the Civil Engineering Program at the Polytechnic University of Puerto Rico.

The program I took was strongly focused on Structural Engineering; it has more weight than the rest of the civil engineering field.

Obtaining my BS in Civil Engineering degree on [REDACTED].

## V. PROFESSIONAL LICENSES

Registered Professional Engineer at the Commonwealth of Puerto Rico since March 16<sup>th</sup>, 2005

Registered Professional Engineer at the State of Florida since November 19<sup>th</sup>, 2015.

As a professional engineer, both registrations are active in their respective jurisdiction.

Having 17 years of practicing engineering in USA territory.

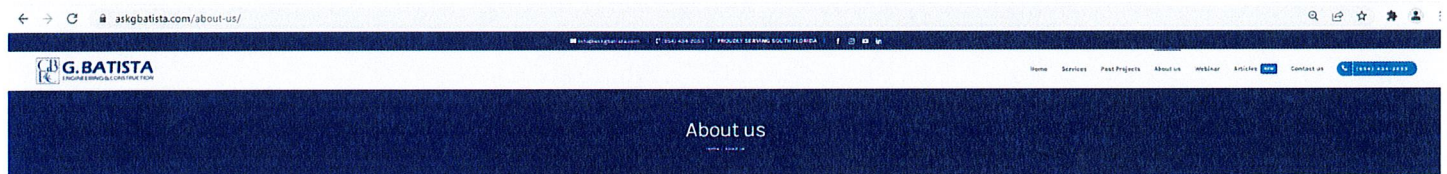
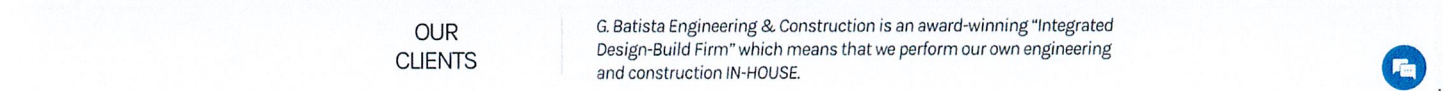
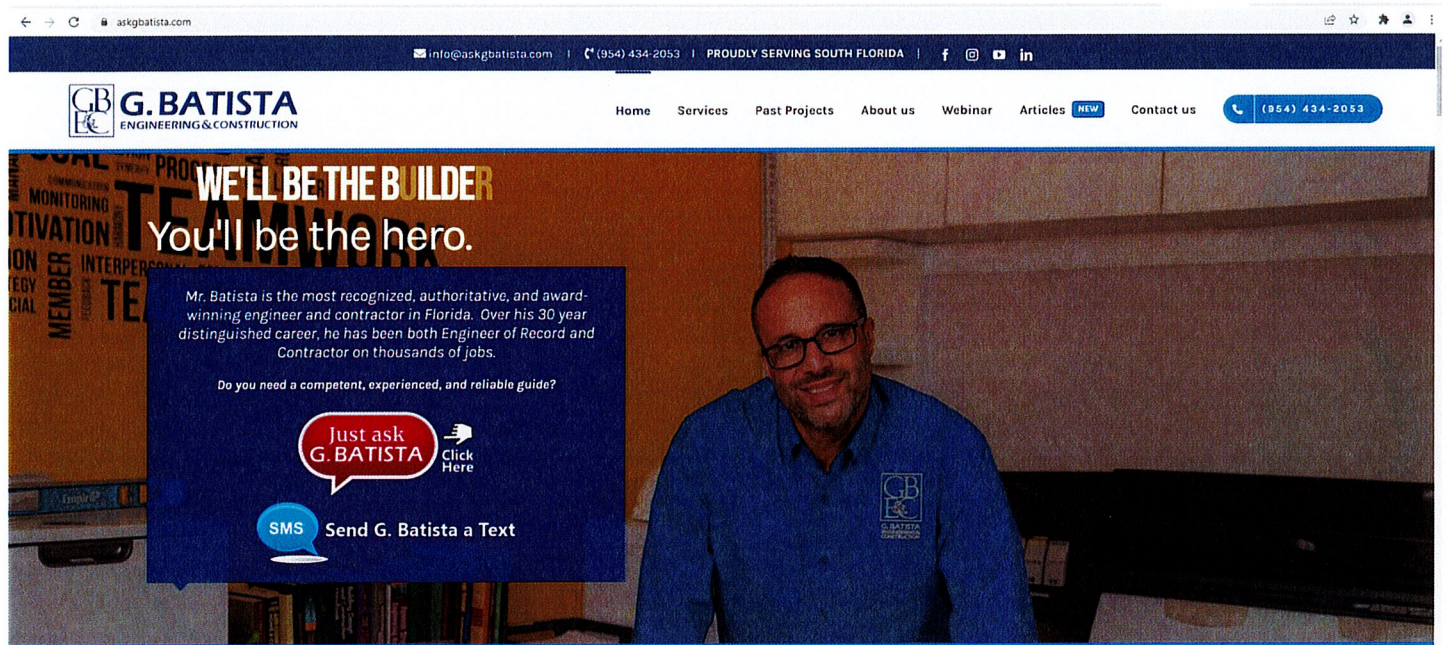
Note: Puerto Rico belongs to a High-Velocity Hurricane Zone (HVHZ).



## VI. FLORIDA WORK EXPERIENCE – PRACTICING ENGINEERING

Sr. Project Manager at G. Batista Engineering & Construction (formerly known as G. Batista & Associates) from August 3<sup>rd</sup>, 2015 to January 28<sup>th</sup>, 2022. This is a company established in Broward County in 2000.

([www.askgbatista.com](http://www.askgbatista.com))







## G. Batista Engineering & Construction

Our company was founded in the year 2000 with a vision to provide the following services:

- ✓ Structural Engineering (specializing in existing building repairs)
- ✓ MEP Engineering
- ✓ Design-Build
- ✓ Construction and Construction Management Services

Ready to Talk?

WE ARE STANDING BY FOR YOUR CALL.

Just ask  
**G. BATISTA**

Click  
Here

SMS

Send G. Batista a Text

G. Batista Engineering & Construction is an Engineering and Construction firm located in Broward County Florida.

**SERVICES**

- 40 Year Recertification
- Structural Inspections
- Concrete Repair
- Forensic Engineering
- Design Build
- Owner's Representative

**QUICK MENU**

- Home
- Past projects
- About us
- Articles
- Contact us

**CONTACT INFO**

- 3806 Davie Boulevard Fort Lauderdale, FL 33312, United States
- (954) 434-2053
- info@askgbatista.com

We're Online!  
How may I help you today?

G. Batista Engineering & Construction is an Engineering and Construction firm located in Broward County Florida.

**SERVICES**

- 40 Year Recertification
- Structural Inspections
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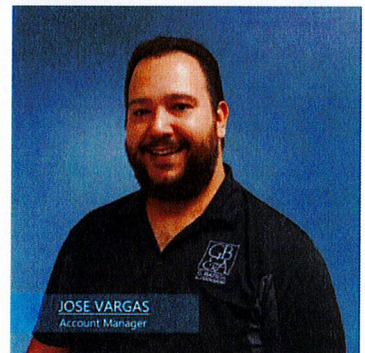
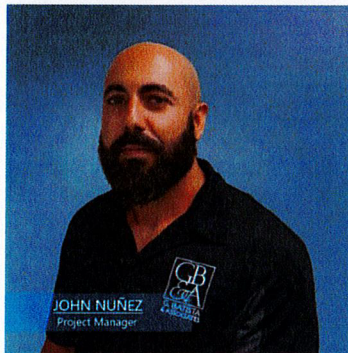
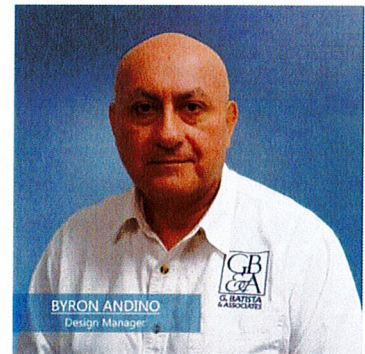
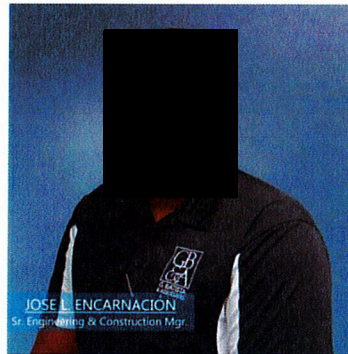
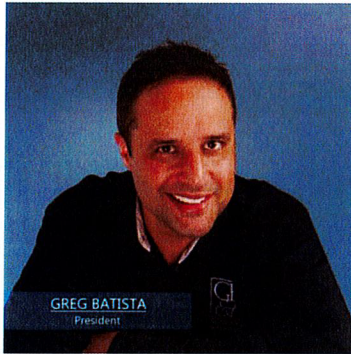
**CONTACT INFO**

- 3806 Davie Boulevard Fort Lauderdale, FL 33312, United States
- (954) 434-2053
- info@askgbatista.com



The firm offers diverse engineering services including structural engineering (40-year Recertification, Structural inspections, Concrete Repair, Forensic Engineering, Design-Build, Owner's Representative)

Our ability to exceed all of our customers' expectations begins with a true experienced team.





The last time I visited G. Batista Engineering & Construction website, my photo with my name and position was still there, clearly stating that I held the position of Senior Engineering and Construction Manager. I encourage you to visit the website ([www.askgbatista.com](http://www.askgbatista.com)) and see it with your own eyes before this information is removed.

During the years that I worked for G. Batista Engineering and Construction, besides the owner (Eng. Gregorio Batista), I was the only Engineer employed by the firm as a regular employee. Part of my compensation was based on obtaining the Florida PE license, forming part of the requirements at that time to become part of the firm. (Attached copy of my employment offer letter dated June 22<sup>nd</sup>, 2015).

During my time with G. Batista Engineering & Construction, I have done over 90% of all the special inspections (Miami-Dade, Broward & West Palm), 40-Years Recertifications (Miami-Dade & Broward), structural evaluations/forensics engineering, preparation of concrete restoration plans & specifications, and owner's representative services performed by the firm. In other words, which represents hundreds and hundreds of engineering practices (as defined in *F.S. 471.005(7)*) performed by myself as an employee (duly authorized representative) of this firm.

The Florida Building Code – Broward County Amendments establish:

“110.10.1 The Building Official upon the recommendation of the Chief Structural Inspector or upon the Building Official’s initiative may require the owner to employ a special inspector for the inspection of the structural framework, or any part thereof, as herein required:”

“110.10.2 The Building Official shall require the owner to employ a special building inspector for the inspections herein required:

110.10.2.1 Precast Concrete Units

110.10.2.2 Reinforced unit masonry

110.10.2.3 Connections

110.10.2.4 Metal Building Systems

110.10.2.5 Smoke Control Systems”

“110.10.5 Special building inspector shall be an Architect or Engineer or their duly authorized representative.”

The Florida Building Code – Broward County Amendments recognizes performing special inspections as part of the practice of engineering.

Broward County Board of Rules and Appeals Policy #05-#05 – Building Safety Inspection Program establishes the following:

Article D(1) “The owner of a building or structure subject to Building Safety Inspection shall furnish, or cause to be furnished, within (90) days of Notification of Required Building Safety Inspection, the

Broward County of Rules and Appeals Building Safety Inspection Certification Form to the Building Official, prepared by a Professional Engineer or Architect registered in the State of Florida, certifying that each such building or structure is structurally and electrically safe, or has been made structurally and electrically safe for the specified use for continued occupancy, in conformity with the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals.”

The Broward County Board of Rules and Appeals recognizes the safety inspections (40-Year Recertification) as another example of the practice of engineering.

With this, I’m trying to provide clarification and proof of what has been my practice of engineering in the time working for G. Batista Engineering & Construction. It’s clear that I have been practicing engineering for more than five years within the State of Florida all in the HVHZ (Miami-Dade & Broward), meeting the requirements by the Florida Building Code – Broward County Amendments in article 104.10.1.1.1.

## VII. PRIVATE PRACTICE OF ENGINEERING IN FLORIDA

As a registered professional engineer in the State of Florida, I have engaged in private practice. These are the works that I have been performed:

- 1.) Permit #BP16-00008002 (City of Pompano Beach)  
Scope: 40-Year Recertification  
Address: 1010 NW 15<sup>th</sup> Avenue, Pompano Beach, FL 33069
- 2.) Permit #BP19-00002608 (City of Tamarac)  
Scope: New CMU wall, rational load analysis, evaluation of existing footing, specification of new backdraft damper  
Address: 4431 Rock Island, Tamarac, FL 33319
- 3.) Permit #RC-09-19-2093 (City of Miami Shores)  
Scope: New continue footing, structural evaluation  
Address: 8839 NE 4<sup>th</sup> Avenue Road, Miami Shores, FL 33138
- 4.) Permit #B19-04233 (City of Plantation)  
Scope: New monument sign, footing design, CMU wall design, wind load calculations  
Address: 420 Commodore Drive, Plantation, FL 33325
- 5.) Permit #BD20-023626-001-B001 (City of Miami)  
Scope: Concrete slab – Demolition specification – Concrete slab detail  
Address: 268 NW 34<sup>th</sup> Street, Miami, FL 33127
- 6.) Permit #2020-004051 (Town of Davie)  
Scope: Concrete Repair project – Structural Evaluation – Selective Demolition Specification – Temporary Shoring Specification – Material Specification – Special Inspector  
Address: 3700 SW 60<sup>th</sup> Avenue, Davie, FL 33314 (Two-Story Condominium)
- 7.) Permit #BLR2020-1805 (City of Miami Lakes)  
Scope: CMU wall, rational load analysis, Wind load calculations, footing design – Special Inspector  
Address: 15540 Sharpcroft Drive, Miami Lakes, FL 33016
- 8.) Permit #BLD-FEN-20100045 (City of Fort Lauderdale)  
Scope: Precast fence, Wind load calculations check, footing design check – Special Inspector  
Address: 5630 NE 18<sup>th</sup> Avenue, Fort Lauderdale, FL 33334
- 9.) Permit #B21-104419 (City of Hollywood)  
Scope: Concrete Repair project – Structural Evaluation – Selective Demolition Specification – Temporary Shoring Specification – Material Specification – Special Inspector  
Address: 300 Pierce Street, Hollywood, FL 33019 (Eight-Story Building-Condominium)



- 10.) Permit #BRPR-21-02579 (City of Hallandale Beach)  
Scope: Concrete Repair project – Structural Evaluation – Selective Demolition Specification – Temporary Shoring Specification – Material Specification – Special Inspector  
Address: 860 NE 12<sup>th</sup> Avenue, Hallandale Beach, FL 33009 (Pool-Equipment room Ceiling)
- 11.) Permit #B21-107762 (City of Hollywood)  
Scope: Concrete Repair project – Structural Evaluation – Selective Demolition Specification – Temporary Shoring Specification – Material Specification – Special Inspector  
Address: 1227-1235 S 21<sup>st</sup> Avenue, Hollywood, FL 33020 (Two-Story Condominium)
- 12.) Permit #BLD-CRES-21110009 (City of Fort Lauderdale)  
Scope: Concrete Repair project – Structural Evaluation – Selective Demolition Specification – Temporary Shoring Specification – Material Specification – Special Inspector  
Address: 3730 SW 1<sup>st</sup> Street, Fort Lauderdale, FL 33312 (Two-Story Condominium)
- 13.) Permit #BLD-CRES-21110009 (City of Fort Lauderdale)  
Scope: Concrete Repair project – Structural Evaluation – Selective Demolition Specification – Temporary Shoring Specification – Material Specification – Special Inspector  
Address: 3730 SW 1<sup>st</sup> Street, Fort Lauderdale, FL 33312 (Two-Story Condominium)
- 14.) Permit #BLD-CERT-22020031 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1411 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312
- 15.) Permit #BLD-CERT-22020032 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1421 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312
- 16.) Permit #BLD-CERT-22020033 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1431 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312
- 17.) Permit #BLD-CERT-22020034 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1441 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312
- 18.) Permit #BLD-CERT-22020035 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1451 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312
- 19.) Permit #BLD-CERT-22020036 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1501 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312
- 20.) Permit #BLD-CERT-22020037 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1511 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312

- 21.) Permit #BLD-CERT-22020038 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1521 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312
- 22.) Permit #BLD-CERT-22020030 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1531 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312
- 23.) Permit #BLD-CERT-22020040 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1541 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312
- 24.) Permit #BLD-CERT-22020041 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 1551 SW 38<sup>th</sup> Avenue, Fort Lauderdale, FL 33312
- 25.) Permit #BLD-CERT-22020042 (City of Fort Lauderdale)  
Scope: 40-Year Recertification  
Address: 3815 SW 16<sup>th</sup> Street, Fort Lauderdale, FL 33312
- 26.) Expert Witness Services  
Case No.: 1:20-cv-23756-DPG  
South Bay Club Condominium Association vs Endurance American Specialty Insurance Company.
- 27.) Expert Witness Services  
Case No.: CACE 20-027223 CA01 (32)  
Jean Monfiston vs Citizens Property Insurance Corporation
- 28.) Expert Witness Services  
Case No.: CACE 20-020733  
Rebecca Eloi and Patrick Eloi vs Citizens Property Insurance Corporation
- 29.) Expert Witness Services  
Case No.: CACE 20-016111  
Geraldine Solomon vs Citizens Property Insurance Corporation
- 30.) I have performed numerous structural inspections, where I evaluated the structural conditions on numerous properties.

In addition, I have several projects completed (engineering portion, construction drawings) waiting of the contractor selection by the owners in order to be submitted for permitting, including:

A new single family residential in Port Saint Lucie approximately 3,000 SF where we did the rational analysis and wind load calculations for the structural members of the new residence (footings, slab-on-grade, CMU-walls, columns, beams, roof, windows & garage door).





# What Are the Different Types of Engineering?



by Hannah Muniz

Published on October 8, 2021 · Updated on March 4, 2022



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SEARCH PROGRAMS



- Engineering entails the design and creation of devices, machines, and structures.
- The field is typically divided into five main branches, with hundreds of subfields.



Many consider engineering a challenging major due to its emphasis on math and science.

Engineering is one of the most popular and lucrative majors college students can pursue. An in-demand [STEM field](#), engineering offers an array of professional opportunities in many industries, such as oil, renewable energy, and medicine.

In fact, there are so many types of engineering that students often aren't sure which kind they want to study. One of the first steps to figuring out whether an [engineering degree](#) is right for you — and, if so, which field you should choose — is to learn about the key differences among the major engineering branches.

## What Are the 5 Main Types of Engineering?

To engineer something means to create, build, or design it. As such, engineering entails any scientific or technological branch that deals with designing and developing machines, engines, and other products or structures.

Some types of engineering are subfields of other kinds of engineering. For example, environmental engineering is often described as a subset of civil engineering. Some branches, like industrial engineering, are considered interdisciplinary because they combine aspects from multiple disciplines.

Other types of engineering may not fit neatly into any one category. These include nuclear engineering, biological engineering, and rehabilitation engineering.



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## 1. Civil Engineering

Often thought to be the [oldest engineering](#) discipline, [civil engineering](#) focuses on constructing, designing, and maintaining physical structures used by the public, such as dams, bridges, tunnels, roads, airports, subway systems, and water supply systems. Many of today's engineers specialize in building eco-friendly architecture to [combat climate change](#).

Civil engineers work in many industries, like transportation, urban planning, and space. Famous civil engineering projects include the Great Wall of China, the Panama Canal, the Golden Gate Bridge, and the Eiffel Tower.

[Collapse All](#)[Expand All](#)

### Civil Engineering Subfields

- Architectural engineering
- Coastal engineering
- Construction engineering
- Earthquake engineering
- Energy engineering
- Environmental engineering
- Forest engineering
- Geotechnical engineering
- Highway engineering
- Hydraulic engineering

- Municipal/urban engineering
- Ocean engineering
- Railway systems engineering
- River engineering
- Sanitary engineering
- Solar engineering
- Structural engineering
- Sustainable engineering
- Traffic engineering
- Transport engineering
- Utility engineering

## 2. Chemical Engineering

In the broadest sense of the term, [chemical engineering](#) deals with chemicals. These engineers design and manufacture materials and products using scientific principles from chemistry, biology, math, and physics. They may also come up with innovative processes to use and transform energy.

Chemical engineers can work with microorganisms, food, pharmaceuticals, and fuels. Often performing experiments and other tasks in labs, many also use computers to design experiments.

### 3. Mechanical Engineering

[Mechanical engineering](#) entails the development and production of mechanical systems and other devices in motion. These professionals use problem-solving, critical thinking, and the principles of math and physics to transform concepts into functional products, such as ships, firearms, household appliances, turbines, and vehicles.

Today's mechanical engineers rely on many of the same core components that have been used for thousands of years, including wheels, springs, screws, and axles.

[Collapse All](#)[Expand All](#)

#### Mechanical Engineering Subfields



### 4. Electrical Engineering

A [newer branch of engineering](#) introduced in the 19th century, [electrical engineering](#) focuses on electrical equipment and electronics. These engineers design, test, and maintain devices that use or produce electricity, from small objects like microchips and computers to large-scale projects like satellites and power station generators.

Most electrical engineers complete tasks in an office or lab, though on-site work is also common.

[Collapse All](#)[Expand All](#)

#### Electrical Engineering Subfields





The final engineering branch is **industrial engineering**, which combines engineering with general business practices to reduce costs, improve quality, and increase efficiency. These specialists often find employment in industries related to service, entertainment, and healthcare.

As an industrial engineer, you must [work well with people](#). Industrial engineers' primary tasks may include designing facilities and information systems, managing inventories, overseeing personnel assignments, and ensuring workplace safety.

[Collapse All](#)[Expand All](#)

## Industrial Engineering Subfields



## What Salary Can You Earn With an Engineering Degree?

According to the [Bureau of Labor Statistics](#), architecture and engineering workers reported a median annual income of \$83,160 in May 2020 — about \$40,000 more than the median salary for all jobs in the U.S. Certain types of engineering jobs may offer higher incomes depending on factors like demand and industry.

Here are the median salaries for some of the most popular engineering branches.

### ENGINEERING TYPE

[Petroleum Engineers](#)

### MEDIAN SALARY (MAY 2020)

\$137,330

b. Civil Engineering from [whatisengineering.com](http://whatisengineering.com)





# What is Engineering

[DISCIPLINES](#)[DEGREES](#)[CAREERS](#)[WHAT IS?](#)[ABOUT](#)

## Civil Engineering

It is believed that the origins of Civil Engineering date back to ancient Egypt when shelter, infrastructure and transportation were an important community need. Today it contains many interesting sub-disciplines including many that relate to preserving nature and the environment.

Check out the main sub-disciplines of Civil Engineering below and click to find out more:

### Civil



What is  
Architectural  
Engineering  
Civil

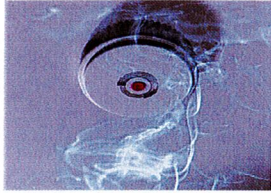


What is Civil  
Engineering  
Civil



## What is Earthquake Engineering

Civil



## What is Ecological Engineering

Civil



## What is Fire Protection Engineering

Civil



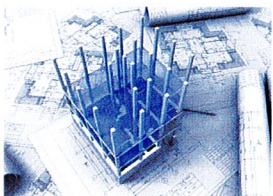
## What is Geotechnical Engineering

Civil



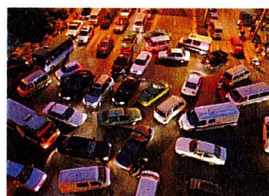
## What is Hydraulic Engineering

Civil



## What is Mining Engineering

Civil

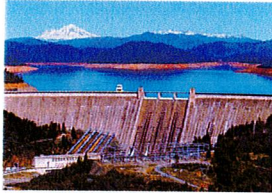


## What is Structural Engineering

Civil

## What is Traffic Engineering

Civil



# What is Water Resource Engineering Civil

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c. Available Civil Engineering Degrees – NC State University



# College of Engineering

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## Undergraduate

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## Degrees and Academic Programs

We want our students to select engineering degrees that suit their interests and talents. To get you started in choosing an undergraduate degree program that fits you best, we have listed some helpful resources below.

### 9th in B.S. Degrees Awarded

NC State's College of Engineering is ranked in the top ten of schools to award B.S. degrees\*\*

[View rankings →](#)

### Engineering Majors Leading to Bachelor of Science (B.S.) Degrees

- › Aerospace Engineering (AE)
- › Biological Engineering (BE)
- › Biomedical Engineering (BME)
- › Chemical Engineering (CHE)
- › **Civil Engineering (CE)**
- › Computer Engineering (CPE)
- › Computer Science (CSC)



- › Construction Engineering (CON)
- › Electrical Engineering (EE)
- › Environmental Engineering (ENE)
- › Industrial Engineering (IE)
- › Materials Science and Engineering (MSE)
- › Mechanical Engineering (ME)
- › Mechanical Engineering Systems (MES) (Site-Based, \* Craven Community College, Havelock)
- › Mechatronics Engineering (JEM) (Site-Based, \* University of North Carolina at Asheville)
- › Nuclear Engineering (NE)
- › Paper Science and Engineering (PSE)
- › Textile Engineering (TE)

\*The **two site-based degree programs** in Havelock, NC, and Asheville, NC, allow you to earn an undergraduate engineering degree from NC State without having to move to Raleigh. Both are ABET-accredited programs.

**For more detailed information about a particular program, visit the department's website.** You can also check out the University's **Explore Majors and Minors** website.

## College of Engineering

Fitts-Woodland Hall  
915 Partners Way  
Raleigh, NC 27695-7901

### CAMPUS MAP



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d. F.S. 471.005 Definitions

# The Florida Senate

## 2018 Florida Statutes

<u>Title XXXII</u> REGULATION OF PROFESSIONS AND OCCUPATIONS	<u>Chapter 471</u> ENGINEERING  <u>Entire Chapter</u>	<b>SECTION 005</b> <b>Definitions.</b>
--------------------------------------------------------------------	----------------------------------------------------------------	-------------------------------------------

**471.005 Definitions.**— As used in this chapter, the term:

- (1) "Board" means the Board of Professional Engineers.
- (2) "Board of directors" means the board of directors of the Florida Engineers Management Corporation.
- (3) "Certificate of authorization" means a license to practice engineering issued by the management corporation to a corporation or partnership.
- (4) "Department" means the Department of Business and Professional Regulation.
- (5) "Engineer" includes the terms "professional engineer" and "licensed engineer" and means a person who is licensed to engage in the practice of engineering under this chapter.
- (6) "Engineer intern" means a person who has graduated from an engineering curriculum approved by the board and has passed the fundamentals of engineering examination as provided by rules adopted by the board.
- (7) "Engineering" includes the term "professional engineering" and means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, teaching of the principles and methods of engineering design, engineering surveys, and the inspection of construction for the purpose of determining in general if the work is proceeding in compliance with drawings and specifications, any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic, or thermal nature, insofar as they involve safeguarding life, health, or property; and includes such other professional services as may be necessary to the planning, progress, and completion of any engineering services. A person who practices any branch of engineering; who, by verbal claim, sign, advertisement, letterhead, or card, or in any other way, represents himself or herself to be an engineer or, through the use of some other title, implies that he or she is an engineer or that he or she is licensed under this chapter; or who holds himself or herself out as able to perform, or does perform, any engineering service or work or any other service designated by the practitioner which is recognized as engineering shall be construed to practice or offer to practice engineering within the meaning and intent of this chapter.
- (8) "License" means the licensing of engineers or certification of businesses to practice engineering in this state.
- (9) "Management corporation" means the Florida Engineers Management Corporation.
- (10) "Retired professional engineer" or "professional engineer, retired" means a person who has been duly licensed as a professional engineer by the board and who chooses to relinquish or not to renew his or her license and applies to and is approved by the board to be granted the title "Professional Engineer, Retired."
- (11) "Secretary" means the Secretary of Business and Professional Regulation.
- (12) "Space or aerospace company" means any business entity concerned with the design, manufacture, or support of aircraft, rockets, missiles, spacecraft, satellites, space vehicles, space stations, space facilities, or components thereof, and equipment, systems, facilities, simulators, programs, products, services, and activities related thereto.
- (13) "Defense company" means any business entity that holds a valid Department of Defense contract or any business entity that is a subcontractor under a valid Department of Defense contract. The term includes any business entity that holds valid contracts or subcontracts for products or services for military use under prime contracts with the United States Department of Defense, the United States Department of State, or the United States Coast Guard.

**History.**— ss. 2, 42, ch. 79-243; ss. 4, 10, ch. 81-302; ss. 2, 3, ch. 81-318; s. 4, ch. 83-160; s. 4, ch. 84-365; ss. 2, 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 151, ch. 94-218; s. 331, ch. 97-103; s. 33, ch. 2000-356; s. 3, ch. 2000-372; s. 18, ch. 2002-299; s. 2, ch. 2003-425.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

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e. Definition: Practice of Engineering by the NSPE

**District of Columbia****CITATION 1599****Definitions:**

- d. Practice of Engineering - Any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences, provided in consultation, investigation, expert technical testimony, evaluation, planning, design and design coordination of engineering works and systems, planning the use of land, air, and water, teaching advanced engineering subjects, performing engineering surveys and studies, and the review of construction for the purpose of monitoring compliance with drawings and specifications, any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, communication systems, transportation systems, and industrial or consumer products, or equipment of control systems, communications, mechanical, electrical, hydraulic, pneumatic, chemical, environmental, or thermal nature, insofar as they involve safeguarding life, health, or property, and including such other professional services as may be necessary to the planning, progress, and completion of any engineering services. Said practice includes the doing of such architectural work, as is incidental to the practice of engineering.

**STATE Florida****CITATION 471.005****Definitions:**

7. "Engineering" includes the term "professional engineering" and means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, teaching of the principles and methods of engineering design, engineering surveys, and the inspection of construction for the purpose of determining in general if the work is proceeding in compliance with drawings and specifications, any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic, or thermal nature, insofar as they involve safeguarding life, health, or property; and includes such other professional services as may be necessary to the planning, progress, and completion of any engineering services. A person who practices any branch of engineering; who, by verbal claim, sign, advertisement, letterhead, or card, or in any other way, represents himself or herself to be an engineer or, through the use of some other title, implies that he or she is an engineer or that he or she is licensed under this chapter; or who holds himself or herself out as able to perform, or does perform, any engineering service or work or any other service designated by the practitioner which is recognized as engineering shall be construed to practice or offer to practice engineering within the meaning and intent of this chapter.

f. Definition of discipline by Cambridge English dictionary



+ SMART Vocabulary: related words and phrases

Want to learn more?



Improve your vocabulary with **English Vocabulary in Use** from Cambridge.  
Learn the words you need to communicate with confidence.

---

discipline *noun* (SUBJECT)



C2 [C]

**a particular area of study, especially a subject studied at a college or university**

+ SMART Vocabulary: related words and phrases



# discipline

*verb*

US /'dis.ə.plɪn/ UK /'dis.ə.plɪn/

---

discipline *verb* (PUNISH)



[T]

**to punish someone:**

- *A senior army officer has been disciplined for revealing secret government plans to the*

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g. Broward County BORA certification form

# Broward County Board of Rules and Appeals

## *Certification Form for the Position of Structural Plans Examiner*

For the Building Department of: City of Pompano Beach

Name: Jose L. Encarnacion

Home Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED] Phone: [REDACTED]

Effective date of hire/promotion/contracted staff: 02/03/2022

- All applicants shall sign the attached affidavit to ensure compliance with Chapter 71-575, Paragraph 4(b), Laws of Florida. (BORA Policy #14-02, Effective May 9, 2014.)

**Please mark in each corresponding box to indicate compliance with appropriate Code Sections:**

☒ **104.10.1 Certification of Structural Plans Examiner.** To be eligible for appointment as a Structural Plans Examiner, such person shall be certified by BCAIB as a Standard Plans Examiner or be a Florida Registered Architect or Florida Licensed Professional Engineer in the discipline requested.

☒ **104.10.1.1** Such person shall also be certified by BORA by meeting at least one of the following:

☒ **104.10.1.1.1** Be a Florida Registered Architect or a Florida Licensed Professional Engineer, in the discipline requested and having practiced for a minimum of five (5) years within the State of Florida, two (2) years of which shall have been within the HVHZ or by passing BORA's HVHZ exam.

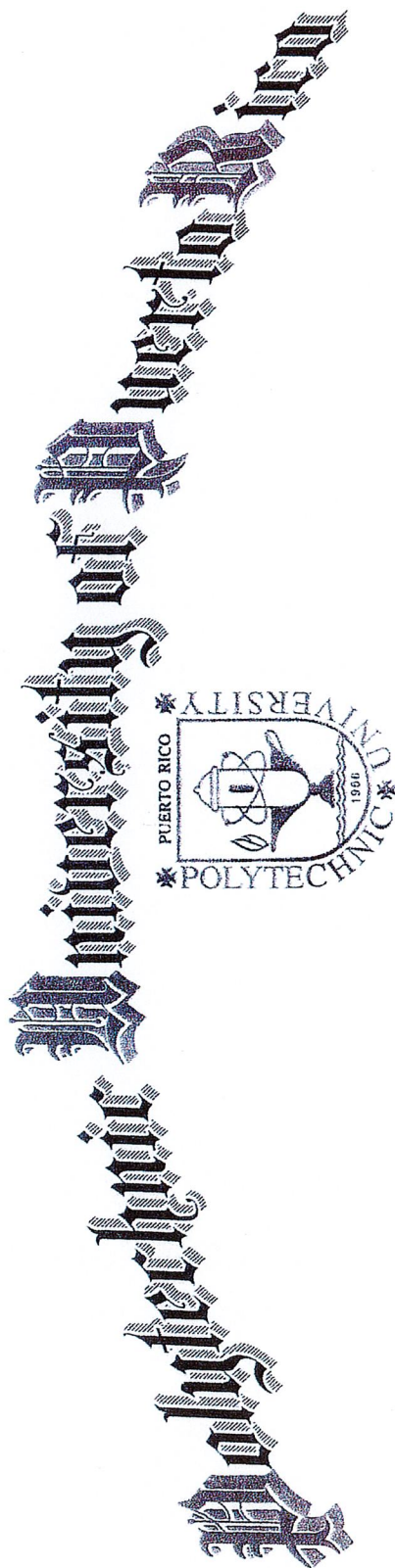
☐ **104.10.1.1.2** Be a Standard Inspector appointed as such, for a minimum of one (1) year by an AHJ or school board within the State of Florida and who complies with at least one (1) of the qualifications of Section 104.16.3.1.

☐ **104.10.1.2** Limited Plans Examiner certifications may be issued to individuals holding current Building Contractor or Residential Contractor licenses and who otherwise meet the requirements of the appropriate section under which they are qualifying, with duties limited to the scope of work authorized by their license.

☒ **104.10.1.3** Each of the applicants shall possess a current Certificate of Competency or a Professional Engineer license or Architect registration issued by at least one of the following entities:

- A. Florida Construction Industry Licensing Board
- B. Broward County Central Examining Board of Building Construction Trades
- C. Miami-Dade County Construction Trades Qualifying Board
- D. Florida Board of Professional Engineers  
Department of Business and Professional Regulation as an Architect

h. PUPR diploma



THE BOARD OF TRUSTEES OF THE UNIVERSITY  
UPON RECOMMENDATION OF THE FACULTY  
HEREBY CONFERS UPON

*José L. Encarnación Barría*

THE DEGREE OF

*Bachelor of Science in Civil Engineering*

IN RECOGNITION OF THE COMPLETION OF THE PRESCRIBED  
PROGRAM OF STUDY WITH ALL THE HONORS,  
RIGHTS AND PRIVILEGES THERETO APPERTAINING  
GIVEN UNDER THE SEAL OF THE UNIVERSITY AT

San Juan, Puerto Rico, this second day of July, 2002

A stylized, handwritten signature in black ink, likely belonging to the President of the Board of Trustees.

PRESIDENT OF THE BOARD OF TRUSTEES

A stylized, handwritten signature in black ink, likely belonging to the President of the University.

PRESIDENT OF THE UNIVERSITY



i. Transcript



POLYTECHNIC UNIVERSITY  
OF PUERTO RICO

Ave. Ponce de León #377, HATO REY, P.R. 00918

OFFICIAL ACADEMIC RECORD

120429 PAGE 1 OF 1

NAME	ENCARNACION GARCIA, JOSE L.
SEX	M
HS INDEX	2.850
CEEB	2741
STUDENT ADDRESS	CRISANTEMO WH-19, LOS ANGELES, CAROLINA PR 00979.
ADMITTED FROM	Piedad
ADMITTED TO	CIVIL ENGINEERING
DATE INITIATED	07/02/2002
TRANSFER FROM	
ADM. DATE	

DEGREE GRANTED	Bachelor Science Engineering
GRADE INDEX	3.04
HONORS	
RANK	

COURSE	CLASS DESCRIPTION	CHE GRADE	H. PTS.	REMARKS
MATH100	FALL TERM '97 (08/25/97 to 11/15/97) PREPARATORY MATHEMATIC 3 PT Term GPA 0.00 Credit Cum GPA 0.00 Credit			
SPAN100	FALL TERM '97 (08/25/97 to 11/15/97) PREPARATORY SPANISH 3 B 9			
ENGL100	PREPARATORY ENGLISH 3 B 9			
ATUL100	ADJUSTMENT TO UNIVERSITY 3 B 9			
	Term GPA 3.00 Credit Cum GPA 3.00 Credit			
	FALL TERM '97 (12/01/97 to 03/07/98) PRECALCULUS I 3 B 9			
MATH111	SPANISH GRAMMAR 3 A 12			
SPAN110	ENGLISH GRAMMAR 3 B 9			
ENGL110	INTRODUCTION TO PHYSICS 3 C 6			
SCIE110	Term GPA 3.00 Credit Cum GPA 3.00 Credit			
	WINTER TERM '98 (08/10/98 to 10/31/98) HISPANIC LITERATURE 3 C 6			
SPAN251	ANALYSIS OF WORLD LITE 3 A 12			
ENGL251	CALCULUS I 3 C 6			
MATH133	FRESHMAN ENGINEERING D 3 A 12			
ENGI146	Term GPA 3.00 Credit Cum GPA 2.85 Credit			
	WINTER TERM '98 (11/16/98 to 02/20/99) EARTH SCIENCES 3 A 12			
ENGI246	PHYSICS I-LABORATORY 1 C 2			
SCIE214	CALCULUS II 3 C 6			
MATH144	PHYSICS I-MECHANICS 3 B 9			
SCIE213	PROG & ALGO I 3 B 9			
ENGI220	Term GPA 2.92 Credit Cum GPA 2.87 Credit			

NO COURSE BELOW THIS LINE

Continued on next Column/Page

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CERTIFIED CORRECT  
Mayra J. Lopez  
05 NOV 2002





## OFFICIAL ACADEMIC RECORD

Ave. Ponce de León #377, HATO REY, P.R. 00918

120430

PAGE 2 OF 2

H.S. INDEX OF 58

ENCARNACION GARCIA, JOSE L.

STUDENT ADDRESS  
CRISANTEMO WH-19, LOS ANGELES, CAROLINA PR 00979.

Piedad

DATE AND PLACE OF BIRTH

CIVIL ENGINEERING

TRANSMISSION FROM:

ADM: DATE:

DEGREE GRANTED  
Bachelor Science Engineering

07/02/2002

DEGREE GRANTED	GRADE INDEX
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13	13
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100	100

BANK

COURSE

CLASS DESCRIPTION	NUMBER OF STUDENTS	PERCENTAGE OF TOTAL
1. General Education	10	10%
2. Special Education	90	90%
<b>Total</b>	<b>100</b>	<b>100%</b>

SPRING TERM '99 (03/08/99 to 05/28/99)

SCIE235	PHYSICS II-HEAT LIGHT	3	6	05/29/99
SCIE236	PHYSICS II-LABORATORY	1	C	2
SOHU251	SOCIO-HUMANISTIC STUDI	3	A	12
MATH215	CALCULUS III	3	A	12
ENGL235	PROBABILITY & STATIST	3	A	12
ENG1142	DESCRIPTIVE GEOMETRY	3	D	3

Term GPA	2.73	Credit	15
Sum GPA	2.84	Credit	70

FALL TERM '99 (08/09/99 to 10/30/99)

MATH226	CALCULUS IV	3	3	C	10/30/99)
SCIE250	PHYSICS III-LABORATORY	1	1	B	6
SOHU252	SOCIO-HUMANISTIC STUDI	3	3	A	12
SCIE249	PHYSICS III-ELECTRICIT	3	3	B	9
ENGI322	APPLIED MECH STAT	3	3	C	3

Term	GPA	2.54	Credit	13
Sum	GPA	2.80	Credit	82

NO COURSE BELOW THIS LINE

Continued on next Column/Page

### CLASS DESCRIPTION

CHIEF GRADE H. PTS.

REMARKS

WINTER TERM '99 (11/15/99 to 02/19/00)

ENGL324	MECHANICS OF MATERIALS	3	C	6
ENGL325	SURVEYING INSTRUMENTS	1	B	3
MATH237	DIFFERENTIAL EQUATIONS	3	A	12
CE246	APPLIED SOFTWARE FOR C	3	A	12
ENGL325	ENGINEERING MECH. DYN	3	A	12

Term	GPA	3.46	Credit	13
Cum	GPA	2.88	Credit	105

SPRING TERM '00 (03/06/00 to 05/27/00)  
FLUID MECHANICS

ENGL327	FLUID MECHANICS	3	B	9	9
EE3800	PRINC OF ELEC ENGI (EN	3	B	9	9
ENGL328	FLUID MECHANICS LABORA	1	C	2	9
CE247	APPLIED NUMERICAL ANAL	3	B	9	9
ENGL449	ENGINEERING ECONOMICS	3	B	9	9

Term	GPA	2.92	Credit	13
Cum	GPA	2.89	Credit	118

SUMMER TERM '00 (05/26/00 to 07/29/00)

CE438	GEOTECHNICAL ENGINEER I	1	A	4
CE437	GEOTECHNICAL ENGINEER I	3	A	12
	Term GPA	4.00	Credit	4
	Cum GPA	2.92	Credit	122

[illegible]

NO COURSE BELOW THIS LINE

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**CERTIFIED CORRECT**

DATE:

05 NOV 2002

REGISTERED NOT A TRADEMARK



IDENTIFICATION NUMBER



POLYTECHNIC UNIVERSITY  
OF PUERTO RICO

OFFICIAL ACADEMIC RECORD

Ave. Ponce de León #377, HATO REY, P.R. 00918

PAGE 3 OF 120431

NAME: ENCARNACION GARCIA, JOSE L.  
SEX: M AGE: 2.850 GRADE: 2741  
STUDENT ADDRESS: CRISANTEMO WH-19, LOS ANGELES, CAROLINA PR 00979.  
ADMITTED TO: CIVIL ENGINEERING  
DATE AND PLACE OF BIRTH: Piedad  
TRANSFER FROM: ADM. DATE:

DEGREE GRANTED: Bachelor Science Engineering  
HONORS: 3.04  
RANK: 3.04  
07/02/2002

COURSE	CLASS DESCRIPTION	CREDIT	GRADE	REMARKS
FALL TERM '00 (07/28/00 to 10/28/00)				
CE331	LAB. OF CONSTRUCTION M	1	A	
CE330	CONSTRUCTION MATERIALS	3	B	
ENGI340	MECHANICS OF MATERIALS	1	B	
CE318	WATER RESOURCES ENGINE	3	A	
ENGI335	MECHANICS OF MATERIALS	3	C	
CE321	HIGHWAY DESIGN I	3	C	
	Term GPA	2.86	Credit	
	Cum GPA	2.92	Credit	
WINTER TERM '00 (11/01/00 to 02/17/01)				
CE4304	HIGHWAY DESIGN II	3	B	
CE4204	GEOTECHNICAL ENGINEER I	3	B	
CE4402	WATER SUPPLY ENGINEER I	3	A	
CE4102	THEORY OF STRUCTURES	3	B	
CE4205	GEOTECHNICAL ENGI. LAB	1	B	
	Term GPA	3.23	Credit	
	Cum GPA	2.95	Credit	
NO COURSE BELOW THIS LINE				
Continued on next Column/Page				
SPRING TERM '01 (03/05/01 to 05/26/01)				
CE4104	THEORY OF STRUCTURES I	3	A	
CE4106	STEEL STRUCTURES DESIG	3	B	
CE5402	WASTEWATER ENGINEERING	3	B	
CE4306	TRANSPORTATION ENGINEE	3	B	
CE4502	CONSTRUCTION MANAGEMEN	3	B	
PSYC3030	SOCIAL PSYCHOLOGY	3	A	
CE5090	SPECIAL TOPIC CIVIL EN	3	A	
	Term GPA	3.43	Credit	
	Cum GPA	3.01	Credit	
SUMMER TERM '01 (06/04/01 to 07/21/01)				
CE4108	CONCRETE STRUCTURES DS	3	A	
	Term GPA	4.00	Credit	
	Cum GPA	3.02	Credit	
FALL TERM '01 (08/06/01 to 10/27/01)				
CE5902	CE CAPSTONE DSGN I	3	A	
CE5104	FOUNDATION ENGINEERING	3	A	
CE5102	ADVANCED STRUCTURAL DS	3	C	
CE5052	C.E. UNDERGRADUATE RES	3	B	
	Term GPA	3.25	Credit	
	Cum GPA	3.04	Credit	
NO COURSE BELOW THIS LINE				
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CERTIFIED COPY: *Margaret J. Lopez* DATE: 05 NOV 2002





POLYTECHNIC UNIVERSITY  
OF PUERTO RICO

Ave. Ponce de León #377, HATO REY, P.R. 00918

OFFICIAL ACADEMIC RECORD

IDENTIFICATION NUMBER

ENCARNACION GARCIA, JOSE L.

CRISANTEMO WH-19, LOS ANGELES, CAROLINA PR 00979.

Piedad

DATE AND PLACE OF BIRTH

SEX

M

2.850

2741

CEER

120432

PAGE

4

OF

DEGREE GRANTED

Bachelor Science Engineering

GRADE WORK

3.04

HONORS

07/02/2002

RANK

COURSE

CLASS DESCRIPTION

WINTER TERM '01 (11/12/01 to 02/16/02)  
CE5404 ENVIRONMENTAL ENG. CIV 3 C 6  
PHIL3040 ETHICS IN ENGINEERING 3 A 12  
CE5904 CE CAPSTONE DSGN II 3 A 12  
ENGI1110 ENGINEERING GRAPHICS 3 W R 0  
CE5405 ENVIRONMENTAL ENG. LAB 1 D 1  
Term GPA 3.10 Credit 10  
Cum GPA 3.04 Credit 195  
=====

NO COURSE BELOW THIS LINE

Degree Received: Bachelor Science Engine  
Date Conferred.: 07/02/2002  
Majors.....: CIVIL ENGINEERING

End of official record.

CLASS DESCRIPTION

CE GRADE H.F.T.S.

REMARKS

NO COURSE BELOW THIS LINE

STUDENT COPY

A- Excellent  
B- Good  
C- Average  
D- Poor  
F- Failed  
W- Withdrawal  
I- Incomplete  
R- Repeated  
S- Satisfactory  
NS- Not Satisf.  
AP- Pass  
NP- Not Pass  
T- Accredited  
U- Unauthorized  
AU- Audit  
AP- Advanced P.  
PT- Placement  
ATS- Achievement  
CE- Course Exd.  
IT- Inc Thesis  
IP- Inc Pract.  
E- Expired

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CERTIFIED CORRECT

Mayra J. Lopez

DATE

05 NOV 2002

RECEIVED BY STUDENT AND QUALIFIED

j. PUPR ABET Accreditation

# Accredited Programs

☒ Institution Search ☐ Program Search

polytechnic university of Puerto

☐ Include institutions with historically accredited programs

## Filter Options

### Institutions

EXPORT

1 result(s)

#### Polytechnic University of Puerto Rico

San Juan, Puerto Rico, United States

### Polytechnic University of Puerto Rico

San Juan, Puerto Rico, United States ([www.pupr.edu](http://www.pupr.edu))

*Programs that are no longer accredited are excluded from the results below*

[View historically accredited programs](#)

#### Biomedical Engineering (BS)

**Accredited:** Oct 1, 2018 – Present

Expand

#### Chemical Engineering (BS)

**Accredited:** Oct 1, 2006 – Present

Expand

**Civil Engineering (BS)****Accredited:** Oct 1, 1994 – Present**Accredited Locations:** Main Campus, Orlando Campus**Date of Next Comprehensive Review:** 2025–2026**Accredited By:** Engineering Accreditation Commission**Program Criteria:** Civil Engineering**International Mutual Recognition Agreement:** [Washington Accord](#) |[Bilateral Engineers Canada](#) ⓘ

Collapse

**Computer Engineering (BS)****Accredited:** Oct 1, 2006 – Present

Expand

**Computer Science (BS)****Accredited:** Oct 1, 2017 – Present

Expand

**Electrical Engineering (BS)****Accredited:** Oct 1, 1994 – Present

Expand

**Environmental Engineering (BS)****Accredited:** Oct 1, 2000 – Present

Expand

**Industrial Engineering (BS)****Accredited:** Oct 1, 1994 – Present

Expand

**Land Surveying and Mapping (BS)****Accredited:** Oct 1, 2006 – Present

Expand



**Mechanical Engineering (BS)****Accredited:** Oct 1, 1994 – Present**Expand**

*The accreditation cycle ends on September 30th. The content of this search is annually updated on October 1st.*

k. ABET

# About ABET

Home (<https://www.abet.org>) > About ABET

At ABET, our approach, the standards we set and the quality we guarantee, inspires confidence in those who aim to build a better world — one that is safer, more efficient, more comfortable and more sustainable.

We accredit college and university programs in the disciplines of applied and natural science, computing, engineering and engineering technology at the associate, bachelor's and master's degree levels.

With ABET accreditation, students, employers and the society we serve can be confident that a program meets the quality standards that produce graduates prepared to enter a global workforce.

We began as the educational standard against which professional engineers in the United States were held for licensure. Today, after more than 80 years, our standards continue to play this fundamental role and have become the basis of quality for STEM disciplines all over the world.

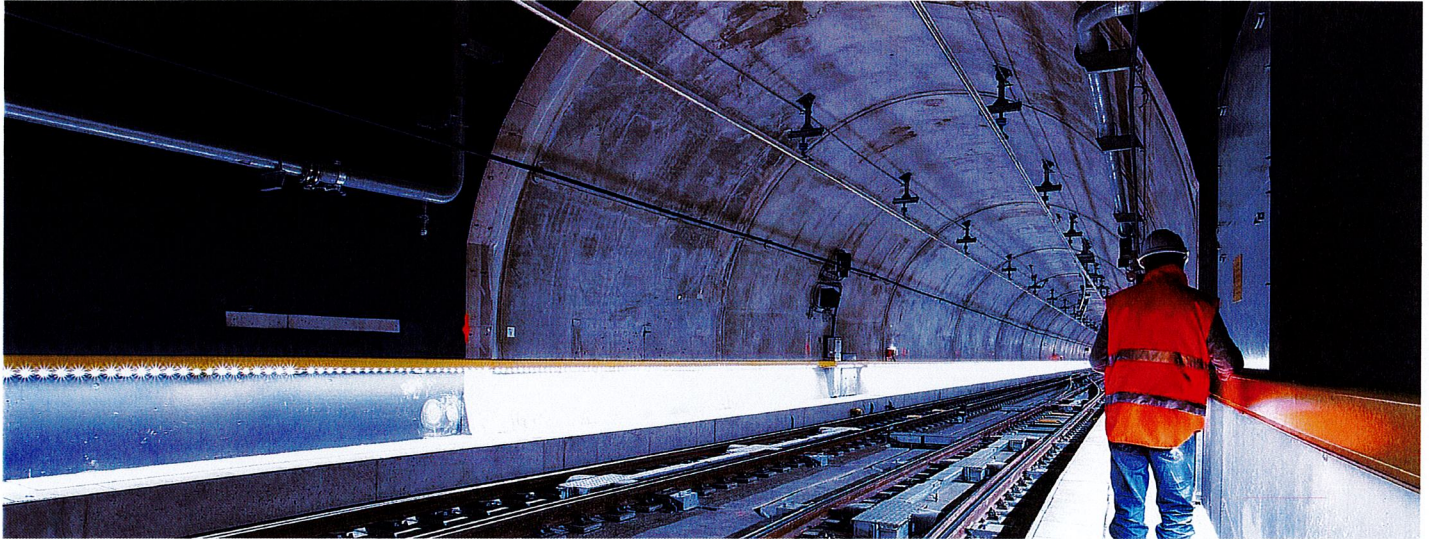
Developed by technical professionals from ABET's member societies, our criteria focus on what students experience and learn. Sought worldwide, ABET's voluntary peer-review process is highly respected because it adds critical value to academic programs in the technical disciplines, where quality, precision and safety are of the utmost importance.

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## I. Puerto Rico Engineering License (PE)

RENOVACIÓN APROBADA: 25 de febrero, 2020

RENEWAL APPROVED ON: February 25, 2020



Gobierno de Puerto Rico  
Government of Puerto Rico

DEPARTAMENTO DE ESTADO  
Department of State

Secretaría Auxiliar de Juntas Examinadoras  
Office of the Assistant Secretary of State for Examining Boards

La Junta Examinadora de Ingenieros y Agrimensores  
The Examining Board of Engineers and Land Surveyors

por la presente certifica que  
hereby certifies that

**Jose Luis Encarnacion Garcia**

habiendo cumplido todos los requisitos de Ley, se ha inscrito en el Registro de esta Junta como  
having met all the requirements of law, has been registered as:

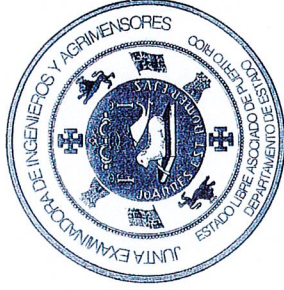
**Ingeniero Licenciado**  
Licensed Engineer

En testimonio de lo cual, se expide esta licencia para el ejercicio de dicha profesión, bajo el sello de la Junta Examinadora.  
In testimony whereof, this license is issued to practice this profession, under the seal of the Board of Examiners.

En San Juan, Puerto Rico, efectivo 23 de abril de 2020  
In San Juan, Puerto Rico, effective April 23, 2020.

Número de Licencia: 20082  
License Number

Vencimiento: 22 de abril de 2025  
Expires: April 22, 2025

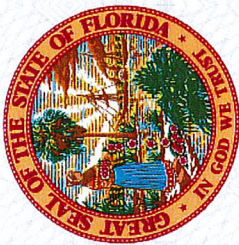


Presidente

Directora  
Director

m. Florida Engineering License (PE)





Ron DeSantis, Governor



## STATE OF FLORIDA

### BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE  
PROVISIONS OF CHAPTER 471, FLORIDA STATUTES



**ENCARNACION, JOSE LUIS**



**LICENSE NUMBER: PE80123**

**EXPIRATION DATE: FEBRUARY 28, 2023**

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n. GBE&C (formerly known as GB&A) hiring letter

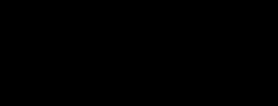


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## **G. Batista & Associates**

June 22, 2015

Jose L. Encarnacion, PE



Re: Employment offer letter

Dear Jose,

Congratulations on your appointment as Project Manager for G. Batista & Associates. The intent of your employment is to groom you to be the General Manager for the company that will partake of the responsibilities and the consequent financial rewards as well. If you agree to take this position, I promise you that in one year you will learn more than your previous 5 years put together. If you are up to the challenge of learning, I will be there to help you along and develop.

I would like to extend a welcome to you, and look forward to helping make your transition as pleasant as possible.

Your base salary will be \$80,000 per year. Once you attain your Florida PE, you will be increased \$5,000.

These are the benefits:

- 1- One Week vacation for the first year. (after a 3 month probation period)
- 2- 2 weeks paid vacations after the first year.
- 3- One week discretionary bonus at Christmas.
- 4- We will reinstate medical and 401(k) upon stronger financials. We are looking into it at this time.
- 5- During your employment, I will provide you with a vehicle and pay all vehicle expenses including gas, maintenance, and insurance. All other expenses related to your move will be paid by you.

It is understood that your first day will be August 1<sup>st</sup>. I really needed you to start sooner, but we already made that agreement. We can talk about the details at a

10400 Griffin Road, Suite 201 • Cooper City, Florida 33328  
Telephone: 954.434.2053 • Fax: 954.434.2056  
Visit us at: [www.gbanda.com](http://www.gbanda.com)

later date.

I encourage you to visit the office and review the employee manual. It is designed to provide resources that will help with your transition and better understand the company.

I am here to help support your transition, so please feel free to contact me with any questions. We are looking forward to your joining us, as well as your success here. **I am going to need an acceptance or rejection in writing by this coming Friday.**

If you should have any questions, please feel free to reach me at 954-434-2053.

Best Regards,

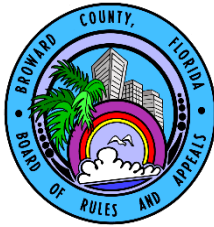


Greg Batista, PE,  
CGC President



# Section 3





# BROWARD COUNTY BOARD OF RULES AND APPEALS

## **FBC 7<sup>th</sup> Edition (2020)** **FORMAL INTERPRETATION (#30)**

ONE NORTH UNIVERSITY DRIVE  
SUITE 3500-B  
PLANTATION, FLORIDA 33324

PHONE: 954-765-4500

FAX: 954-765-4504

[www.broward.org/codeappeals](http://www.broward.org/codeappeals)

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P.E., S.I., SECB, F.ASCE, F.SEI  
Structural Engineer

#### **Vice-Chair**

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Electrical Engineer

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Fire Service Professional  
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Mr. John Famularo,  
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Architect  
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Mechanical Engineer

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Master Electrician  
Mr. Jeff Falkanger,  
Architect

#### **Board Attorney**

Charles M. Kramer, Esq.

#### **Board Administrative Director**

James DiPietro

—ESTABLISHED 1971—

**DATE:** April 14, 2022  
**TO:** All Building Officials  
**FROM:** James DiPietro, Administrative Director  
**SUBJECT:** Fee-simple townhouses designed and constructed according to the definitions and requirements for townhouses as stated in the FBC Building and FBC Residential Codes exemption from the 40-year Building Safety Inspection Program.

At its regularly scheduled meeting of April 14, 2022, the Board approved an interpretation clarifying whether fee-simple townhouses designed and constructed according to the definitions and requirements for townhouses as stated in the FBC Building and FBC Residential Codes are exempt from the 40-year Building Safety Inspection Program.

### **Formal Interpretation.**

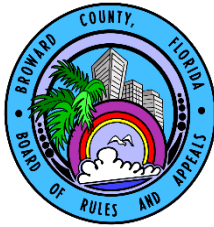
The Board reviewed documentation and discussed whether fee-simple townhouses designed and constructed according to the definitions and requirements for townhouses as stated in the FBC Building and FBC Residential Codes are exempt from the 40-year building safety inspection program.

The Board determined that fee-simple townhouses are considered separate single-family units and therefore are exempt from the 40-year building safety inspection program only if they meet the definition and requirements for townhouse as stated in the FBC Building and FBC Residential Codes.

**NOTE:** However, townhouse-like structures that are designated “condominium” by the Broward County Property Appraiser’s website, are not exempt and therefore are required to comply with the 40-year building safety inspection program.

**EFFECTIVE DATE:** April 15, 2022

\*\*\*\*PLEASE POST AT YOUR PERMIT COUNTER\*\*\*\*



# BROWARD COUNTY BOARD OF RULES AND APPEALS

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Mr. Jeff Falkanger,  
Architect

### **Board Attorney**

Charles M. Kramer, Esq.

### **Board Administrative Director**

James DiPietro

—ESTABLISHED 1971—

**TO:** Members of the Board of Rules and Appeals  
**FROM:** Michael Guerasio, Chief Structural Code Compliance Officer  
John Morell, Chief Structural Code Compliance Officer  
**DATE:** April 14, 2022  
**SUBJECT:** Proposed Formal Interpretation #30 "Fee-simple townhouses designed and constructed according to the definitions and requirements for townhouses as stated in the FBC Building and FBC Residential Code exemption from the 40-year Building Safety Inspection Program"

### **Recommendation:**

That the Board approve by vote, formal interpretation #30 proposed clarifying fee-simple townhouses are exempt from the 40-year Building Safety Inspection Program.

### **Reasons:**

To provide a uniform enforcement of the 40-year Building Safety Inspection Program throughout Broward County and the municipalities within it.

### **Additional Information:**

The supporting provisions listed below will help with your decision exempting fee-simple townhouses from the 40-year Building Safety Inspection Program which are considered fee simple properties.

Here are some searches on fee simple property, including some definitions:

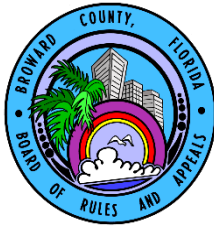
### **What does fee simple mean for a townhome?**

Fee simple ownership is outright ownership: It means you will have the broadest possible rights over the property itself and the land underneath, including mineral rights. Many properties in these areas are condos, co-ops, or planned communities with more limited ownership types and rights.

### **Ownership Types**

The most predominant methods of owning property are Fee Simple and Condominium. If property is owned Fee Simple, the owner has an unqualified ownership in the property or real estate. Fee Simple ownership typically includes the structure's interior and exterior, the land on which the structure is built, some rights to the air space above the structure, with a yard or public way on not less than two sides.

Most single-family homes are owned Fee Simple. Townhome, townhouse, and row house all describe a consecutive series of similar residential units that may or may not share common walls with the adjacent units. They usually have two or more levels, may or may not sit on individual lots, and may or may not have front or back yards. These units, including the single-family homes could be sold Fee Simple or Condominium.



# BROWARD COUNTY

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Charles M. Kramer, Esq.

#### **Board Administrative Director**

James DiPietro

—ESTABLISHED 1971—

### **Continuation:**

**BCAP 101.2 Scope.** The provisions of this Chapter shall govern the administration and enforcement of the FBC, Fire Protection Provisions of this Code and FFPC and shall apply countywide in both incorporated and unincorporated areas of Broward County, Florida. The provisions of this Code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

### **Exceptions:**

1. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the FBC, Residential, and Broward County Amendments, Chapter 1.

### **Florida Statute**

#### **481.203 Definitions.**

(16) "Townhouse" means a single-family dwelling unit not exceeding three stories in height which is constructed in a series or group of attached units with property lines separating such units. Each townhouse shall be considered a separate building and shall be separated from adjoining townhouses by the use of separate exterior walls meeting the requirements for zero clearance from property lines as required by the type of construction and fire protection requirements; or shall be separated by a party wall; or may be separated by a single wall meeting the following requirements:

- (a) Such wall shall provide not less than 2 hours of fire resistance. Plumbing, piping, ducts, or electrical or other building services shall not be installed within or through the 2-hour wall unless such materials and methods of penetration have been tested in accordance with the Standard Building Code.
- (b) Such wall shall extend from the foundation to the underside of the roof sheathing, and the underside of the roof shall have at least 1 hour of fire resistance for a width not less than 4 feet on each side of the wall.
- (c) Each dwelling unit sharing such wall shall be designed and constructed to maintain its structural integrity independent of the unit on the opposite side of the wall.

### **Florida Building Code Building 7<sup>th</sup> Edition 2020:**

#### **Section 101 General**

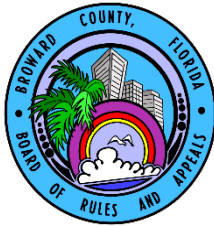
**101.1 Title.** These regulations shall be known as the "Florida Building Code" hereinafter referred to as FBC or "this Code."

#### **Section 202 Definitions.**

**[A] TOWNHOUSE.** A single-family *dwelling unit* not exceeding three stories in height constructed in a group of two or more attached units with property lines separating such units in which each unit extends from the foundation to roof and with a yard or public way on not less than two sides.

#### **454.2.2 Definitions.**

**RESIDENTIAL.** Situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories high



# BROWARD COUNTY

## BOARD OF RULES AND APPEALS

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Architect

#### **Board Attorney**

Charles M. Kramer, Esq.

#### **Board Administrative Director**

James DiPietro

—ESTABLISHED 1971—

### **Continuation:**

#### **Fire Resistance**

**R302.2 Townhouses.** Each townhouse shall be considered a separate building and shall be separated by separate fire resistance rated exterior wall assemblies meeting the requirements of zero clearance from property lines of Section R302.1 for exterior walls.

**R302.2.1 Continuity.** The fire-resistance-rated wall or assembly separating *townhouses* shall be continuous from the foundation to the underside of the roof sheathing, deck or slab. The fire-resistance rating shall extend the full length of the wall or assembly, including wall extensions through and separating attached enclosed *accessory structures*.

#### **R302.2.4 Structural independence.**

Each individual *townhouse* shall be structurally independent

#### **Exceptions:**

1. Foundations supporting *exterior walls* or common walls.
2. Structural roof and wall sheathing from each unit fastened to the common wall framing.
3. Nonstructural wall and roof coverings.
4. Flashing at termination of roof covering over common wall

### **Fire Separation**

#### **706.4.1 Townhouse fire separation.**

**706.4.1.1** Each townhouse shall be considered a separate building and shall be separated from adjoining townhouses by a party wall complying with Section 706.1.1 or by the use of separate exterior walls meeting the requirements of Tables 601 and 602 for zero clearance from property lines as required for the type of construction. Separate exterior walls shall include one of the following:

1. A parapet not less than 18 inches (457 mm) above the roof line.
2. Roof sheathing of noncombustible material or fire retardant treated wood, for not less than a 4 foot (1219 mm) width on each side of the exterior dividing wall.
3. One layer of 5/8 inch (15.9 mm) Type X gypsum board attached to the underside of roof decking, for not less than a 4 foot (1219 mm) width on each side of the exterior dividing wall.

### **Florida Building Code Residential 7<sup>th</sup> Edition 2020:**

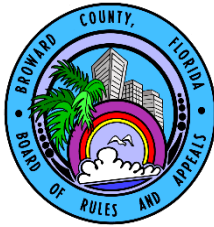
## **SECTION R101**

### **GENERAL**

**R101.1 Title.** These provisions shall be known as the *Florida Building Code, Residential*, and shall be cited as such and will be referred to herein as “this code.”

**R101.2 Scope.** The provisions of the Florida Building Code, Residential shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height.





# BROWARD COUNTY BOARD OF RULES AND APPEALS

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Mr. Jeff Falkanger,  
Architect

### **Board Attorney**

Charles M. Kramer, Esq.

### **Board Administrative Director**

James DiPietro

—ESTABLISHED 1971—

Continuation:

## **Definitions**

**[RB] TOWNHOUSE.** A single-family *dwelling unit* not exceeding three stories in height constructed in a group of two or more attached units with property lines separating such units in which each unit extends from foundation to roof and with a *yard* or public way on not less than two sides.

**R302.2.1 Continuity.** The fire-resistance-rated wall or assembly separating *townhouses* shall be continuous from the foundation to the underside of the roof sheathing, deck or slab. The fire-resistance rating shall extend the full length of the wall or assembly, including wall extensions through and separating attached enclosed *accessory structures*.

## **FUEL GAS**

### **G2415.3 (404.3) Prohibited locations.**

Piping shall not be installed in or through a ducted supply, return or exhaust, or a clothes chute, chimney or gas vent, dumbwaiter or elevator shaft. Piping installed downstream of the point of delivery shall not extend through any townhouse unit other than the unit served by such piping.

Respectfully,

*Michael Guerasio*

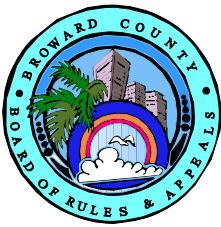
Michael Guerasio,  
Chief Structural  
Code Compliance Officer

*John Morell*

John Morell,  
Chief Structural  
Code Compliance Officer

Cc; Members of the Board of Rules and Appeals

# Section 4



BROWARD COUNTY

# Board of Rules & Appeals

1 North University Drive, Suite 3500B, Plantation, Florida 33324

**To:** Members of the Broward County Board of Rules and Appeals  
**From:** Administrative Director  
**Date:** April 14, 2022  
**Re:** Proposed change to Broward County Amendments (Chapter 1), Section 110.15 adding "fee-simple Townhouses designed and constructed according to the definitions and requirements for townhouses as stated in the FBC Building and FBC Residential Codes" to the exempt properties from the 40-year Building Safety Inspection Program.

---

## **RECOMMENDATION**

That BORA approve by vote, the first reading of staff's proposed language change to Section 110.15 "Building Safety Inspection Program" of Broward County Amendments (Chapter 1) Florida Building Code (FBC) 7<sup>th</sup> Edition 2020.

## **REASONS**

This code revision will clarify whether fee-simple townhouses designed and constructed according to the definitions and requirements for townhouses as stated in the FBC Building and FBC Residential Codes are exempt from the 40-year Building Safety Inspection Program and promote uniform enforcement throughout Broward County.

## **ADDITIONAL INFORMATION**

Existing Language:

**110.15 Building Safety Inspection Program.** BORA has established a building safety inspection program for buildings and structures that have been in existence for a period of 40 years or longer. BORA by written policy shall establish the guidelines and criteria which will be the minimum requirements for the Building Safety Inspection Program. The Building Official shall enforce the building safety inspection Program. U. S. Government buildings, State of Florida buildings, buildings built on Indian Reservations, Schools buildings under the jurisdiction of the Broward County School Board, One- and Two-Family Dwellings, and minor structures defined as buildings or structures in any occupancy group having a gross floor area less than three thousand five hundred (3,500) square feet; are exempt from this program.

Proposed Language:

**110.15 Building Safety Inspection Program.** BORA has established a building safety inspection program for buildings and structures that have been in existence for a period of 40 years or longer. BORA by written policy shall establish the guidelines and criteria which will be the minimum requirements for the Building Safety Inspection Program. The Building Official shall enforce the building safety inspection Program. U. S. Government buildings, State of Florida buildings, buildings built on Indian Reservations, Schools buildings under the jurisdiction of the Broward County School Board, One- and Two-Family Dwellings, fee-simple Townhouses designed and constructed according to the definitions and requirements for townhouses as stated in the FBC Building and FBC Residential Codes, and minor structures defined as buildings or structures in any occupancy group having a gross floor area less than three thousand five hundred (3,500) square feet; are exempt from this program.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "James Smith", is written below the text "Respectfully submitted,".

# Section 5





**BROWARD COUNTY**

# Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

---

To: Members of the Board of Rules and Appeals

From: Administrative Director

Date: April 14, 2022

RE: **Local Amendment, Florida Fire Prevention Code Amendment for 2<sup>nd</sup> Reading  
Section F-108.9.3, Entry Gates**

---

This amendment was approved on 1<sup>st</sup> reading on March 10, 2022 and is scheduled for 2<sup>nd</sup> reading and public hearing on April 14, 2022.

James DiPietro



**BROWARD COUNTY**

# Board of Rules & Appeals

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PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

To: Board of Rules and Appeals  
From: Bryan Parks, Chief Fire Code Official  
Date: March 10, 2022  
RE: New Fire Code Section F-108.9.3 Entry Gates

A handwritten signature in black ink that reads "Bryan Parks".

---

## **Recommendation**

It is recommended by Board of Rules and Appeals, Fire Code Committee as voted on at the February 17, 2022, meeting in a vote of 10 to 0 in favor that a new fire code section F-108.9.3 be incorporated into Broward Local Fire Code Amendments as it relates to Entry Gates.

## **Reason**

Broward County Fire Rescue Departments have now transitioned to Closest Unit Response (CUR), there is a need for immediate access through automatic entry gates for suppression and rescue apparatus. CUR essentially uses GPS to locate the closest in-service apparatus, no matter the agency, and dispatches them to critical incident types such as respiratory arrest, shootings, and drownings to name a few. These critical call types are essential to life and death situations and every minute counts. Without this uniform access, an apparatus responding to a drowning incident may be forced to either wait at an entry gate till they are let in or potentially damage their apparatus by running through the gate. With this proposed language, all departments within Broward County can ensure uniformity regarding access gates which will allow for a timely response.

## **Proposed New Code Section F-108-9.3**

**F-108.9.3** All new and existing automatic entry gates installed in either commercial or multifamily communities shall be provided with a universal access system, approved by the Fire Prevention subcommittee of the Broward County Fire Chief's Association, to allow rapid entry. Existing applications may be provided up to one (1) year to complete as approved by the AHJ.

## Existing Section with Proposed Change

### **F-108.9 Vehicular Access:**

**F-108.9.1** Fire access roads shall be surfaced with solid pavement, grass turf reinforced by concrete grids, or by similar type surfaces approved by the authority having jurisdiction, designed to accommodate fire apparatus weighing a minimum of 32 tons.

**F-108.9.2** Buildings having ramps and/or elevated roadways shall have posted weight limit signs showing maximum load capacity.

**F-108.9.3** All new and existing automatic entry gates installed in either commercial or multifamily communities shall be provided with a universal access system, approved by the Fire Prevention subcommittee of the Fire Chiefs Association of Broward County, to allow rapid entry. Existing applications may be provided up to one (1) year to complete as approved by the AHJ.

# ***Broward County Local Amendments to the Florida Fire Prevention Code***

## **SECTION F-101 GENERAL**

**F-101.1— Title.** These regulations shall be known as the Broward County Local Fire Code Amendments to the Florida Fire Prevention Code (FFPC).

**F- 101.2 - Scope.** The provisions of this Chapter shall govern the administration and enforcement the FFPC and the Fire Protection Provisions of this Code and shall apply countywide in both incorporated and unincorporated areas of Broward County, Florida. The provisions of this code shall apply to new and existing buildings or structures, equipment, installations, construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings.

**F-101.2.1 Appendices or Annexes:** Provisions in the appendices or Annexes shall not apply unless specifically adopted by Florida Statute 633.

### **F-101.2.2 Definitions:**

- A. AHJ** means Authority Having Jurisdiction shall be a federal, state, local organization, office or individual responsible for enforcing the requirements of this code as found in Chapter 1, Broward Administrative Provisions.
- B. BCFCC** means Broward County Fire Code Committee
- C. BORA** means the Broward County Board of Rules and Appeals
- D. Engineer** means licensed professional engineer, licensed in the State of Florida
- E. FBC** means the Florida Building Code
- F. FFPC** means the Florida Fire Prevention Code including the Broward County Local Fire Amendments to the Florida Fire Prevention Code
- G. State** means State of Florida
- H. Fire Code Manager/Administrator** means a person certified by the State Fire Marshal Office as meeting the provisions found in NFPA 1037 and means Fire Marshal / Fire Code Official.
- I. Fire Service Provider** means Fire Department
- J. Door / Door Assembly;** when used for fire service provider access as referred to in this code or the FFPC, except

in chapters where other configurations are specifically permitted, shall mean a side hinged, swinging type egress exterior door / door assembly that can be opened from the outside and that provides access to the interior of the dwelling unit or building.

**K. AHCA:** Agency for Health Care Administration

**L. APD:** Agency for Persons with Disabilities.

**M. Class:** The class defines the minimum time, in hours, for which the EPSS is designed to operate at its rated load without being refueled or recharged.

**N. Board and Care Occupancy.** An occupancy used for lodging and boarding of residents, not related by blood or marriage to the owners or operators, for the purpose of providing personal care services.

**O. Legally Required Standby Generator:** Those systems required and so classed as legally required standby secondary power sources by municipal, state, federal, or other codes or by any governmental agency having jurisdiction. These systems are intended to automatically supply power to selected loads (other than those classed as emergency systems) in the event of failure of the normal source.

**P. Emergency Generators Systems:** Those systems legally required and classed as emergency by municipal, state, federal, or other codes, or by any governmental agency having jurisdiction. Those systems are intended to automatically supply illumination, power, or both, to designated areas and equipment in the event of failure of the normal supply or in the event of accident to elements of a system intended to supply, distribute, and control power and illumination essential for safety to human life.

**Q. EPS: Emergency Power Supply.** The source of electric power of the required capacity and quality for an emergency power supply system (EPSS).

**R. EPSS: Emergency Power Supply System.** A complete functioning EPS system coupled to a system of conductors, disconnecting means and overcurrent protective devices, transfer switches, and all control, supervisory, and support devices up to and including the load terminals of the transfer



equipment needed to operate as a safe and reliable source of electric power.

**S. Permit:** A document issued by the AHJ for the purpose of authorizing performance of a specified activity.

**T. Plans:** Plans are required for new construction, modification, or rehabilitation, construction documents and shop drawings and shall be submitted, reviewed and approved prior to the start of such work. Plans shall be prepared by a licensed Florida professional engineer.

**U. Qualified Person:** One who has skills and knowledge related to the operation, maintenance, repair, and testing of the EPSS equipment and installations and has received safety training to recognize and avoid the hazards involved.

#### **V. External Defibrillator (AED)**

(a) Is commercially available in accordance with the Federal Food, Drug, and Cosmetic Act,

(b) 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

(c) Upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual.

#### **W. Stop the Bleed Kit (SBK)**

(a) Capable of stopping severe bleeding through clotting, pressure, tourniquets, and other proven effective means of stopping blood loss; and

(b) Upon a blood loss emergency, is able to stem blood loss rapidly to prevent massive blood loss.

**F-101.3 - Intent.** The purpose of the FFPC is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress, facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment including alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises, and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may be referred to as service systems and to provide safety to fire fighters and emergency responders during emergency operations.

**F-101.4 - Violations and Penalties.** Any person, firm or corporation, who shall violate a provision of the FFPC or a Fire Protection Provision of this Code or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the FFPC or any Fire Protection Provisions of this Code is committed or continued, and upon conviction of any such violation, such person shall be punishable by a fine of not less than fifty (\$50) nor more than five hundred (\$500) dollars, or by imprisonment not exceeding sixty days, or by both such

fine and imprisonment.

**F-101.5--- Quality control.** Quality control of materials and workmanship is not within the purview of the FFPC or this Code except as it relates to the purposes stated herein.

**F-101.6--- Referenced Codes.** The other codes listed in and referenced elsewhere in the FFPC, all Fire Codes, and the Fire Protection Provisions of this Code shall be considered part of the requirements of the FFPC to the prescribed extent of each such reference.

**F-101.6.1 Fire prevention.** For provisions related to fire prevention, refer to the FFPC as referenced in Florida Statute 633, Broward County Local FFPCs as adopted and the Fire Protection Provisions of this Code as referenced above. The FFPC shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures, or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

### **SECTION F-102** **Applicability**

**F-102.1 General.** Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**F-102.1.1** FFPC and the Fire Protection Provisions of this Code, does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of, FFPC and Fire Protection Provisions of this Code.

### **SECTION F-103**

**Fire Chief, Bureau of Fire Prevention, Fire Marshal, Fire Code Official, Fire Plans Examiner, and Fire Inspector**

**F- 103 — Bureau of Fire Prevention:** A Bureau of Fire Prevention shall be established within the Fire Service Provider/Fire Department, under the direction of the Fire Chief, which shall consist of such Fire Service Provider/Fire Department personnel as may be assigned thereto, by the Fire Chief, in accordance with the requirements prescribed herein. The function of this bureau shall be to assist the Fire Chief in the administration and enforcement of the FFPC, Fire Protection Provisions of this Code, and the Fire Protection Provisions of this Chapter. Personnel assigned to the bureau as the Fire Marshal / Fire Code Official, Fire Plans Examiner, and/or Fire Inspector shall be certified by BORA.

**F-103.1 — Appointment of Fire Marshal/ Fire Code**

**Official:** There shall be appointed by the Fire Chief certain fire prevention personnel to be qualified as set forth in this Chapter as part of the FFPC to be qualified as Fire Marshal / Fire Code Official. Personnel assigned to the bureau as Fire Marshal / Fire Code Official, Fire Plans Examiner, and / or Fire Inspector shall be State Certified Firefighters, State Certified Fire Inspectors, and certified by BORA. For state certification and recertification refer to Florida State Statute 633.

**F- 103.2 Powers and Duties of a Fire Marshal /Fire Code**

**Official:** The Fire Chief shall duly authorize their representative of the Fire Service Provider/Fire Department to exercise the powers and perform the duties of the Chief. They shall also be known as Fire Marshal/Fire Code Official. The Fire Marshal/Fire Code Official shall be authorized and directed to enforce the Fire Protection Provisions of this Code and the FFPC, and the sole authority to render interpretations of the Fire Protection Provisions of this Code and the FFPC, and to adopt policies and procedures in order to clarify the application of its provisions and shall have responsibility for the administration and enforcement of the FFPC and Fire Protection Provisions of this Code. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of the Fire Protection Provisions of this Code and the FFPC. Such policies and procedures shall not have the effect of waving requirements specifically provided for in the Fire Protection Provisions of this Code and FFPC. It shall be their duty and responsibility to enforce and coordinate the work of all subordinates such as Fire Plans Examiners and Fire Inspectors. Based on current technology that the Fire Marshal/Fire Code Official does not have to be personally present at the Fire Service Provider/Fire Department as long as they are available by telephone/computer etc. and can perform their duties. In the event that the Fire Marshal/Fire Code Official is not available to perform his/her duties, the Fire Chief may appoint an interim Fire Marshal/Fire Code Official provided such person is qualified as set forth in Section F-103.3 of this Code and the FFPC. The Fire Chief or Fire Service Provider/Fire Department shall notify in writing BORA of the starting date and period of time that the Interim Fire Marshal/Fire Code Official will assume the Fire Marshal/Fire Code Official's duties. The name of the Interim Fire Marshal/Fire Code Official will be recorded by BORA but they will not be issued a certification card as a Fire Marshal/Fire Code Official. The Fire Marshal/Fire Code Official shall be subject to the powers vested by Florida State Statute 633 and BORA in this Code. If there is one Fire Plans Examiner or Fire Inspector hired by an inspection authority, that Plans Examiner or Inspector shall be a Fire Marshal/ Fire Code Official.

**F-103.2.1** Under the Fire Chief's direction, the Fire Service Provider/Fire Department shall enforce the Fire Protection Provisions of this Code and the FFPC and all Fire Codes pertinent to the prevention of fires, suppression or extinguishing of fires, storage, use and handling of explosive, flammable, combustible, toxic, corrosive and other hazardous gaseous, and solid and liquid materials. These inspections shall include, but are not limited to:

**F-103.2.1.1** The inspection of equipment and maintenance of automatic, manual and other fire alarm systems and fire extinguishing equipment;

**F-103.2.1.2** The maintenance and regulation of fire escapes;

**F-103.2.1.3** The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction;

**F-103.2.1.4** The means and adequacy of each exit in the event of fire or similar emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters and all other places in which people work, live or congregate from time to time for any purpose; and

**F-103.2.1.5** The investigation of the origin, cause, and circumstances of fires.

**F-103.2.3** No enforcing agency may issue any permit for construction, erection, alteration, repair, or demolition until the Building Official/Fire Code Official, in conjunction with the appropriate fire plans examiner, has reviewed the plans and/or specifications for such proposal and both officials have found the plans and/or specifications to be in compliance with the FFPC and the applicable fire safety standards as determined by the local authority in accordance with the FFPC and Chapter 633, Florida Statutes. Plans shall be reviewed within 30 working days from the date of submission or specifications are received. In the event that agreement cannot be reached between the Building and Fire Officials, the dispute shall be referred to the BCFCC for review and recommendation to BORA.

**F-103.2.4** It shall be the duty of the Fire Chief of the Fire Service Provider/Fire Department to inspect or cause to be inspected by their duly authorized representatives of the Fire Prevention Bureau, as often as may be necessary, but not less than annually, during normal business hours, for the establishment in question, all buildings and premises, including common or public areas as well as all public aisles, corridors, halls, rooms, storage areas, or other nonresidential areas of such buildings, for the purpose of ascertaining and causing to be corrected, any condition liable to cause fire or any violation of the provisions or intent of the FFPC, by providing written notice of the code sections violated, and to otherwise enforce any violation of the Fire Protection Provisions of this Code and the FFPC. Whenever the Fire Chief or their duly authorized representatives of the Fire Service Provider/Fire Department determines that a violation exists, the person responsible for maintaining the building or area where such violation exists, shall be given reasonable written notice of such violation, and if the violation continues, a presumption of a violation of the Fire Protection Provisions of this Code and the FFPC, shall be created against the person responsible for maintaining the building or area where such violation exists. Rejections shall include specific reference to the Code Section upon which rejection is based in writing.

**F-103.2.5 Right of Entry.** Upon presentation of proper credentials, the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative may enter, at any reasonable time, any building, structure or premises for the

purpose of making any inspection or investigation, which under the Fire Protection Provisions of this Code and the FFPC.

**F-103.2.6 Stop-Work Orders.** If the Fire Chief becomes aware of a hazardous condition, which presents immediate danger to life, work being done contrary to this code or FFPC, work without permit, they shall be authorized to order the hazard removed or remedied immediately, and shall be empowered to order the closing of the building or place where such danger to life violation exists, until such time as same has been corrected. Any failure of immediate compliance shall empower the Fire Chief, or their duly authorized representative finding such hazardous condition creating immediate danger to life, to close such building or cause same to be closed and the people herein evacuated and barred from reentering until such time as such immediate danger to life, work being done contrary to this code or FFPC, work without permit, has been corrected. The Fire Chief, or their duly authorized representative is given the authority to order any gas company, power company, or other utility company, to disconnect its service to any building or buildings containing gas or power installations, where such installations, in the opinion of the Fire Chief, or their duly authorized representative creates an immediate danger to life, work being done contrary to this code or FFPC, work without permit, and to otherwise close or evacuate such building and to bar reentry thereto, until such installation is repaired or replaced and such hazard to life ceases to exist. Rejections shall include specific reference to the Code Section upon which rejection is based in writing.

**F-103.2.7** The Fire Chief or their duly authorized representative upon the complaint of any person or whenever they shall deem it necessary, shall inspect any buildings and premises within their jurisdiction.

**F-103.2.8** Approval of the Fire Service Provider/Fire Department accessibility and all tests of fire alarm detection and suppression systems, smoke evacuation systems and life safety systems shall be conducted prior to final structural inspection and issuance of Certificate of Occupancy.

**F-103.2.9 Orders To Eliminate Dangerous Or Hazardous Conditions:** Whenever the Fire Chief or their duly authorized representative shall find in any building or upon any premises, dangerous or hazardous conditions or materials, including, but not limited to violations of the requirements encompassed in Chapter 633, Florida Statutes, or the following Paragraphs they shall order such violations and dangerous conditions or materials removed or remedied.

**F-103.2.9.1** Dangerous or unlawful amounts of combustible or explosive or otherwise hazardous materials.

**F-103.2.9.2** Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive or otherwise hazardous materials.

**F-103.2.9.3** Dangerous accumulation of rubbish, wastepaper, boxes, shavings, or other flammable materials.

**F-103.2.9.4** Accumulations of dust or waste material in air conditioning or ventilation systems or of grease in kitchen or other exhaust ducts.

#### **F-103.2.9.5 Hurricane Protection Devices**

After the termination of such periods of time that had been designated by the National Weather Service as being a hurricane watch or warning, hurricane protective devices installed on occupied buildings which impede required egress or required light and ventilation shall be removed within 15 days.

**F-103.2.9.6** Obstructions to, on, or under fire escapes, stairs, passageways, or doors, liable to interfere with the operations of the Fire Service Provider/Fire Department or egress of occupants; locked exits shall constitute an unsafe condition.

***Exception:** unless permitted by the Fire Protection Provisions of this Code and the FFPC.*

**F-103.2.9.7** Obstruction to windows. Where windows are required to provide the second means of escape from a room or area, the following are prohibited.

**F-103.2.9.7.1** Bars that cannot be opened from the inside.

**F-103.2.9.7.2** Other obstructions such as security grill.

***Exception:** Only one (1) window is required to meet the above where two (2) windows are in the same room or area.*

**F-103.2.9.8 Reserved**

**F-103.2.9.9 Reserved**

**F-103.2.9.10** Any building or other structure which, for want of repairs, lack of adequate exit facilities, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, create a hazardous condition.

**F-103.2.9.11 Reserved**

**F-103.2.9.12** The improper storage, transporting or handling of all classes of flammable or combustible liquids or otherwise hazardous substances any place within the enforcing jurisdiction.

**F-103.3 Certification of Fire Marshal/Fire Code Official.**

The Fire Marshal/Fire Code Official shall be certified by BORA as a Fire Code Official, be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the “Minimum Standards Course”, be a State certified Fire Inspector, and shall meet one or more of the following qualifications:

**F-103.3.1** An Engineer and/or a Degree in Fire Science and/or a Degree in Fire Prevention and shall have been employed as a County or City Fire Inspector for three (3) years within the State of Florida and shall possess a Broward County Certification.

**F-103.3.2** A County or City Fire Plans Examiner with at least five (5) years of experience within the State of Florida and shall possess a Broward County Certification.

**F-103.3.3** Ten (10) years’ experience as a Fire Inspector, employed in a County or City within the State of Florida with at least five (5) years of experience within the jurisdiction of the FFPC and be a Broward County Certified Fire Inspector.

**F-103.3.4** Have been fulfilling the duties of a Fire Marshal/Fire Code Official with five (5) years continuous service as such within a County or City in the State of Florida and shall possess a Broward County Certification.

**F-103.3.5** Possesses a certification issued by the State Fire Marshal as a Fire Code Manager/Administrator in accordance with NFPA 1037 with a total of six (6) years’ experience with a County or City as a fire plans examiner and inspector in Florida and shall possess a Broward County Certification.

**F-103.3.6** Three (3) years’ experience as a Broward County Certified Plans Examiner and nationally certified as an NFPA Certified Fire Inspector 1 (CFI-1), NFPA Certified Fire Plans Examiner (CFPE) and NFPA Certified Fire Protection Specialist (CFPS).

**F-103.4 Fire Plans Examiner.** As set forth herein:

**F-103.4.1 Appointment of a Fire Plans Examiner.** There shall be appointed by the Fire Chief of each Fire Service Provider/Fire Department certain fire prevention personnel to be qualified as set forth in this Chapter as part of the FFPC to serve as a Fire Plans Examiner. To be eligible for appointment as a Fire Plans Examiner, such person shall be certified by BORA.

**F-103.4.2 Powers and Duties of the Fire Plans Examiner.**

Such employee shall have the duties and powers as delegated by the Fire Chief except that the Fire Chief may not delegate authority to subordinates to interpret provisions of the Fire Protection Provisions of this Code, FFPC, and all Fire Codes which authority is assigned to the Fire Marshal/Fire Code Official. A Fire Plans Examiner, if properly qualified, may be certified and assigned duties in more than one category. Prior to the issuance of any permit for construction, erection, alterations, repair, or demolition, the Fire Plans Examiner shall review all plans and/or specifications in conjunction with the Building Department. One and two family detached residential dwelling units shall not be subject to provisions found in NFPA 101 during plan review by the Fire Plans Examiner as described in this section or inspection by the Fire Plans Examiner as described in F.S. 633. When approvals by other

agencies having authority may logically be required to be affixed to the plans and/or specifications before approval by the Fire Plans Examiner, such approval shall be affixed to the plans and/or specifications before examination by the Fire Plans Examiner. If the application or plans and/or specifications do not conform to the requirements of all pertinent laws or regulations, the Fire Plans Examiner shall reject such application in writing, stating the reasons therefore and citing the relevant code section(s) of the FFPC. Plans and/or specifications that are rejected, as stated herein above, shall be returned for correction. Pen notations on mechanically reproduced plans and/or specifications may be accepted for only minor corrections. If the applications, plans and/or specifications, upon examination, are found to comply with the requirements of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, the plans and/or specifications shall be signed and marked approved. Fire Service Provider/Fire

Department acceptance of fire and life safety features in buildings after performance objectives are met is required, prior to certificate of occupancy being issued.

Nothing in this section shall be construed to provide an exemption from fire plan review for one and two family detached residential dwelling units which undergo a change in use or occupancy classification.

**F-103.4.3 Certification of a Fire Plans Examiner.** The Fire Plans Examiner shall be certified by BORA as a Fire Plans Examiner, shall be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the “Minimum Standards Course”, be a State certified Fire Inspector, and shall meet one or more of the following qualifications:

**F-103.4.3.1** An Engineer and/or a Degree in Fire Science, and/or a Degree in Fire Prevention and having a minimum of three (3) years as a fire plans examiner with a County or City within the state of Florida and shall be Broward County Certified.

**F-103.4.3.2** Five (5) years of experience as a Fire Inspector employed with a County or City in the State of Florida and shall be a Broward County certified.

**F-103.4.3.3** Ten (10) years of experience as a firefighter, four (4) years as a state certified fire inspectors employed with a County or City having fulfilled the duties of a fire inspector and shall be a Broward County certified.

**F-103.4.3.4** Have been fulfilling the duties of a Fire Plans Examiner with five (5) years continuous service within the State of Florida and be Broward County certified.

**F-103.4.3.5** Three (3) years’ experience as a Broward County and State of Florida Certified Fire Inspector and nationally certified as an NFPA Certified Fire Inspector (CFI-1) and NFPA Certified Fire Plans Examiner (CFPE) and be Broward County certified.

**F-103.5 Fire Inspector.** As set forth herein:

**F-103.5.1 Appointment of a Fire Inspector.** There shall be appointed by the Fire Chief of each Fire Service Provider/Fire Department certain fire prevention personnel to be qualified as



set forth in this Chapter as part of the FFPC to serve as a Fire Inspector. To be eligible for appointment as a Fire Inspector, such person shall be certified by BORA.

**F-103.5.2 Powers and Duties of the Fire Inspector.** Such employee shall have the duties and powers as delegated by the Fire Chief except that the Fire Chief may not delegate authority to subordinates to interpret the Fire Protection provisions of this Code, the FFPC, and all Fire Codes which authority is assigned to the Fire Marshal/Fire Code Official. A Fire Inspector, if properly qualified, may be certified and assigned duties in more than one category. Under the Fire Chief's direction, the Fire Inspector shall enforce all local ordinances of the jurisdiction pertinent to the prevention of fires, suppression or extinguishing of fires, storage, use and handling of explosive, flammable, combustible, toxic, corrosive and other hazardous gaseous, solid and liquid materials. The inspection of equipment and maintenance of automatic, manual, other fire alarm systems, fire extinguishing equipment, and the maintenance and regulation of fire escapes. The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction. The means and adequacy of each exit in the event of fire or similar emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters and all other places in which people work, live or congregate from time to time for any purpose. The investigation of the origin, cause, and circumstances of fire(s). If defects, omissions or violations exist on any other part of the system relating to work for which approval is requested, the issuance of the Approval shall be withheld until corrections have been made to the defective portion of the system, and the same are made to comply with this Fire Code. The Fire Inspector shall serve notice to the Fire Contractor/representative or owner/representative in writing, stating the reasons therefore and citing the relevant code section(s).

**F-103.5.3 Certification of a Fire Inspector.** Application for certification shall be on a form containing such pertinent information as is considered relevant to BORA. To be eligible for appointment as Fire Inspector, such person shall be certified by BORA and shall meet the following qualifications:

**F-103.5.3.1** Be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the "Minimum Standards Course" and shall be a state certified Fire Inspector.

**Exception:** At Fire Chief's discretion, a person may be given up to eighteen (18) months to become a Florida Certified Firefighter, from the date of hire.

**F-103.5.3.2** Pass a written competency examination approved by BORA, to be given in May and November (only one (1) required) of each year or the test may be given when requested by at least three (3) applicants.

#### **F-103.5.3.3 Retention;**

Individuals currently certified under this code may, at their separation date from a local fire department as an inspector place their certification in a non-active status for one FFPC

code cycle or a period of four (4) years whichever is longer, by notifying the Board of Rules and Appeals in writing of their selection. During this period the individual shall maintain continuing educational credits in Fire Prevention in the amount of 60 hours as required for renewal. At the conclusion of the code cycle or four (4) year period, as stated above the individual previously holding a certification in a non-active status will become null and void unless the provisions for recertification are met at the conclusion of the code cycle or four (4) year period.

**F-103.6 Certification.** All Fire Service Provider/Fire Department Inspection Personnel shall be certified by BORA.

**F-103.6.1 Certification Fee:** If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to the BORA Fee Schedule for Certification, payable to "Broward County Commissioners."

**F-103.6.2** Broward County Certification is valid for a period of four years and shall expire on the same date as their State of Florida Fire Inspector Certification.

**F-103.6.3** The certification of Fire Service Provider/Fire Department Inspection Personnel may be revoked, for cause, by BORA. BORA may deny, refuse to renew, suspend, or revoke the BORA certificate of a Fire Marshal/Fire Code Official, Fire Plans Examiner, or Fire Inspector if it finds that any of the following grounds exist:

- A)** Any cause for which issuance of a certificate could have been refused had it then existed and been known to BORA.
- B)** Violation of Florida Statutes 633 or any local fire code amendments.
- C)** Falsification of records relating to the certificate.
- D)** Having been found guilty of or having pleaded guilty or nolo contendere to a felony, whether or not a judgment of conviction has been entered.
- E)** Failure to meet any of the renewal requirements.
- F)** Having been convicted of a crime in any jurisdiction which directly relates to the practice of the fire code inspection, plan review, or administration.
- G)** Making or filing a report or record that the certificate holder knows to be false, or knowingly inducing another to file a false report or record, or knowingly failing to file a report or record required by the state or local law, or knowingly impeding or obstructing such filings, or knowingly inducing another person to impede or obstruct such filing.
- H)** Failure to properly enforce applicable fire codes or permit requirements within this state which the certificate holder knows are applicable by committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property.
- I)** Accepting labor, service, or materials at no charge or at a noncompetitive rate from any person who performs work that is under the enforcement authority of the certificate holder and who is not an immediate family member of the certificate

holder. For the purpose of this paragraph, the term "immediate family member" means a spouse, child, parent, sibling, grandparent, aunt, uncle, or first cousin of the person or the person's spouse or any person who resides in the primary residence of the certificate holder. BORA upon verification of the above grounds, shall immediately notify the Fire Marshal, Fire Code Official, Fire Plans Examiner, and/ or Fire Inspector involved, who, upon notification from BORA, shall appear before the Board to explain why ~~his/her~~ their certification should not be revoked.

**F-103.6.4** Personnel assigned to the bureau as Fire Inspectors shall be State of Florida Certified Firefighters (*see 18 month exception*), State of Florida Certified Fire Inspectors. For certification refer to Florida State Statute 633. Individuals being considered for appointment will be required to complete an affidavit of compliance with 71-575 (see Board policy 14-02)

**F-103.7 Recertification.** All Fire Service Provider/Fire Department Inspection Personnel shall be recertified by BORA.

**F-103.7.1** To be recertified all Fire Marshal/Fire Code Officials, Fire Plans Examiners, Fire Inspectors or a combination thereof who are presently certified by BORA, shall meet the following criteria:

**F-103.7.1.1** Be presently employed by a governmental fire entity within Broward County.

**F-103.7.1.2** Recertification shall have the same anniversary date as provided in Florida Statutes, Chapter 633, with the completion of sixty (60) contact hours in continuing education every four (4) consecutive years on Fire Protection and Fire Safety, which are approved by BORA.

**F-103.7.1.3** Personnel assigned to the bureau as Fire Inspectors shall be State of Florida Certified Firefighters, and State of Florida Certified Fire Inspectors. For certification or recertification refer to Florida State Statute 633.

**F-103.7.2** If certification is not renewed and allowed to lapse, application for recertification shall be accompanied with proof that (15) contact hours per year, in the preceding 4 years in continuing education has been met. Attendance at the BORA meetings and/or the BORA committee meetings shall be counted as one (1) hour for a maximum of fifteen (15) county required contact hours within a four (4) year renewal period.

If the certification is not renewed within 8 years, the individual must retake the state fire safety inspectors training and take the local fire exam and shall be on a form containing such pertinent information as is considered relevant to BORA. Individuals being considered for recertification will be required to complete an affidavit of compliance with 71-575 (see Board policy 14-02)

**F-103.7.3 Recertification Fee:** If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to the BORA Fee Schedule for Recertification, payable to "Broward County Commissioners."

## SECTION F-104

### Broward County Board of Rules and Appeals

## F-104 Broward County Board of Rules and Appeals.

**F-104.1** The Broward County Board of Rules and Appeals shall maintain a staff position to coordinate the enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes thereto. This person shall be known as the Chief Fire Prevention Code Compliance Officer and shall be certified as Fire Marshal/Fire Code Official. It is recommended that the individual under consideration for Fire Code Compliance Officer have at a minimum four years documented as a Fire Code Official / Fire Marshal.

**F104.2 The Fire Code Compliance Officer** shall have the authority to make inspections in the discipline and shall be responsible to see that the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes are being uniformly enforced by all AHJs (building and Fire Service Provider/Fire Department in Broward County).

## SECTION F-105

### Broward County Fire Code Committee

## F-105 Broward County Fire Code Committee:

**F-105.1** In order to determine the suitability of alternate materials and type of construction, to provide for reasonable interpretations of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, and to assist in the control of the life/safety in buildings and structures, there is hereby created a Broward County Fire Code Committee, to make recommendations to BORA.

**F-105.2** Membership: The BCFCC shall consist of:

1. One Mechanical Engineer, Florida P.E.
2. One Architect, Florida Registered
3. One Fire Sprinkler Contractor
4. One Representative of Persons with disabilities
5. One Master Electrician
6. Four Fire Service (Florida Certified Fire Inspectors)
7. One Fire Service Member of the Board of Rules and Appeals
8. One Contractor, Certified to Install Fire Alarms
9. One General Contractor
10. One Florida P.E., Electrical Discipline
11. One Mechanical Contractor
12. One Consumer Advocate

13 One Florida P.E., Structural Discipline,

14 One Chief Plumbing Inspector

**F-105.3** Membership, such as membership of the BCFCC, will be for one year (with members being able to succeed themselves through reappointment by BORA Chairperson). The Chairperson of BORA will select all members, including the Chairperson of the BCFCC. The Chairperson of the BCFCC shall be a Fire Service member of BORA.

**F-105.4 Appeals from the Decisions of the Fire Chief and/or Building Official:**

**F-105.4.1** The BCFCC shall review all appeals from the decisions of the Fire Chief and/or Building Official wherein such decision is on matters regulated by the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes. Appeals can be submitted by any person who has reason to believe they have been subjected to unreasonable enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-105.4.2** Procedures for Appeals: The BCFCC shall review the appeal prior to hearing by BORA and shall make recommendations to BORA for resolution of the appeal. BORA shall then hear the appeal and make a final ruling.

**F-105.4.3** Decisions by the BOARD related to an appeal of the FFPC can be challenged by submitting a request for a Declaratory Statement to the State Fire Marshal's Office.

**F-105.5 Procedures in County Court /Code Enforcement Board:**

When charges are filed based upon a violation under this code, such charges, prepared under the direction of the city, state, or county attorney and shall be heard by a county judge or Code Enforcement Board, within the time prescribed under county court procedures or Code Enforcement Board. Such conditions shall constitute an immediate danger to life.

**SECTION F-106**

**Authority Fire Chief, Fire Marshal/Fire Code Official, or his/her duly authorized representative**

**F-106 Authority:**

**F-106.1** The Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall investigate the origin, cause, and circumstances of every fire occurring within their AHJ. Such investigation shall begin immediately upon the occurrence of a fire, and the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall be immediately notified of the facts. The Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall take charge immediately of the physical evidence and shall notify the proper authorities designated by law to pursue the investigation of such matters. The Fire

Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case.

**F-106.2 Notices and Orders.** The Fire Chief, Fire Marshal/Fire Code Official or Fire Code Manager/Administrator, or their duly authorized representative shall issue all necessary notices or orders to ensure compliance with the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.2.1** A building, structure, occupancy, premises, or vehicle shall not be used when in violation of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.2.2** Unlawful Continuance of Fire/Life Safety Hazard: Any person or persons operating or maintaining any occupancy, premises or vehicle subject to this Code who shall permit any fire and/or life safety hazard to exist on premises or property under their control, and who shall fail to take immediate action to abate such hazards, when ordered or notified to do so by the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative, shall be guilty of a second degree misdemeanor. Criminal enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes shall remain with local law enforcement departments and officials charged with enforcement of the criminal laws of the State.

**F-106.2.3 Concealed Work:** The Building Official or his/her duly authorized representative and/or Fire Marshal/Fire Code Official or their duly authorized representative may order portions of the structure frame of a building and/or structure to be exposed for inspection when, in his/her opinion, there is a good reason to believe that a building or portion thereof is in an unsafe or dangerous condition or that there is willful or negligent concealment of a violation of this Code, the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.3 Removal or Destruction of Signs or Tags:**

**F-106.3.1** It shall be unlawful to remove or tamper with any seal, warning tag, or lock placed on an article, appliance, vehicle, meter, tank, or building by the building department or the Fire Service Provider/Fire Department, without first obtaining permission to do so by the AHJ

**F-106.3.2** It shall be unlawful for any person to tamper with or change the position of any utility valve, switch, wiring, piping, meter, or connection, or alter any utility service in any way, unless properly authorized to do so.

**SECTION F-107**

**Standby Fire Watch**

**F-107 Standby Fire Watch:**

**F-107.1** Whenever in the opinion of the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized

representative, when a potentially hazardous condition or a reduction in life safety features, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the Fire Chief or their duly authorized representative may require the owner, agent or lessee to employ one or more certified Fire Inspectors or Firefighters, as required and approved by the Fire Chief, to be on duty at such place. Said Fire Inspectors/Firefighters shall be subject to the Fire Chief's and/or their duly authorized representative orders at all times, when so employed, and remain on duty during the times such places are open to the public, or when such activity is being conducted. The Fire Chief may allow the use of other trained individuals to serve as an alternative to a Fire inspector / Fire Fighters requirement. Before each performance or the start of such activity, said Fire Inspector/Firefighter or others allowed by the Fire Chief shall inspect all required fire/life safety equipment, to insure that such equipment is in proper working order, and shall keep diligent watch for any emergency that should arise. Should any emergency arise, the Fire Inspector/Firefighter or others allowed by the Fire Chief shall take whatever action necessary to protect the occupants and public from injury or any life-threatening condition.

## **SECTION F-108**

### **Tents, Membrane Structures, Temporary Structures and Uses**

#### **F-108 Tents and Membrane Structures**

**F-108.1** For the purpose of this Section, a place of assembly shall include any circus, sideshow, carnival, tent show, theater, skating rink, dance hall or any other exhibition, production, engagement or offering, or other place of assembly in or under which 50 or more persons may gather for any purpose.

**F-108.1.1 General.** The Building Official or Fire Code Official is authorized to issue a permit for the erection of temporary structures such as seats, canopies, tents and fences used in construction work or for temporary purposes such as reviewing stands. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. Such structures shall be completely removed upon the expiration of permit.

- a) Temporary structures, such as tents with sides, exceeding 100 sq./ft., and canopies without sides exceeding 225 sq./ft., containing occupancy or operations that could present a life safety hazard to occupants and/or the general public based on the opinion of the Fire Code Official, shall be required to have a permit issued in conformance with permitting section of Chapter 1 and this code and be in conformance with the Life Safety provisions of this code and the Florida Building Code.

#### **F-108.1.2 Reserved**

#### **F-108.1.3 Conformance.**

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this Code and the FFPC as necessary to ensure public health, safety and general welfare.

**F-108.2 Parking of Vehicles:** Automotive equipment that is not necessary to the operation of the tent show performance shall not be parked within 20 feet of the tent or membrane structure. No other automotive equipment or internal combustion engines shall be located within 50 feet of the tent except upon a public street.

#### **F-108.3 Smoking and Open Flame:**

**F-108.3.2** An approved receptacle for the disposal of lighted smoking materials shall be provided at all entrances to tents and membrane structures.

**F-108.4 Fire Extinguishers and other Fire-Protection Equipment:** Fire extinguishers and other fire protection equipment shall be provided in every tent or membrane structure as follows:

**F-108.4.1** A minimum of one 4A-10B:C type extinguisher shall be provided in every tent or air supported structure having a floor area less than 2,000 square feet and also one in each additional 2,000 square feet or fraction thereof.

**F-108.4.2** At least one 40-B:C type fire extinguisher shall be provided for each power generator or transformer and at locations where flammable or combustible liquids are used, stored or dispensed.

#### **F-108.5 Storage of Flammable or Combustible Liquids:**

Flammable or combustible liquid shall not be stored in a tent or membrane structure nor less than 50 feet from any tent or membrane structure.

**F-108.6 Housekeeping:** Hay, straw, trash and other flammable material shall not be stored less than 35 feet from any tent or membrane structure, except as authorized by the authority having jurisdiction.

#### **F-108.7 Seating Arrangements:**

**F-108.7.1 Bonding of chairs.** All loose seats, folding chairs or similar seating facilities that are not fixed to the floor shall be bonded together in groups of not less than six. Exceptions:

- (1) When not more than 500 such seats, chairs or facilities are provided, bonding thereof may be deleted.



(2) The bonding of chairs shall not be required when tables are provided, as when the occupancy is used for dining or similar purposes.

**F-108.7.2** Securing of chairs, folding and telescoping seat seating, reviewing stands, grandstands, and bleachers shall be in accordance with NFPA 102.

#### **F-108.8 Awnings, Tents and Canopies:**

**F-108.8.1** Awnings, tents, canopies, and similar products whether attached or detached from a building shall have a flame spread rating of 25 or less.

#### **F-108.9 Vehicular Access:**

**F-108.9.1** Fire access roads shall be surfaced with solid pavement, grass turf reinforced by concrete grids, or by similar type surfaces approved by the authority having jurisdiction, designed to accommodate fire apparatus weighing a minimum of 32 tons.

**F-108.9.2** Buildings having ramps and/or elevated roadways shall have posted weight limit signs showing maximum load capacity.

**F-108.9.3 All new and existing automatic entry gates installed in either commercial or multifamily communities shall be provided with a universal access system, approved by the Fire Prevention subcommittee of the Broward County Fire Chief's Association, to allow rapid entry. Existing applications may be provided up to one (1) year to complete as approved by the AHJ.**

#### **F-108.10 Vehicles on Display:**

**F-108.10.1** When vehicles are on display ~~or stored~~ inside any occupancy group other than an automobile show room it shall comply with the provisions listed in NFPA 1, 20.1.5.5.4.12

### **SECTION F-109 RESERVED**

### **SECTION F-110 Reserved**

#### **SECTION F-111**

##### **Test Criteria for Mechanical Smoke Control Systems**

##### **F-111 Initial Acceptance Test Criteria and Periodic Testing of Mechanical Smoke Control Systems:**

Test Criteria for Mechanical Smoke Control Systems shall be stated on the mechanical plans.

**F-111.1** The following shall receive notice from the Mechanical Contractor so that they may witness the system's performance test:

**F-111.1.1** Fire Service AHJ.

**F-111.1.2** Building Department (Mechanical) AHJ. .

**F-111.1.3** Periodic Testing:

All smoke control systems shall be retested as per the provisions found in the FFPC by a firm (test and balance) possessing a certificate of competency as a test and balance contractor for smoke control systems as required in Broward County Ordinances, Chapter 9 and Broward Local Administrative Provisions Chapter 1 of the FBC and shall be approved by the local AHJ. The smoke control system shall be retested without smoke, in both the manual and automatic modes per the sequence of operation. The annual periodic testing and balancing results shall be provided in a certified test and balance report to the Fire Service Provider/Fire Department AHJ, who shall consult with the Chief Mechanical Inspector

At a minimum the annual periodic test report shall contain the following information;

- 1) All smoke control system air movement equipment and if operating as intended.
- 2) Retest voltage.
- 3) Retest amperage.
- 4) Retest RPM if applicable.
- 5) All smoke control system control dampers shall be identified and if operating as intended.
- 6) All smoke zone differential pressures at egress exit doors (egress doors shall have no more than 30 lbf on break and 15 lbf on swing.

### **SECTION F-112**

#### **Automatic Sprinklers Required**

##### **F-112 Automatic Sprinklers Required:**

**F-112.1** Fire flow testing of a water supply for an Automatic Fire Protection Systems (AFPS) and/or Standpipe System using water as an extinguishing agent for new and existing buildings and structures shall be in accordance with NFPA 291, Recommended Practice for Fire Flow Testing and Marking of Hydrants, Florida Administrative Code (FAC) 69A-60.

**F-112.2** The following occupancies shall be protected throughout by an approved automatic sprinkler system installed in accordance with NFPA 13.

**F-112.2.1 Storage.**

In existing storage occupancies (other than parking garages and high-piled combustible storage) used for the storage of combustible goods or merchandise and exceeding 20,000 square feet per floor.

**F-112.2.4 Industrial Occupancies:**

All existing industrial occupancies exceeding 15,000 square feet per floor.

**F-112.3 Reserved**

**F-112.4** Where automatic fire sprinkler systems are installed, the location of the Fire Service Provider/Fire Department connection shall be approved by the Fire Service Provider/Fire Department having jurisdiction.

**F-112.5 Limited Access Structures**

**F-112.5.1** Where automatic fire sprinklers are installed in new Mini Storage Buildings, fire department emergency access openings acceptable to the AHJ shall also be provided. The emergency access openings shall not be less than the dimensions referenced in the Life Safety Code for Underground and Limited Access Structures.

**SECTION F-113 Corridors**

**F-113 Corridors.**

Where exterior corridors or exterior balconies serving as a required means of egress are enclosed on both sides and above, and the length of the enclosure along the long axis is twenty-five (25) feet or more, fire-resistivity of walls and the protection of openings therein shall be required as if such corridors or balconies were enclosed interior corridors.

**SECTION F-114 Reserved**

**SECTION F-115 RESERVED**

**SECTION F-116**

**Flammable and Combustible Liquids**

**F-116 Flammable and Combustible Liquids.**

**F-116.1 Underground Storage and Dispensing of Flammable/Combustible Liquids:**

Underground tanks used to store flammable liquids shall bear an Underwriters' label or equivalent testing agency. Tank capacity for underground installations shall be limited to thirty thousand (30,000) gallons or less. Any tank to be installed

shall be jointly approved in writing by the Fire Chief, Building Official, the director of zoning, and/or their duly authorized representative, after an appropriate review has been conducted. Such review includes, but is not limited to, an analysis of the proposed installation, location, distance separations, types of occupancies in the vicinity, tank corrosion protection and construction, and applicable zoning restrictions. The maximum storage capacity in any one location shall not exceed an aggregate total of one hundred thousand (100,000) gallons unless approved by the local Fire Code Official. Any property or facility requesting installation of tanks exceeding an aggregate capacity of sixty thousand (60,000) gallons of flammable liquids shall comply with the following additional requirements:

- 1) The property must be of suitable size, shape and topography to allow for the safe installation of the proposed tanks and be in compliance with location requirements identified in other sections of the NFPA, state and local fire codes; and
- 2) The facility must have an attendant on site during hours of operation; and
- 3) The facility must be continuously monitored, either by an on-site attendant or a third party when the facility is not in operation; and
- 4) The operator must provide evidence of an employee training program for on-site attendants that educates concerning all on-site equipment, including life safety equipment and emergency response procedures; and
- 5) The facility must provide additional emergency shut-off stations for ready accessibility by on-site attendants and the public; and
- 6) Station operator shall submit an emergency response plan for review and approval prior to issuance of permits for operations of the facility. The emergency response plan shall, at a minimum, provide emergency contact information and notification requirements, fire prevention and control equipment employed at the site, monitoring requirements and plans and procedures for mitigating release of hazardous materials, as well as all other information required by applicable governing and permitting agencies.

When flammable liquids are stored in more than one location, tanks shall not be interconnected between locations.

**Exception:** Broward County Office of Transportation's Transit Operations and municipal, county and special districts having underground bulk fuel storage facilities shall comply with the provisions of NFPA 30. Aggregate Limitations of Flammable and Combustible Liquids as per the F- 116.1 shall not apply. Permit shall be reviewed for compliance by the

local Fire Service Provider/Fire Department having Jurisdiction.

**F-116.1.1** Underground tanks out of service for a period of one year shall be removed. Underground tanks may be abandoned in place only if approved by the Fire Service Provider/Fire Department having jurisdiction.

**F-116.2 Storage and Use on Site of Combustible Liquids Used for Fixed Equipment Shall Be Under the Following Requirements:**

**F-116.2.1** Aboveground installation of single-wall tanks shall comply with NFPA 30 and the following additional requirements:

**F-116.2.1.1** Above ground tanks having a capacity in gallons greater than 10,000 shall be approved by zoning and local AHJ.

**Exception:** Municipal, County and Special Districts installing aboveground fuel storage tanks for fixed equipment for providing governmental services. Permit shall be reviewed for compliance by the local Fire Service Provider/Fire Department AHJ .

**F-116.2.1.2** Tanks shall be surrounded with an embankment or impervious dike not less than four feet high and capable of holding not less than one- and one-half times the capacity of the tank surrounded. Embankments or dikes shall be continuous, with no opening for piping or roadways.

**F-116.2.2** All aboveground storage tanks shall be identified by a suitable sign which will state type of fuel and capacity of the tank.

**F-116.2.3** Tanks used for stationary combustion engines and gas turbines shall comply with NFPA 37, as adopted in FAC 69A-60, Standard for the

Installation and Use of Stationary Combustion Engines and Gas Turbines.

**F-116.2.4** Distance separation between aboveground storage tanks and property lines and buildings shall be as specified in Table F-116.2.4 below:

**Table F-116.2.4**

Capacity in Gallons	To line of adjoining unprotected building or property which may be built upon	To line of adjoining protected buildings	To line of existing frame buildings
1,000	12 feet	8 feet	20 feet
2,000	20 feet	15 feet	40 feet

3,000	20 feet	15 feet	40 feet
10,000	30 feet	20 feet	50 feet

**F-116.3 Aboveground Storage for Dispensing of Flammable and Combustible Liquids from UL listed 142 (double wall), 2085 or Equivalent Tanks:**

**F-116.3.1** Aboveground storage of flammable and combustible liquids shall be approved by the Fire Chief, Building Official, and/or their duly authorized representative after an appropriate review has been conducted. Such review includes, but is not limited to, an analysis of the proposed installation, location, distance separations, types of occupancies in the vicinity, tank corrosion protection and construction, and applicable zoning restrictions. The maximum storage capacity in any one location shall not exceed an aggregate total of 12,000 gallons. Aboveground storage of flammable and combustible liquids shall comply with the following regulations:

**Exception:** Municipal, county and special districts having aboveground fuel storage facilities shall comply with the provisions of NFPA 30. Aggregate Limitations of Flammable and Combustible Liquids as per F116.3.1 shall not apply. Permit shall be reviewed for compliance by the local Fire Service Provider/Fire Department AHJ .

**F-116.3.1.1** The provisions in this Section shall not supersede any zoning standard that might regulate or eliminate the use of aboveground storage tanks.

**F-116.3.1.2** Aboveground Tanks containing flammable and combustible liquids shall be in approved fire resistive tank enclosure assemblies.

**F-116.3.1.2.1** A fire resistive tank enclosure assembly storing flammable liquids shall consist of a tank bearing an Underwriters' label 142, 2085 or an equivalent testing criterion by an approved testing agency. A single tank or combination of tanks shall not exceed 12,000 gallons at one site.

**F-116.3.1.3** The tank assembly shall be installed upon a minimum four-inch (4") slab, meeting requirements of the manufacturer's specifications. Each tank assembly shall be anchored to withstand uplifting by flooding or storm surges, including when the tank is empty.

**F-116.3.1.4** Area around tank assembly shall be maintained free of combustible waste, debris and all types of storage. Any tank assembly exposed to vehicular traffic shall have collision barrier posts installed on all corners and sides so exposed and shall not be spaced more than four feet (4') apart, center to center. Fire Marshal/Fire Code Official, or their duly authorized representative, may require the installation of collision barrier posts, even if the clearance guidelines can be achieved.

**F-116.3.1.5** Dispensing devices are allowed to be installed on top of the tank enclosure assembly. Any such device dispensing Class 1 liquids shall have installed on the fill hose, a UL listed emergency breakaway device designed not to lose liquid from either side of the breakaway point. All product piping attached to the tank enclosure assembly shall be double walled, contain a shear valve or equivalent, and shall be installed by an authorized pollutant storage system specialty contractor. External piping leading away from the tank shall have a valve located within six inches (6") to the shell of the tank. Approved antisiphon devices shall be installed at each connection of piping to a tank when such piping extends below the level of the top of such tanks both internally and externally. All underground pipe work shall be uncovered until inspected by building and Fire Service Provider/Fire Departments, and other regulatory agencies.

**Exception:** Factory installed piping does not have to be installed by an authorized pollutant storage system specialty contractor.

**F-116.3.1.6** Aboveground tank assemblies temporarily out-of-service for a period not exceeding ninety (90) days shall immediately have the fill, gauge openings and pump suction capped and secured against tampering. The vent lines shall be left open. Aboveground tank assemblies out-of-service for a period exceeding ninety (90) days, shall be removed. The property owner or agent shall notify the Fire Service Provider/Fire Department of any tanks out-of-service greater than 90 days.

**F-116.4** Only Labeled and Listed Pumps Shall Be Used; Gravity Flow Pumps Are Prohibited. Fuel shall be drawn from aboveground storage tanks by pumps bearing the label of an Approved Testing Laboratory, such as Underwriters Laboratories, Inc. The use of pressure systems or gravity flow type pump systems is prohibited.

## **SECTION F-117**

### **Dispensing Areas**

**F-117.1** Dispensing areas shall be provided with a vehicular driveway constructed of reinforced concrete. It shall be sloped to allow any accidental discharge from the dispensing of fluid to flow away from the dispenser or any building and shall be subject to the approval of the Fire Marshal/Fire Code Official, or their duly authorized representative. This driveway shall be a minimum of twelve feet (12') wide and twenty feet (20') long, minimum. In every case, this driveway shall be large enough that the fuel hose, when fully extended, does not reach the far edge of the driveway.

**F-117.2** A fire extinguisher with a minimum classification 4A-60BC shall be provided and so located that it will be not more

than one hundred feet (100') from any pump, dispenser, or fill-pipe opening.

## **SECTION F-118**

### **Flammable Liquid Storage at Port Everglades and the Fort Lauderdale-Hollywood International Airport**

**F-118.1** Aboveground storage of flammable liquids shall be permitted at Port Everglades and the Fort Lauderdale-Hollywood International Airport ("Airport"). All tank locations at the Airport shall be approved by the Broward County Fire Marshal/Fire Code Official, or their duly authorized representative, prior to the issuance of a permit to erect or install a tank.

**F-118.2** All flammable liquid storage tanks at Port Everglades shall be constructed, installed and maintained in accordance with the Port Everglades Tariff Number 12 amendments thereto and reissues thereof.

## **SECTION F-119**

### **Liquefied Petroleum Gases**

**F-119.1 Scope.** This Section shall apply to the storage, handling and transportation of liquefied petroleum gas and the installation of all equipment pertinent to systems for such uses in addition to the requirements stated in NFPA-58, Storage and Handling of Liquefied Petroleum Gases.

**F-119.2 Definition.** Distributing Plant: A facility, the primary purpose of which is the distribution of gas, and which receives LP-Gas in tank car, truck transport or truck lots, distributing this gas to the end ~~use~~ user by portable container (packaged) delivery, by tank truck or through gas piping. Such plants have bulk storage (2,000 gallons water capacity or more) and usually have container filing and truck loading facilities on the premises. Bulk plants are considered as being in this category. Normally no person other than plant management or plant employees shall have access to these facilities. Additionally, definitions contained in NFPA 58 shall apply.

### **F-119.4 Location of Containers and Limits:**

**F-119.4.1** All new liquefied petroleum gas storage installation and handling shall be in accordance with NFPA-58, the laws of the State of Florida, and all applicable rules, regulations, and ordinances of the AHJs.

**F-119.4.2** Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested commercial areas, the aggregate capacity of any one installation shall not exceed 2,000 gallons water capacity, except that in particular installations this capacity limit may be altered by the approval of the Fire AHJ after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings,



capacity of proposed tanks, degree of private fire protection to be provided and facilities of the local Fire Department. The storage of liquefied petroleum gas shall conform to the provisions of the local zoning ordinance.

**F-119.4.3** Where a distributing point is allowed, there shall be in attendance a qualified person to make the transfer of liquefied petroleum gas. This person shall have been trained by a licensed gas company and be in possession of documents certifying such training. The owner of the distributing point shall be licensed by Florida Department of Agriculture and Consumer Services – Visions of Consumer Services.

**F-119.4.4** All plans for installations at distributing points shall be submitted to the AHJs for permits and approval. In addition, plans for locations at distributing points for fixed (stationary) installations of

- 1) 2,000 gallons individual water capacity, or
- 2) with the aggregate water capacity exceeding 4,000 gallons, or
- 3) Any installation, regardless of size, which will be used for resale to the public, shall be submitted to the Florida Department of Agriculture and Consumer Services – Visions of Consumer Services for approval and proper licensing, and be approved before the installation is started. Other safety precautions shall be adhered to as designated by the Fire Code Official/Fire Marshal, or their duly authorized representative.

**F-119.4.5** An LP Gas storage tank shall not be installed on the same island used for gasoline or diesel fuel dispensing. A minimum distance of 25 feet shall be maintained between the LP gas storage tank and the flammable liquid dispensing devices.

**F-119.4.6** A distributing plant, as defined in F-119.2, shall be prohibited unless approved by the Fire Code Official/Fire Marshal or their duly authorized representative, of the jurisdiction.

**F-119.4.7** Multiple container installations with a total storage water capacity of more than 180,000 gallons (150,000 gallons LP-gas capacity) shall be subdivided into groups containing not more than 180,000 gallons in each group. Such groups shall be separated by a distance of not less than 50 feet, unless the tanks are:

- 1) buried or mounted in an approved manner, or
- 2) protected with approved insulation on such areas that may be subject to impingement of ignited gas from pipelines or other leakage, or
- 3) protected by firewalls of approved construction, or

4) protected by an approved system for application of water, or

5) protected by other approved means, where one of these forms of protection is provided, the separation shall not be less than 25 feet between such container groups.

**F-119.4.8** The storage and transportation of liquefied petroleum gas and the installation of all pertinent equipment shall be installed and maintained in accordance with NFPA-58, and subject to the approval of the Fire Chief, or their duly authorized representative; These orders shall apply to all persons and places within the jurisdiction except as herein provided.

**F-119.5 Parking and Garaging:** Vehicles containing cylinders of liquefied petroleum gases 20 lbs or greater in size are prohibited in public parking garages, this includes LP gas delivery vehicles. Vehicles that are powered by LP gas and meet NFPA 54 for fuel systems are permitted.

#### **F-119.6 Prohibited Use of Liquefied Petroleum Gas:**

**F-119.6.1** Liquefied petroleum gas shall not be used for the purpose of operating any device or equipment unless such equipment or device is approved for use with a liquefied petroleum gas.

**F-119.6.2** Liquefied petroleum gas shall not be released to the atmosphere except through an approved liquid level gauge or other approved device.

#### **F-119.7 Dispensing and Overfilling.**

**F-119.7.1** The dispensing of liquefied petroleum gases shall be performed by a qualified attendant.

(a) It shall be illegal for any person, firm, corporation, association, club or organization to operate a self-service liquefied petroleum gas dispensing operation which is open to the public.

**F-119.7.2** A person shall not fill or maintain a liquefied petroleum gas container with liquefied petroleum gas in excess of the fixed outage gauge installed by the manufacturer or the weight stamped on the tank.

#### **F-119.8 Safety Devices.**

**F-119.8.1** A person shall not tamper with or make ineffective the safety devices of any liquefied petroleum gas container.

**F-119.9** Abandonment of Liquefied Petroleum Gas Equipment:

**F-119.9.1** At the discretion of the Authority Having Jurisdiction, whenever the use of liquefied petroleum gas equipment has been discontinued, it may be abandoned in an approved manner within a period of 30 days. However, after 90 days, F-119.9.4 applies.

**F-119.9.2** The following procedures may be used when approved by the Fire Chief or their duly authorized representative.

**F-119.9.2.1** Removal of all liquefied petroleum equipment.

**F-119.9.2.2** Burn-off content of container.

**F-119.9.3** All service openings shall be capped or plugged after contents have been removed from container.

**F-119.9.4** All LP tanks, abandoned or out of service in excess of ninety (90) days, shall be removed and properly disposed of.

**F-119.9.5** Combustible Gas Detection; In all facilities where combustible gases are piped to an appliance, a combustible gas detection system with an external notification device shall be installed in accordance with NFPA 72. The external notification device shall provide audio and visual notification and have a sign not less than 14" x 14" stating "combustible gas detected, call 911".

#### **F-119.10 Hydrogen Fuel for Emergency Power Systems.**

Hydrogen stationary fuel cell power systems shall be installed in accordance with NFPA 853 of the current edition. Storage shall be in compliance with NFPA 55 (Storage, Use and Handling of Compressed Gases Cryogenic Fluids in Portable or Stationary Containers, Cylinders and Tanks) for installation.

### **SECTION F-120**

#### **Fireworks and Sparkler/Novelty Items**

##### **F-120.1 General Requirements.**

**F-120.1.1** The manufacturing of fireworks, sparklers and pyrotechnic materials is prohibited.

**F-120.1.2** The storage of fireworks and pyrotechnic materials is prohibited except as permitted in NFPA 1, Section 65.

**F-120.1.3** Except as hereafter provided, it shall be unlawful for any person, firm, co-partnership or corporation to store, to offer for sale, expose to store, expose for sale, sell at retail, or use or explode any fireworks and/or pyrotechnic materials.

**F-120.1.3.1** Consumer fireworks can be utilized as per FS 791 on specified holidays.

**F-120.1.4** Approved sparklers per F. S. 791.013 and any wholesaler registered in accordance with Florida Statute 791.015 as of July 1, 1996, who has obtained all applicable governmental licenses and permits to operate from a permanent structure within Broward County as of July 1, 1996, are exempt from this subsection.

**F-120.1.5** Wholesale exemption sales of fireworks pursuant to F.S.791.04 shall be prohibited at temporary or seasonal sales sites, and sales sites located in tents, canopies and stands.

##### **F-120.1.6 Permit Requirements and Operator Qualifications.**

**F-120.1.6.1.** Application for permit to operate a display of fireworks or use of pyrotechnics before a proximate audience shall be made in writing on forms provided by the Authority Having Jurisdiction to the Fire Chief, or their duly authorized representative, at least 15 days in advance of the date of the display. Except as specifically modified within this Code, outdoor display of fireworks shall be as specified in NFPA 1123. See Section F 120.2 for additional requirements for Outdoor Display of Fireworks on Private Residential Property. See Section F- 120.3 for additional requirements for Offshore and Barge Fireworks Displays. Except as specifically modified within provisions of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, use of pyrotechnics before a proximate audience shall be as specified in NFPA 1126.

**F-120.1.6.1.1** Before any permit for a pyrotechnic display shall be issued, the person or organization making application shall furnish proof of financial responsibility to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of such person or any agent or employee thereof, in such amount, character, and form as the Fire Chief, or his/her duly authorized representative, determines to be necessary for the protection of the public.

**F-120.1.6.1.1.1** A copy of the certificate of insurance naming the permitting agency as additional insured is required.

**F-120.1.6.1.1.2** Minimum required amount of certificates of insurance for permit issuance is as follows: \$1,000,000 for bodily injury, and \$50,000 for property damage, per occurrence.

**F-120.1.6.2** Permit application shall be set forth and contain the following:

**F-120.1.6.2.1** The name, address and telephone number of the organization sponsoring the display, the supplier of the fireworks, the operator (pyrotechnician) and all assistants.

**F-120.1.6.2.2** Application shall be signed by the sponsoring organization representative, and the operator (pyrotechnician) and approved by Fire Chief or his/her designee.

**F-120.1.6.2.3** References for the most recent three firework displays supervised and discharged by the designated operator shall be required for review by the AHJ. Said referenced displays shall be similar in size and complexity and will provide contact persons and telephone numbers.

**F-120.1.6.2.4** The date and time of day at which the display is to be held and the duration time for said display. Permits shall not be issued for displays between the hours of 11:00 pm and 7:30 am.

**F-120.1.6.2.4.1** Time restrictions stated above may not be applicable on January 1, July 4, and December 31, or any other date where specific permission to operate a display of fireworks is granted by the AHJ.

**F-120.1.6.2.5** The exact location address for the display, event or production.

**F-120.1.6.2.6** A copy of a location site plan with dimensions indicating the exact location planned for the display site and all grounds and facilities at which the event will be held. This plan shall include the location of all structures, audience viewing areas, roads, trees and utilities.

**F-120.1.6.2.7** Operator and assistant qualifications shall comply with the provisions of NFPA 1123 and NFPA 1126.

**F-120.1.6.2.7.1** The operator shall be responsible for ensuring that a sufficient number of assistants are available on site for the safe storage and conduct of the fireworks display.

**F-120.1.6.2.7.2** Operators shall be at least 21 years of age and all assistants shall be at least 18 years of age. A copy of a valid driver's license or other valid picture I.D. acceptable to the AHJ shall be provided for all operators and assistants.

**F-120.1.6.2.8** The type and number of fireworks to be discharged.

**F-120.1.6.2.8.1** Aerial displays: Size and number of each type of burst (single, multiple, etc.)

**F-120.1.6.2.8.1.1** All aerial shells, regardless of size, shall be fired using approved electrical ignition unless alternate method of ignition is approval by the AHJ.

**F-120.1.6.2.8.1.2** All electrically fired displays shall provide a solid barrier located at least 100 feet from the mortar location from which all operators (pyrotechnicians) shall control the display with the exception of displays on barges.

**F-120.1.6.2.8.2 Fixed displays. Size, type and description of displays.**

**F-120.1.6.2.8.3** The manner and place of storage of fireworks prior to display. The date, time and travel route from the point the fireworks enter Broward County.

**F-120.1.6.2.9 Standby Firewatch Requirements.**

**F-120.1.6.2.9.1** The Fire Chief, or his/her duly authorized representative, shall require one or more standby firewatch personnel employed by the Fire Service Provider/Fire Department, to be on-duty for each display or performance. When deemed necessary the Fire Chief, or their duly authorized representative, additional fire rescue apparatus may be required for the display or performance. The expense of such personnel services and apparatus shall be borne by the permit holder and shall be paid prior to issuance of the permit.

**F-120.1.6.2.9.2** The standby firewatch personnel shall be on duty from the time of display set up, during the display, and until termination of the display and removal of all fireworks, debris, pyrotechnical materials and devices from the site.

**F-120.1.6.2.9.3** In the case of indoor displays or performances, standby firewatch personnel shall be maintained until total restoration of normal function of the fire safety systems has been verified.

**F-120.1.6.2.9.4** At a minimum, at least one of the assigned standby firewatch personnel shall be a BORA Certified Fire Inspector.

**F-120.2** Additional Requirements for Outdoor Display of Fireworks on Private Residential Property:

**F-120.2.1** Written approval from the property owners located adjacent the proposed display site property is required prior to approval of a permit for outdoor fireworks display.

**F-120.2.2** The display site shall have at least a 100 foot per inch radius of internal mortar diameter of the largest shell to be fired.

**F-120.2.3** Minimum distance separation shall be no less than 300 feet from the nearest dwelling, building, or structure. This includes canopies, chickee huts, or similar structures, bulk storage areas, public highways, railroads or other means of travel.

**F-120.2.4** Not within 1,000 feet of a school, theater, church, hospital, nursing home, assisted living facility, livestock/animal storage site, or similar structures or institutions.

**F-120.2.5** No less than 50-foot radius from the nearest aboveground utility, telephone or telegraph line, tree, or other overhead obstruction.

**F-120.2.6** The audience shall be restricted behind an approved barrier, location no less than 200 feet from the outside of the required display site distance separations.

**F-120.2.7 Reserved**

**F-120.3 Offshore and Barge Fireworks Displays.**

**F-120.3.1** Firework displays shall only be permitted on approved barges. Barge means a non-self-propelled vessel and shall meet the requirements of NFPA 1123 for construction and sizing requirements of the discharge site.

**F-120.3.2** A valid copy of a current U.S. Coast Guard permit of operation shall be provided for each barge display, if required by the U.S. Coast Guard.

**F-120.3.3** At least two chase boats shall be provided to maintain a clear separation distance of at least 1,000 feet radius around the barge from other vessels, structures and the beach. Chase boats shall also provide transportation of fire rescue personnel when required.

**F-120.3.4** Two-way compatible communication shall be provided for use by fire rescue and law enforcement personnel, chase boats and barge crew.

**F-120.3.5** Ladder access shall be provided to allow immediate access for inspection and emergency response.

**F-120.3.5.1** Stabilization shall be provided to secure the barge and prevent rotation from wind, water current and firing angle.

**F-120.3.5.2** Inspection of the barge by the Fire Service Provider/Fire Department shall occur at least one to two hours prior to the scheduled departure for sea.

**F-120.4 Safety Precautions for Outdoor fireworks.**

**F-120.4.1** If in the opinion of the Fire Chief, or his/her duly authorized representative, any unsafe or hazardous condition exists, the fireworks display shall be postponed until such time as said conditions are corrected.

**F-120.4.2** If high winds, precipitation or other adverse weather conditions prevail, such that in the opinion of the Fire Chief, or his/her duly authorized representative, a significant hazard exists, the fireworks display shall be postponed until weather conditions improve to an acceptable level to allow discharge.

**F-120.4.2.1** No discharge of a fireworks display shall be permitted to take place when the wind velocity is 17 knots (20 mph) or greater.

**F-120.4.3** Immediately upon delivery to the display site, all fireworks shall be properly secured and shall not be left unattended at any time. When deemed necessary, the Fire Chief, or their duly authorized representative, may require the operator or employ special security measures to ensure the proper security of the stored fireworks.

**F-120.4.4** A minimum of two, two and one-half gallon pressurized water fire extinguishers shall be available in the discharge area. Additional extinguishers or equipment may be required if conditions warrant. In addition, adequate water supply for fire protection shall be available at the discharge site.

**F-120.5** Requirements for the Sale, Display, Merchandising, Storage and Handling of Approved Sparklers and Novelty Items within buildings, Structures, Canopies and Outdoor Sites.

**F-120.5.1** No person shall be in possession of a lighted cigarette, cigar, or pipe, or any open flame, within 50 feet of any sales, display, merchandising, storage, or handling area. Proper receptacles for disposal of smoking materials shall be provided at all entrances to such areas (i.e. water filled or sand filled buckets).

**F-120.5.2** A minimum of two approved two and one-half gallon pressurized water fire extinguishers shall be available within the sales, display, and handling areas; additional fire extinguishers or fire protection equipment may be required by the authority having jurisdiction.

**F-120.5.3** Precautions shall be taken to protect against fire or spread of fire in all sites located within fields or lots with ground cover such as brush, grass or other overgrowth of vegetation.

**F-120.5.4** Durable and readily visible signs to read "Caution Sparklers—No Smoking" shall be posted on the exterior of each entrance way into and throughout all sparkler sales, storage, and handling areas within the interior of any building, structure, canopy, or outdoor site. These signs shall be readily visible in all directions.

**F-120.5.5** The use, ignition or discharge of any approved sparklers or novelty items is prohibited within buildings or structures where sparklers or novelty items are offered for sale, displayed, or stored, and within 100 feet of any outdoor sales storage or handling sites.

**F-120.5.6** Buildings or structures used in whole or in part for sales (retail or wholesale), display, merchandising, handling, or storage of sparklers and/or novelty items shall be fully protected throughout with an automatic sprinklers system in



accordance with NFPA 13, the edition in 69A-60, Florida Administrative Code.

**F-120.5.7** No storage of sparklers or novelty items shall be permitted in vehicles.

**Exception:** Transportation purposes only, to and from the site or at a permitted site, if approved by the authority having jurisdiction.

**F-120.5.8** Sales, display and merchandising shall be conducted in an approved and safe manner in order to control handling by the general public.

**F-120.5.9** Amounts of sparklers and related novelty items displayed within the sales area shall not exceed those amounts approved by the Fire Chief, or their duly authorized representative. Note: Where the primary business of the occupancy is not sale of sparklers, the sale areas of sparklers or novelty items shall not exceed two percent of the net floor space of the building or structure.

**F-120.5.10** Storage of approved sparklers and novelty items shall comply with the following.

**F-120.5.10.1** Sparklers shall not be stored or kept in any area

**F-120.5.10.1.1** In which paints, oils, or varnishes are manufactured or kept for use or sale, unless the paints, oils or varnishes are in unbroken (sealed) containers.

**F-120.5.10.1.2** In which resin, turpentine gasoline or flammable substances which may generate vapors are used, stored, or offered for sale unless the resin, turpentine, gasoline, or substance is in unbroken (sealed) containers.

**F-120.5.10.1.3** In which there is not at least one 2A10BC fire extinguisher available in the area used for storage.

**F-120.5.10.2** Storage of sparklers shall be in an approved manner, remote from the public, and separated from all other merchandise by at least one hour fire protection and an approved automatic sprinkler system.

**Exception:** Canopies and approved steel storage vaults or containers when used outdoors.

**F-120.5.10.3** Approved storage facilities shall be labeled with an approved Explosion placard complying with the Department of Transportation (DOT) Standard.

**F-120.5.11** Outdoor sites for sale, storage, and/or handling of approved sparklers shall comply with the following distance requirements: The minimum distance between a storage site and any building or structure shall be 50 feet.

## **F-120.6 Separation.**

**F-120.6.1** The minimum distance required between a site and any fuel storage/dispensing area or device shall be 50 feet.

**F-120.6.2** Storage areas shall be separated from sales and handling areas by a minimum of 25 feet.

**F-120.6.3** Any building or structure used as storage facilities for sparklers and novelty items in conjunction with outdoor sites shall comply with the one-hour protection separation and automatic sprinkler system requirements as required for storage areas within building and structures.

**Exception:** Canopies and approved steel storage vaults or containers.

**F-120.6.4** When a canopy can be used in conjunction with an outdoor site operation, the following shall apply:

**F-120.6.4.1** No sides of any kind are permitted on the canopy at any time. Provide copy of Building Permit for canopy.

**F-120.6.4.2** The canopy shall comply with the flame-retardant requirement. Proper flame retardant certificate required.

**F-120.6.4.3** Proper exit and exit access shall be maintained at all times within the interior of the canopy. No obstruction to egress from any portion of the canopy is permitted.

**F-120.6.4.4** Provide and maintain a minimum of one 2A40BC dry chemical fire extinguisher, with properly updated service tag for each 2,500 sq. ft. of canopy area. Not less than one fire extinguisher for each canopy.

**F-120.6.5** If the site is to operate after daylight hours, the site shall be properly illuminated. If electricity powered and/or electrical equipment is used, the following shall apply:

**F-120.6.5.1** All electrical equipment and associated wiring shall comply with NFPA 70, the National Electrical Code, edition as adopted in 69A-60, Florida Administrative Code. Provide copy of permit for electrical service and equipment.

**F-120.6.5.2 If fuel powered generator is to be used to supply power for the site, the following shall apply.**

**F-120.6.5.2.1** Generator shall be kept a minimum distance of twenty feet (20') from sales, storage, or handling area.

**F-120.6.5.2.2** Precautions against fire or fire spread shall be taken when generator sites are located within fields or grassed lots.

**F-120.6.5.2.3** Only an approved metal five-gallon safety container shall be used to store fuel for the generator. Fuel containers shall be properly stored with a maximum of ten gallons per site.

**F-120.6.5.2.4** Approved fuel containers shall not be stored in sales, storage, handling areas or vehicles.

**F-120.6.5.3** Durable sign to read “NO SMOKING” shall be posted at the generator site.

#### **F-120.7 Pyrotechnics Before Proximate Audience**

**F-120.7** The requirements for the use of pyrotechnics before a proximate audience shall be in accordance with the standards as set forth in the FFPC. In addition, the following local amendments shall apply:

**F-120.7.1** Application for permit to operate a display of pyrotechnics before a proximate audience shall be made in writing on forms provided by the Authority Having Jurisdiction to the Fire Chief, or their duly authorized representative, at least 15 days in advance of the date of the display.

**F-120.7.2** The local Fire Marshal/Fire Code Official, or their duly authorized representative at their discretion, shall require standby fire watch personnel employed by the AHJ of the Fire Service Provider/Fire Department, to be on duty for each display or performance. When deemed necessary by the local Fire Marshal/Fire Code Official, or his/her duly authorized representative, additional fire and rescue apparatus may be required for the display or performance. Any and all expense(s) of standby personnel services and apparatus shall be borne by the permit holder.

**F-120.7.2.1** Standby fire watch personnel shall be on duty from the time of display setup, during the display, and until termination of the display and removal of all pyrotechnic materials, debris, and devices from the site.

**F-120.7.2.2** In the case of indoor displays or performances, standby fire watch personnel shall be maintained until total restoration of normal functioning of the fire safety systems has been verified.

**F-120.7.2.3** At a minimum, at least one of the assigned standby fire watch personnel shall be a BORA Certified Fire Inspector.

**F-120.7.3** Any indoor use of pyrotechnics shall not be permitted in buildings or any portion thereof unless protected by an approved automatic sprinkler system.

**F-120.7.3.1** Indoor use of pyrotechnics shall be prohibited in temporary structures such as tents, canopies,

**F-120.8 Rooftop Pyrotechnics:** In addition to the aforementioned code requirements, the following shall apply to rooftop pyrotechnic displays:

**F-120.8.1** Only NFPA 1126 approved pyrotechnics shall be permitted for all rooftop displays.

**F-120.8.1.1** If a rooftop display is being proposed, the pyrotechnician shall identify a debris fallout area on the submitted plan.

**F-120.8.1.2** The pyrotechnician shall provide the local Fire Marshal/Fire Code Official, or their duly authorized representative with an approved, written notice from the FAA acknowledging receipt of the time frame of the display, the pyrotechnic material used, and approval from the FAA representative to proceed with the event.

**F-120.8.1.3** Such an approved written notice shall be a part of the permit application submitted at least 15 working days prior to the event.

**F-120.8.1.4** Failure to provide approved, written notice from the FAA to the local Fire Marshal/Fire Code Official, or their duly authorized representative, shall be cause for denial to display rooftop pyrotechnics.

**F-120.8.1.5** At the discretion of the local Fire Marshal/Fire Code Official, or their duly authorized representative, the pyrotechnician may be required to post all, or part of the following:

**F-120.8.1.5.1** Additional insurance policy in the amount of one million dollars indemnifying the local AHJ.

**F-120.8.1.5.2** Post a refundable clean-up bond with the local AHJ holding the pyrotechnician responsible for post-event clean up from pyrotechnic debris fallout.

**F-120.8.1.5.3** If the pyrotechnician is not directly responsible for post event cleanup of debris, the pyrotechnician shall furnish written proof from the party responsible for post event cleanup of pyrotechnic debris.

**F-120.8.1.6** The pyrotechnician shall be held responsible for the cleanup of any NFPA 1126 pyrotechnic material fallout on any structure, vehicles, and/or part thereof in the fallout area unless otherwise advised in writing, to the fire code official, as to the contracted party responsible for such cleanup.

#### **F-121 Reserved— Automatic External Defibrillator (AED) and Stop the Bleed Kit (SBK)**

**F-121.1.1 All new and existing buildings needing to comply with the following sections, shall be provided a maximum of eighteen (18) months from the date approved by the Broward County Board of Rules and Appeals to comply.**

**F-121.2 AED(S) and SBK(S) shall be installed in the following occupancies as defined in NFPA 101, Life Safety Code.**

F-121.2.1 Assembly occupancy:

a. Fitness centers, gymnasiums, and indoor recreational centers in excess of one thousand five hundred (1,500) square feet.

b. Theaters, restaurants, drinking establishments, with a capacity of one hundred (100) or greater.

c. Places of worship with a capacity of one hundred (100) or greater.

F-121.2.2 Business occupancy:

a. Office buildings/business occupancies with a square footage greater than twenty thousand (20,000) square feet.

b. All Dental offices in accordance with Florida Administrative Code 64B5-17.015.

F-121.2.3 Day Care occupancy:

a. All adult day care facilities

F-121.2.4 Educational occupancy:

a. All Charter and Private Schools.

F-121.2.5 Healthcare occupancy:

a. Assisted living facilities as defined by section 429.021(5) Florida Statute as amended from time to time.

b. Ambulatory surgical centers as defined by section 395.002 (3) Florida Statute as amended from time to time.

c. Walk in medical care facilities.

d. Hospitals providing emergency services, including freestanding facilities, shall be excluded.

F-121.2.6 Mercantile occupancy:

a. Commercial and retail spaces with a square footage greater than thirty-five thousand (35,000) square feet.

F-121.2.7 Residential occupancy:

a. All hotels and motels.

b. Multi-story residential/dormitory buildings five (5) floors or more

F-121.2.7.1 Multi story occupancies listed above shall place an AED and SBK on every other floor beginning on the first floor. The AED and SBK shall be placed near the

elevator(s) beginning in the first-floor lobby (first floor, third floor, fifth floor etc.)

F-121.3 Installation and Operation.

F-121.3.1 The Authority Having Jurisdiction (AHJ) shall verify all AED devices and SBK's for operation prior to being placed in service or available for use, and on an annual basis.

F-121.3.2 AED(S) devices and SBK(S) shall be:

a. Conspicuously located in plain view of the primary public entrance or by the elevator lobby with unobstructed access.

b. Readily accessible and immediately available when needed for on-site employees and the general public, including disabled persons.

c. The AED(S) and SBK(S) shall be 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 to prevent tampering, theft, or damage.

d. The AED shall be located below a sign having a minimum area of seventy (70) square inches and containing the letters "AED" and the universally recognizable symbol, which should be placed no more than sixty (60) inches, on center, above the floor.

e. The SBK shall be located below a SBK sticker. The SBK sticker may also be placed on the cabinet containing the SBK.

F-121.3.3 AED devices shall contain adult pads and pediatric pads as required by the AHJ.

F-121.3.4 SBK(S) with the exception of large occupancy SBK(S), shall minimally contain:

a. Eight commercially manufactured tourniquets; and

b. Eight gloves; and

c. One scissor; and

d. Two 3-inch gauze rolls; and

e. Two gauze combine pads.

F-121.3.5 Places of occupancy that hold 500 or more persons, regardless of occupancy classification, shall have a large occupancy SBK, which minimally contain:

a. Eight commercially manufactured tourniquets; and

b. Eight gloves; and

c. Two scissors; and

d. Eight 3-inch gauze rolls; and

e. Eight gauze combine pads.

F-121.3.6 The AED(S) devices and SBK(S) shall be used in accordance with the manufacturer's guidelines.

F-121.3.7 It shall be the responsibility of the owner/occupant to:

a. Install the AED device and SBK;

b. Provide all necessary training and appropriate use; and

c. Maintain AED devices and SBK in accordance with manufacture recommended maintenance requirements and as required herein.

F-121.3.8 If an AED device or SBK is removed for repair, a replacement shall be provided by the owner/occupant or by the manufacturer.

F-121.3.9 Requirements and procedures. The following shall be the requirements and procedures for use, training, and data collection of the AED and SBK program:

F-121.3.9.1 The implementation of an AED and/or SBK shall occur only after a written notification is made to the Fire Chief or designee by the individual, entity, organization, or company acquiring an AED. The written notification must contain the facility or business name, street address, specific location of the AED and/or SBK, the number employees at the facility or business, the total number of persons trained or to be trained in the use of the AED and SBK, and name of manufacturer and model number of each AED.

F-121.3.9.2 Prior to implementation of an AED or SBK, the individual, organization or company will obtain and send to the AHJ, proof of standardized training for all intended users of the AED and SBK. The training shall consist of a class provided by a nationally recognized organization, or locally approved by the AHJ, including, but not limited to, the American Heart Association, the American Red Cross, and the National Safety Council, and shall follow a standardized curriculum. The standardized curriculum shall include, at a minimum:

a. Signs and symptoms of sudden cardiac arrest.

b. Cardiopulmonary resuscitation (CPR); and

c. Proper use, maintenance, and inspection of AED's.

F-121.3.9.3 The training for the SBK shall consist of a class provided by a nationally recognized organization or locally approved by the AHJ. The standardized curriculum shall include, at a minimum:

a. Tourniquet application and use

F-121.3.9.4 The owner of the AED will ensure that the use of the AED follows the policies and procedures developed and authorized by the AHJ, and the provision of F.S. § 401.2915, as may be amended.

F-121.3.9.5 Recertification of users, maintenance, and inspection of the AED and SBK is the responsibility of the owner/occupant and shall be done on a periodic basis, as prescribed by the manufacturer and/or certifying agency. Recertification of users will consist of a class, which will review the techniques for using the AED and SBK and follow a standardized curriculum. Recertification training shall be provided as in section F-121.2 and F-121.3 above. Maintenance of the AED device and SBK shall be in accordance with the manufacturer's recommendations.

F-121.3.9.6 The AHJ may conduct a quality assurance review after the use of an AED or SBK that includes gathering clinical data and information from the person that used the AED or SBK and from the AED itself.

F-121.3.9.7 Any person who uses an AED is required to contact the AHJ by calling 9-1-1 immediately prior to, or immediately upon use of the AED (F.S. § 401.2915 (c)).

F-121.3.9.8 The owner and user of the AED or SBK will not withhold consent for a quality assurance review by the AHJ after the use of an AED or to the retrieval of clinical data from the device itself.

F-121.3.9.9 The AHJ shall verify the presence of the AED device and/or SBK and may inspect any maintenance records and documentation of training to ensure compliance with the community AED and stop the bleed program.

F-121.3.9.10 The AHJ is not liable for any damages experienced by the AED and by the SBK, or any person or entity arising as a result of



**a) business's use or misuse of the equipment or supplies.**

**b) business's failure to provide services pertaining to the equipment supplies**

**c) any defects in the equipment or supplies.**

**Immunity from civil liability provisions. The provisions of F.S.768.1325, and specifically the immunity from civil liability for any harm resulting from the use or attempted use of an automated external defibrillator (AED) device as found in F.S. 768.1325(3) as may be amended from time to time are hereby adopted and incorporated into the ordinance.**

## **F-122 Mobile and Temporary Cooking Operations**

**F-122.1** The following section shall be a minimum life safety requirement but can be modified if deemed necessary by the local AHJ.

**F-122.1.1** Mobile or Temporary Cooking. Any cooking facility, apparatus or equipment, being operated on a one time or interim basis, or for less than 90 days in the same location, other than at a fixed location, building or structure which has been inspected and permitted under another section of this code, regulation or statute, inclusive of self-propelled trucks and vehicle, trailered units, push carts, equipment located under cover of awnings, canopies or pop-up tents, or other structures for which a building permit has not been issued.

**F-122.1.2** All current licensing, semiannual / annual fire suppression system inspections reports and a cleaning report with related documents shall be placed in a binder and accessible to the AHJ at all times.

**F-122.1.3** Prior to operating within Broward County, each Mobile Food Dispensing Vehicle shall be inspected and approved.

- a. Inspection and approval by the AHJ shall not relieve the mobile food vendor's owner of the responsibility of compliance with the design, construction, installation, alteration, repairs, equipment maintenance, process and relocation of the mobile food truck.
- b. Inspection and approval shall not hold the AHJ responsible for the enforcement of regulations of such other regulatory agencies unless specifically mandated to enforce those agencies regulations.

**F-122.1.54** Cooking equipment that produces grease-laden vapors shall be protected by a fire-extinguishing system. Automatic fire-extinguishing systems shall comply with

ANSI/UL300 or other equivalent standards and shall be installed in accordance with the terms of their listing, the manufacturer's instructions, and NFPA 17A.

## **F-122.2 Cleaning**

**F-122.2.1** The entire exhaust system, appliances, floor underneath and wall behind appliances, shall be inspected and cleaned for grease buildup by a properly trained, qualified, and certified person(s) acceptable to the AHJ and in accordance with Table 11.4 in NFPA 96, and in accordance with

## **F-122.3 Fire Extinguishers**

**F-122.7.1** There shall be a quarter-turn valve installed within the LP- gas piping for emergency shut-off use, shall be installed on the exterior of the vehicle and readily assessable.

**F-122.7.2** A "PROPANE EMERGENCY SHUT-OFF" sign and a "NO SMOKING" sign shall be installed directly next to or above the gas cylinder and shall be a highly visible, permanent weatherproof sign with a minimum of 2" lettering.

**F-122.7.3** Cylinders shall be retested every 5-12 years in accordance with the manufacturer's recommendations and 49 CFR 180.205.

- a. No letter after the requalification date means the cylinder must be retested within 12 years.
- b. An "S" after the requalification date means the cylinder must be retested within 7 years.
- c. An "E" after the requalification date means the cylinder must be retested within 5 years.

## **F-122.8 Leak Detection**

**F-122.8.1** A test gauge shall be installed at or before the regulator for means of leak detection. Pressure shall be observed for a minimum of 3 minutes with no drop in pressure. Propane tanks, hoses and fittings shall be free of leaks. Documentation that the system is free of leaks shall be kept in a binder and readily assessable for the AHJ upon request.

## **F-123 Permanently Installed Cooking Exhaust Systems**

**F-123.1** Cooking Exhaust Systems: Cleaning of Cooking Exhaust Systems shall be in compliance with NFPA 96 and the following.

F-123.2 Cooking ventilation systems shall be inspected for grease buildup by a person meeting the training requirements as set forth by International Kitchen Exhaust Cleaning Association (IKECA) or other nationally recognized exhaust system cleaning association acceptable to the AHJ in accordance with NFPA 96, Section 11.6.1.

F-123.3 Certification of training shall be submitted to the Local AHJ prior to cleaning operations taking place.

F-123.4 The completed inspection or cleaning report as found in NFPA 96, 11.6.14 shall be provided to the owner and a copy along with photos taken prior to cleaning and after cleaning shall be submitted to the local AHJ.

#### **F-124 Uniform Generator Code**

**F-124.1** Scope The purpose of this document is to provide uniform procedures for the AHJs' in Broward County as it pertains to secondary power sources. Any Board and Care occupancy as defined by the provisions of this code that is required to receive an inspection from an AHJ as per Florida State Statute or the Florida Administrative Code, shall comply with the provisions of this code.

#### **F-124.2** Referenced Publications:

NFPA 1, *Fire Code*

NFPA 30, *Flammable and Combustible Liquids Code*

NFPA 37, *Standard for the Installation of and Use of Stationary Combustion Engines and Gas Turbines*

NFPA 54, *National Fuel Gas Code*

NFPA 58, *Liquefied Petroleum Gas Code*

NFPA 70, *National Electrical Code*

NFPA 72, *National Fire Alarm and Signaling Code*

NFPA 110, *Standard for Emergency and Standby Power Systems*

NFPA 111, *Standard on Stored Electrical Energy Emergency and Standby Power Systems*

NFPA 720, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment*

Florida Administrative Code 58A-5.036 for Assisted Living Facilities

Florida Administrative Code 59A-4.1265 for Nursing Homes

#### Florida Building Code

#### **F-124.3** General:

F-124.3.1 Existing approved, non-conforming installations shall be deemed compliant with this code unless the AHJ determines that non conformity presents a distinct hazard to life.

F-124.3.2 All facilities shall store a minimum of seventy-two (72) hours of fuel onsite and be able to show proof (such as a fuel service contract) of a reliable method to obtain the additional twenty-four (24) hours of fuel within forty-eight (48) hours of a declared State of Emergency. Piped natural gas is an allowable fuel source.

F-124.3.3 If local ordinances or other regulations limit the amount of onsite fuel storage at the location of the facility, then the owner/operator shall develop a plan that includes maximum onsite fuel storage allowable by the ordinance or regulation and a reliable method to obtain the maximum additional fuel at least 24 hours prior to the depletion of the onsite fuel.

F-124.3.4 Storage of any fuels shall be compliant with the applicable National Fire Protection Association's (NFPA) codes and standards.

**F-124.3.5 Other fuel sources shall be permitted in conformance with the NFPA 54 and 58 as currently adopted.**

#### **F-124.4** Minimum Permit Submittal Requirements:

F-124.4.1 The following is a list of the minimum required information that shall be submitted to the AHJ for review:

- A) Plans shall be submitted for permitting, with details and manufacturer specifications that demonstrate compliance with all applicable NFPA codes and standards. The submittal shall be made by a qualified and licensed contractor.
- B) All generators shall be NFPA 110 compliant.
- C) Plans shall clearly identify the class, type, and level of the generator.
- D) A site plan shall be provided indicating the location of the emergency generator in relation to the building openings as well as adjacent building openings, exit discharges, the fuel source type, and the automatic transfer switch.
- E) The location of the manual emergency shut off shall be clearly identified on the plans. The emergency shut off shall be readily accessible at all times, identified with permanent weatherproof signage, shall be readily visible to emergency responders, and the location shall be approved by the AHJ.

- F) Plans shall demonstrate that the fuel supply can accommodate the specific EPS class and time duration identified on the plans.
- G) Physical protection of the fuel source and generator when located in areas subject to vehicular traffic shall be clearly identified.
- H) A remote generator annunciator shall be installed at a continuously attended location and indicated on the plans, approved by the AHJ.
- I) A signed generator maintenance contract shall be submitted, maintained, and made available to the AHJ upon request.
- J) Carbon monoxide protection shall be installed in accordance with NFPA 720. The location(s) of Carbon Monoxide Alarms shall be indicated on the plans.

**F-124.5** Inspection and Testing

- A) Emergency Power Supply Systems' (EPSS), including all appurtenant components, shall be inspected weekly and exercised under load at least monthly.
- B) The facility owner shall ensure that the EPSS is properly maintained and serviced not less than annually by a qualified person or contractor in accordance with the manufacturer's specifications.

**F-124.6** Records Retention

- A) Each facility shall provide a binder which contains a log of weekly inspections and monthly load exercise. The owner or their agent is responsible for the proper recording of this information.
- B) The binder shall also include a copy of the annual service agreement as well as the most current annual service report.
- C) This binder shall be made readily accessible to the AHJ upon request.

A clean copy of the Fire Code amendments for both Agenda Items 5 and 6 may be found at the end of Item 6



# Section 6



**BROWARD COUNTY**

# Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

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To: Members of the Board of Rules and Appeals

From: Administrative Director

Date: April 14, 2022

RE: **Local Amendment, Florida Fire Prevention Code Amendment for 2<sup>nd</sup> Reading  
Section F-121, Automatic External Defibrillator and Stop the Bleed Kit**

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This amendment was approved on 1<sup>st</sup> reading on March 10, 2022 and is scheduled for 2<sup>nd</sup> reading and public hearing on April 14, 2022.

James DiPietro



## BROWARD COUNTY

# Board of Rules & Appeals

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

To: Board of Rules and Appeals  
From: Bryan Parks, Fire Code Official  
Date: March 10, 2022

A handwritten signature in black ink, appearing to read "Bryan Parks".

RE: New Fire Code Section F-121 Automatic External Defibrillator (AED) and Stop the Bleed Kit (SBK)

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### Recommendation

It is recommended by the Board of Rules and Appeals, Fire Code Committee that the Board approve the proposed new code section which was considered on February 17, 2022 in a vote of 10 to 0 in favor that the new fire code section F-121 Automatic External Defibrillator (AED) and Stop the Bleed Kit (SBK) was recommended to be in cooperated as requested by the Fire Chiefs Association of Broward County by unanimous vote taken January 6, 2022.

### Reason

Several cities at the current time have ordinances requiring the installation of AED/SBK and training requirements in the use of AED and SBK which are required to be in their cities: assembly, business, day care, educational, health care, mercantile, and residential occupancies. It is the believe of staff and the fire chiefs that a uniform application should be followed throughout Broward County if approved by the Board.

### New Definitions Sections F-101.2.2

#### V. External Defibrillator (AED)

- (a) Is commercially available in accordance with the Federal Food, Drug, and Cosmetic Act,
- (b) 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
- (c) Upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual.

#### W. Stop the Bleed Kit (SBK)

(a) Capable of stopping severe bleeding through clotting, pressure, tourniquets, and other proven effective means of stopping blood loss; and

(b) Upon a blood loss emergency, is able to stem blood loss rapidly to prevent massive blood loss.

## New Code Section F-121 Automatic External Defibrillator (AED) and Stop the Bleed Kit (SBK)

### F-121 ~~Reserved~~ – Automatic External Defibrillator (AED) and Stop the Bleed Kit (SBK)

F-121.1.1 All new and existing buildings needing to comply with the following sections, shall be provided a maximum of eighteen (18) months from the date approved by the Broward County Board of Rules and Appeals to comply.

F-121.2 AED(S) and SBK(S) shall be installed in the following occupancies as defined in NFPA 101, Life Safety Code.

#### F-121.2.1 Assembly occupancy:

a. Fitness centers, gymnasiums, and indoor recreational centers in excess of one thousand five hundred (1,500) square feet.

b. Theaters, restaurants, drinking establishments, with a capacity of one hundred (100) or greater.

c. Places of worship with a capacity of one hundred (100) or greater.

#### F-121.2.2 Business occupancy:

a. Office buildings/business occupancies with a square footage greater than twenty thousand (20,000) square feet.

b. All Dental offices in accordance with Florida Administrative Code 64B5-17.015.

#### F-121.2.3 Day Care occupancy:

a. All adult day care facilities

#### F-121.2.4 Educational occupancy:

a. All Charter and Private Schools.

#### F-121.2.5 Healthcare occupancy:

a. Assisted living facilities as defined by section 429.021(5) Florida Statute.

b. Ambulatory surgical centers as defined by section 395.002 (3) Florida Statute.

c. Walk in medical care facilities.

d. Hospitals providing emergency services, including freestanding facilities, shall be excluded.

#### F-121.2.6 Mercantile occupancy:

a. Commercial and retail spaces with a square footage greater than thirty-five thousand (35,000) square feet.



**F-121.2.7 Residential occupancy:**

- a. **All hotels and motels.**
- b. **Multi-story residential/dormitory buildings five (5) floors or more**

**F-121.2.7.1 Multi story occupancies listed above shall place an AED and SBK on every other floor beginning on the first floor. The AED and SBK shall be placed near the elevator(s) beginning in the first-floor lobby (first floor, third floor, fifth floor etc.)**

**F-121.3 Installation and Operation.**

**F-121.3.1 The Authority Having Jurisdiction (AHJ) shall verify all AED devices and SBK's for operation prior to being placed in service or available for use, and on an annual basis.**

**F-121.3.2 AED(S) devices and SBK(S) shall be:**

- a. **Conspicuously located in plain view of the primary public entrance or by the elevator lobby with unobstructed access.**
- b. **Readily accessible and immediately available when needed for on-site employees and the general public, including disabled persons.**
- c. **The AED(S) and SBK(S) shall be 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 to prevent tampering, theft, or damage.**
- d. **The AED shall be located below a sign having a minimum area of seventy (70) square inches and containing the letters "AED" and the universally recognizable symbol, which should be placed no more than sixty (60) inches, on center, above the floor.**
- e. **The SBK shall be located below a SBK sticker. The SBK sticker may also be placed on the cabinet containing the SBK.**

**F-121.3.3 AED devices shall contain adult pads and pediatric pads as required by the AHJ.**

**F-121.3.4 SBK(S) with the exception of large occupancy SBK(S), shall minimally contain:**

- a. **Eight commercially manufactured tourniquets; and**
- b. **Eight gloves; and**
- c. **One scissor; and**
- d. **Two 3-inch gauze rolls; and**
- e. **Two gauze combine pads.**

**F-121.3.5 Places of occupancy that hold 500 or more persons, regardless of occupancy classification, shall have a large occupancy SBK, which minimally contain:**

- a. **Eight commercially manufactured tourniquets; and**
- b. **Eight gloves; and**
- c. **Two scissors; and**
- d. **Eight 3-inch gauze rolls; and**

e. Eight gauze combine pads.

F-121.3.6 The AED(S) devices and SBK(S) shall be used in accordance with the manufacturer's guidelines.

F-121.3.7 It shall be the responsibility of the owner/occupant to:

a. Install the AED device and SBK;

b. Provide all necessary training and appropriate use; and

c. Maintain AED devices and SBK in accordance with manufacture recommended maintenance requirements and as required herein.

F-121.3.8 If an AED device or SBK is removed for repair, a replacement shall be provided by the owner/occupant or by the manufacturer.

F-121.3.9 Requirements and procedures. The following shall be the requirements and procedures for use, training, and data collection of the AED and SBK program:

F-121.3.9.1 The implementation of an AED and/or SBK shall occur only after a written notification is made to the Fire Chief or designee by the individual, entity, organization, or company acquiring an AED. The written notification must contain the facility or business name, street address, specific location of the AED and/or SBK, the number employees at the facility or business, the total number of persons trained or to be trained in the use of the AED and SBK, and name of manufacturer and model number of each AED.

F-121.3.9.2 Prior to implementation of an AED or SBK, the individual, organization or company will obtain and send to the AHJ, proof of standardized training for all intended users of the AED and SBK. The training shall consist of a class provided by a nationally recognized organization, or locally approved by the AHJ, including, but not limited to, the American Heart Association, the American Red Cross, and the National Safety Council, and shall follow a standardized curriculum. The standardized curriculum shall include, at a minimum:

a. Signs and symptoms of sudden cardiac arrest.

b. Cardiopulmonary resuscitation (CPR); and

c. Proper use, maintenance, and inspection of AED's.

F-121.3.9.3 The training for the SBK shall consist of a class provided by a nationally recognized organization or locally approved by the AHJ. The standardized curriculum shall include, at a minimum:

a. Tourniquet application and use

F-121.3.9.4 The owner of the AED will ensure that the use of the AED follows the policies and procedures developed and authorized by the AHJ, and the provision of F.S. § 401.2915, as may be amended.

F-121.3.9.5 Recertification of users, maintenance, and inspection of the AED and SBK is the responsibility of the owner/occupant and shall be done on a periodic basis, as prescribed by the manufacturer and/or certifying agency. Recertification of users will consist of a class, which will review the techniques for using the AED and SBK and follow a standardized curriculum. Recertification training shall be provided as in section F-121.2 and F-121.3 above. Maintenance of the AED device and SBK shall be in accordance with the manufacturer's recommendations.

F-121.3.9.6 The AHJ may conduct a quality assurance review after the use of an AED or SBK that includes gathering clinical data and information from the person that used the AED or SBK and from the AED itself.

F-121.3.9.7 Any person who uses an AED is required to contact the AHJ by calling 9-1-1 immediately prior to, or immediately upon use of the AED (F.S. § 401.2915 (c)).

F-121.3.9.8 The owner and user of the AED or SBK will not withhold consent for a quality assurance review by the AHJ after the use of an AED or to the retrieval of clinical data from the device itself.

F-121.3.9.9 The AHJ shall verify the presence of the AED device and/or SBK and may inspect any maintenance records and documentation of training to ensure compliance with the community AED and stop the bleed program.

F-121.3.9.10 The AHJ is not liable for any damages experienced by the AED and by the SBK, or any person or entity arising as a result of

a) business's use or misuse of the equipment or supplies.

b) business's failure to provide services pertaining to the equipment supplies

c) any defects in the equipment or supplies.

Immunity from civil liability provisions. The provisions of F.S.768.1325, and specifically the immunity from civil liability for any harm resulting from the use or attempted use of an automated external defibrillator (AED) device as found in F.S. 768.1325(3) as may be amended from time to time are hereby adopted and incorporated into the ordinance.





# ***Broward County Local Amendments to the Florida Fire Prevention Code***

## **SECTION F-101 GENERAL**

**F-101.1— Title.** These regulations shall be known as the Broward County Local Fire Code Amendments to the Florida Fire Prevention Code (FFPC).

**F- 101.2 - Scope.** The provisions of this Chapter shall govern the administration and enforcement the FFPC and the Fire Protection Provisions of this Code and shall apply countywide in both incorporated and unincorporated areas of Broward County, Florida. The provisions of this code shall apply to new and existing buildings or structures, equipment, installations, construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings.

**F-101.2.1 Appendices or Annexes:** Provisions in the appendices or Annexes shall not apply unless specifically adopted by Florida Statute 633.

### **F-101.2.2 Definitions:**

- A. AHJ** means Authority Having Jurisdiction shall be a federal, state, local organization, office or individual responsible for enforcing the requirements of this code as found in Chapter 1, Broward Administrative Provisions.
- B. BCFCC** means Broward County Fire Code Committee
- C. BORA** means the Broward County Board of Rules and Appeals
- D. Engineer** means licensed professional engineer, licensed in the State of Florida
- E. FBC** means the Florida Building Code
- F. FFPC** means the Florida Fire Prevention Code including the Broward County Local Fire Amendments to the Florida Fire Prevention Code
- G. State** means State of Florida
- H. Fire Code Manager/Administrator** means a person certified by the State Fire Marshal Office as meeting the provisions found in NFPA 1037 and means Fire Marshal / Fire Code Official.
- I. Fire Service Provider** means Fire Department
- J. Door / Door Assembly;** when used for fire service provider access as referred to in this code or the FFPC, except

in chapters where other configurations are specifically permitted, shall mean a side hinged, swinging type egress exterior door / door assembly that can be opened from the outside and that provides access to the interior of the dwelling unit or building.

**K. AHCA:** Agency for Health Care Administration

**L. APD:** Agency for Persons with Disabilities.

**M. Class:** The class defines the minimum time, in hours, for which the EPSS is designed to operate at its rated load without being refueled or recharged.

**N. Board and Care Occupancy.** An occupancy used for lodging and boarding of residents, not related by blood or marriage to the owners or operators, for the purpose of providing personal care services.

**O. Legally Required Standby Generator:** Those systems required and so classed as legally required standby secondary power sources by municipal, state, federal, or other codes or by any governmental agency having jurisdiction. These systems are intended to automatically supply power to selected loads (other than those classed as emergency systems) in the event of failure of the normal source.

**P. Emergency Generators Systems:** Those systems legally required and classed as emergency by municipal, state, federal, or other codes, or by any governmental agency having jurisdiction. Those systems are intended to automatically supply illumination, power, or both, to designated areas and equipment in the event of failure of the normal supply or in the event of accident to elements of a system intended to supply, distribute, and control power and illumination essential for safety to human life.

**Q. EPS: Emergency Power Supply.** The source of electric power of the required capacity and quality for an emergency power supply system (EPSS).

**R. EPSS: Emergency Power Supply System.** A complete functioning EPS system coupled to a system of conductors, disconnecting means and overcurrent protective devices, transfer switches, and all control, supervisory, and support devices up to and including the load terminals of the transfer

equipment needed to operate as a safe and reliable source of electric power.

**S. Permit:** A document issued by the AHJ for the purpose of authorizing performance of a specified activity.

**T. Plans:** Plans are required for new construction, modification, or rehabilitation, construction documents and shop drawings and shall be submitted, reviewed and approved prior to the start of such work. Plans shall be prepared by a licensed Florida professional engineer.

**U. Qualified Person:** One who has skills and knowledge related to the operation, maintenance, repair, and testing of the EPSS equipment and installations and has received safety training to recognize and avoid the hazards involved.

#### **V. External Defibrillator (AED)**

(a) Is commercially available in accordance with the Federal Food, Drug, and Cosmetic Act,

(b) 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

(c) Upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual.

#### **W. Stop the Bleed Kit (SBK)**

(a) Capable of stopping severe bleeding through clotting, pressure, tourniquets, and other proven effective means of stopping blood loss; and

(b) Upon a blood loss emergency, is able to stem blood loss rapidly to prevent massive blood loss.

**F-101.3 - Intent.** The purpose of the FFPC is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress, facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment including alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises, and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may be referred to as service systems and to provide safety to fire fighters and emergency responders during emergency operations.

**F-101.4 - Violations and Penalties.** Any person, firm or corporation, who shall violate a provision of the FFPC or a Fire Protection Provision of this Code or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the FFPC or any Fire Protection Provisions of this Code is committed or continued, and upon conviction of any such violation, such person shall be punishable by a fine of not less than fifty (\$50) nor more than five hundred (\$500) dollars, or by imprisonment not exceeding sixty days, or by both such

fine and imprisonment.

**F-101.5--- Quality control.** Quality control of materials and workmanship is not within the purview of the FFPC or this Code except as it relates to the purposes stated herein.

**F-101.6--- Referenced Codes.** The other codes listed in and referenced elsewhere in the FFPC, all Fire Codes, and the Fire Protection Provisions of this Code shall be considered part of the requirements of the FFPC to the prescribed extent of each such reference.

**F-101.6.1 Fire prevention.** For provisions related to fire prevention, refer to the FFPC as referenced in Florida Statute 633, Broward County Local FFPCs as adopted and the Fire Protection Provisions of this Code as referenced above. The FFPC shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures, or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

### **SECTION F-102 Applicability**

**F-102.1 General.** Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**F-102.1.1** FFPC and the Fire Protection Provisions of this Code, does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of, FFPC and Fire Protection Provisions of this Code.

### **SECTION F-103**

**Fire Chief, Bureau of Fire Prevention, Fire Marshal, Fire Code Official, Fire Plans Examiner, and Fire Inspector**

**F- 103 — Bureau of Fire Prevention:** A Bureau of Fire Prevention shall be established within the Fire Service Provider/Fire Department, under the direction of the Fire Chief, which shall consist of such Fire Service Provider/Fire Department personnel as may be assigned thereto, by the Fire Chief, in accordance with the requirements prescribed herein. The function of this bureau shall be to assist the Fire Chief in the administration and enforcement of the FFPC, Fire Protection Provisions of this Code, and the Fire Protection Provisions of this Chapter. Personnel assigned to the bureau as the Fire Marshal / Fire Code Official, Fire Plans Examiner, and/or Fire Inspector shall be certified by BORA.

**F-103.1 — Appointment of Fire Marshal/ Fire Code**

**Official:** There shall be appointed by the Fire Chief certain fire prevention personnel to be qualified as set forth in this Chapter as part of the FFPC to be qualified as Fire Marshal / Fire Code Official. Personnel assigned to the bureau as Fire Marshal / Fire Code Official, Fire Plans Examiner, and / or Fire Inspector shall be State Certified Firefighters, State Certified Fire Inspectors, and certified by BORA. For state certification and recertification refer to Florida State Statute 633.

**F- 103.2 Powers and Duties of a Fire Marshal /Fire Code**

**Official:** The Fire Chief shall duly authorize their representative of the Fire Service Provider/Fire Department to exercise the powers and perform the duties of the Chief. They shall also be known as Fire Marshal/Fire Code Official. The Fire Marshal/Fire Code Official shall be authorized and directed to enforce the Fire Protection Provisions of this Code and the FFPC, and the sole authority to render interpretations of the Fire Protection Provisions of this Code and the FFPC, and to adopt policies and procedures in order to clarify the application of its provisions and shall have responsibility for the administration and enforcement of the FFPC and Fire Protection Provisions of this Code. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of the Fire Protection Provisions of this Code and the FFPC. Such policies and procedures shall not have the effect of waving requirements specifically provided for in the Fire Protection Provisions of this Code and FFPC. It shall be their duty and responsibility to enforce and coordinate the work of all subordinates such as Fire Plans Examiners and Fire Inspectors. Based on current technology that the Fire Marshal/Fire Code Official does not have to be personally present at the Fire Service Provider/Fire Department as long as they are available by telephone/computer etc. and can perform their duties. In the event that the Fire Marshal/Fire Code Official is not available to perform his/her duties, the Fire Chief may appoint an interim Fire Marshal/Fire Code Official provided such person is qualified as set forth in Section F-103.3 of this Code and the FFPC. The Fire Chief or Fire Service Provider/Fire Department shall notify in writing BORA of the starting date and period of time that the Interim Fire Marshal/Fire Code Official will assume the Fire Marshal/Fire Code Official's duties. The name of the Interim Fire Marshal/Fire Code Official will be recorded by BORA but they will not be issued a certification card as a Fire Marshal/Fire Code Official. The Fire Marshal/Fire Code Official shall be subject to the powers vested by Florida State Statute 633 and BORA in this Code. If there is one Fire Plans Examiner or Fire Inspector hired by an inspection authority, that Plans Examiner or Inspector shall be a Fire Marshal/ Fire Code Official.

**F-103.2.1** Under the Fire Chief's direction, the Fire Service Provider/Fire Department shall enforce the Fire Protection Provisions of this Code and the FFPC and all Fire Codes pertinent to the prevention of fires, suppression or extinguishing of fires, storage, use and handling of explosive, flammable, combustible, toxic, corrosive and other hazardous gaseous, and solid and liquid materials. These inspections shall include, but are not limited to:

**F-103.2.1.1** The inspection of equipment and maintenance of automatic, manual and other fire alarm systems and fire extinguishing equipment;

**F-103.2.1.2** The maintenance and regulation of fire escapes;

**F-103.2.1.3** The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction;

**F-103.2.1.4** The means and adequacy of each exit in the event of fire or similar emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters and all other places in which people work, live or congregate from time to time for any purpose; and

**F-103.2.1.5** The investigation of the origin, cause, and circumstances of fires.

**F-103.2.3** No enforcing agency may issue any permit for construction, erection, alteration, repair, or demolition until the Building Official/Fire Code Official, in conjunction with the appropriate fire plans examiner, has reviewed the plans and/or specifications for such proposal and both officials have found the plans and/or specifications to be in compliance with the FFPC and the applicable fire safety standards as determined by the local authority in accordance with the FFPC and Chapter 633, Florida Statutes. Plans shall be reviewed within 30 working days from the date of submission or specifications are received. In the event that agreement cannot be reached between the Building and Fire Officials, the dispute shall be referred to the BCFCC for review and recommendation to BORA.

**F-103.2.4** It shall be the duty of the Fire Chief of the Fire Service Provider/Fire Department to inspect or cause to be inspected by their duly authorized representatives of the Fire Prevention Bureau, as often as may be necessary, but not less than annually, during normal business hours, for the establishment in question, all buildings and premises, including common or public areas as well as all public aisles, corridors, halls, rooms, storage areas, or other nonresidential areas of such buildings, for the purpose of ascertaining and causing to be corrected, any condition liable to cause fire or any violation of the provisions or intent of the FFPC, by providing written notice of the code sections violated, and to otherwise enforce any violation of the Fire Protection Provisions of this Code and the FFPC. Whenever the Fire Chief or their duly authorized representatives of the Fire Service Provider/Fire Department determines that a violation exists, the person responsible for maintaining the building or area where such violation exists, shall be given reasonable written notice of such violation, and if the violation continues, a presumption of a violation of the Fire Protection Provisions of this Code and the FFPC, shall be created against the person responsible for maintaining the building or area where such violation exists. Rejections shall include specific reference to the Code Section upon which rejection is based in writing.

**F-103.2.5 Right of Entry.** Upon presentation of proper credentials, the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative may enter, at any reasonable time, any building, structure or premises for the

purpose of making any inspection or investigation, which under the Fire Protection Provisions of this Code and the FFPC.

**F-103.2.6 Stop-Work Orders.** If the Fire Chief becomes aware of a hazardous condition, which presents immediate danger to life, work being done contrary to this code or FFPC, work without permit, they shall be authorized to order the hazard removed or remedied immediately, and shall be empowered to order the closing of the building or place where such danger to life violation exists, until such time as same has been corrected. Any failure of immediate compliance shall empower the Fire Chief, or their duly authorized representative finding such hazardous condition creating immediate danger to life, to close such building or cause same to be closed and the people herein evacuated and barred from reentering until such time as such immediate danger to life, work being done contrary to this code or FFPC, work without permit, has been corrected. The Fire Chief, or their duly authorized representative is given the authority to order any gas company, power company, or other utility company, to disconnect its service to any building or buildings containing gas or power installations, where such installations, in the opinion of the Fire Chief, or their duly authorized representative creates an immediate danger to life, work being done contrary to this code or FFPC, work without permit, and to otherwise close or evacuate such building and to bar reentry thereto, until such installation is repaired or replaced and such hazard to life ceases to exist. Rejections shall include specific reference to the Code Section upon which rejection is based in writing.

**F-103.2.7** The Fire Chief or their duly authorized representative upon the complaint of any person or whenever they shall deem it necessary, shall inspect any buildings and premises within their jurisdiction.

**F-103.2.8** Approval of the Fire Service Provider/Fire Department accessibility and all tests of fire alarm detection and suppression systems, smoke evacuation systems and life safety systems shall be conducted prior to final structural inspection and issuance of Certificate of Occupancy.

**F-103.2.9 Orders To Eliminate Dangerous Or Hazardous Conditions:** Whenever the Fire Chief or their duly authorized representative shall find in any building or upon any premises, dangerous or hazardous conditions or materials, including, but not limited to violations of the requirements encompassed in Chapter 633, Florida Statutes, or the following Paragraphs they shall order such violations and dangerous conditions or materials removed or remedied.

**F-103.2.9.1** Dangerous or unlawful amounts of combustible or explosive or otherwise hazardous materials.

**F-103.2.9.2** Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive or otherwise hazardous materials.

**F-103.2.9.3** Dangerous accumulation of rubbish, wastepaper, boxes, shavings, or other flammable materials.

**F-103.2.9.4** Accumulations of dust or waste material in air conditioning or ventilation systems or of grease in kitchen or other exhaust ducts.

#### **F-103.2.9.5 Hurricane Protection Devices**

After the termination of such periods of time that had been designated by the National Weather Service as being a hurricane watch or warning, hurricane protective devices installed on occupied buildings which impede required egress or required light and ventilation shall be removed within 15 days.

**F-103.2.9.6** Obstructions to, on, or under fire escapes, stairs, passageways, or doors, liable to interfere with the operations of the Fire Service Provider/Fire Department or egress of occupants; locked exits shall constitute an unsafe condition.

***Exception:** unless permitted by the Fire Protection Provisions of this Code and the FFPC.*

**F-103.2.9.7** Obstruction to windows. Where windows are required to provide the second means of escape from a room or area, the following are prohibited.

**F-103.2.9.7.1** Bars that cannot be opened from the inside.

**F-103.2.9.7.2** Other obstructions such as security grill.

***Exception:** Only one (1) window is required to meet the above where two (2) windows are in the same room or area.*

**F-103.2.9.8 Reserved**

**F-103.2.9.9 Reserved**

**F-103.2.9.10** Any building or other structure which, for want of repairs, lack of adequate exit facilities, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, create a hazardous condition.

**F-103.2.9.11 Reserved**

**F-103.2.9.12** The improper storage, transporting or handling of all classes of flammable or combustible liquids or otherwise hazardous substances any place within the enforcing jurisdiction.



**F-103.3 Certification of Fire Marshal/Fire Code Official.**

The Fire Marshal/Fire Code Official shall be certified by BORA as a Fire Code Official, be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the “Minimum Standards Course”, be a State certified Fire Inspector, and shall meet one or more of the following qualifications:

**F-103.3.1** An Engineer and/or a Degree in Fire Science and/or a Degree in Fire Prevention and shall have been employed as a County or City Fire Inspector for three (3) years within the State of Florida and shall possess a Broward County Certification.

**F-103.3.2** A County or City Fire Plans Examiner with at least five (5) years of experience within the State of Florida and shall possess a Broward County Certification.

**F-103.3.3** Ten (10) years’ experience as a Fire Inspector, employed in a County or City within the State of Florida with at least five (5) years of experience within the jurisdiction of the FFPC and be a Broward County Certified Fire Inspector.

**F-103.3.4** Have been fulfilling the duties of a Fire Marshal/Fire Code Official with five (5) years continuous service as such within a County or City in the State of Florida and shall possess a Broward County Certification.

**F-103.3.5** Possesses a certification issued by the State Fire Marshal as a Fire Code Manager/Administrator in accordance with NFPA 1037 with a total of six (6) years’ experience with a County or City as a fire plans examiner and inspector in Florida and shall possess a Broward County Certification.

**F-103.3.6** Three (3) years’ experience as a Broward County Certified Plans Examiner and nationally certified as an NFPA Certified Fire Inspector 1 (CFI-1), NFPA Certified Fire Plans Examiner (CFPE) and NFPA Certified Fire Protection Specialist (CFPS).

**F-103.4 Fire Plans Examiner.** As set forth herein:

**F-103.4.1 Appointment of a Fire Plans Examiner.** There shall be appointed by the Fire Chief of each Fire Service Provider/Fire Department certain fire prevention personnel to be qualified as set forth in this Chapter as part of the FFPC to serve as a Fire Plans Examiner. To be eligible for appointment as a Fire Plans Examiner, such person shall be certified by BORA.

**F-103.4.2 Powers and Duties of the Fire Plans Examiner.**

Such employee shall have the duties and powers as delegated by the Fire Chief except that the Fire Chief may not delegate authority to subordinates to interpret provisions of the Fire Protection Provisions of this Code, FFPC, and all Fire Codes which authority is assigned to the Fire Marshal/Fire Code Official. A Fire Plans Examiner, if properly qualified, may be certified and assigned duties in more than one category. Prior to the issuance of any permit for construction, erection, alterations, repair, or demolition, the Fire Plans Examiner shall review all plans and/or specifications in conjunction with the Building Department. One and two family detached residential dwelling units shall not be subject to provisions found in NFPA 101 during plan review by the Fire Plans Examiner as described in this section or inspection by the Fire Plans Examiner as described in F.S. 633. When approvals by other

agencies having authority may logically be required to be affixed to the plans and/or specifications before approval by the Fire Plans Examiner, such approval shall be affixed to the plans and/or specifications before examination by the Fire Plans Examiner. If the application or plans and/or specifications do not conform to the requirements of all pertinent laws or regulations, the Fire Plans Examiner shall reject such application in writing, stating the reasons therefore and citing the relevant code section(s) of the FFPC. Plans and/or specifications that are rejected, as stated herein above, shall be returned for correction. Pen notations on mechanically reproduced plans and/or specifications may be accepted for only minor corrections. If the applications, plans and/or specifications, upon examination, are found to comply with the requirements of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, the plans and/or specifications shall be signed and marked approved. Fire Service Provider/Fire

Department acceptance of fire and life safety features in buildings after performance objectives are met is required, prior to certificate of occupancy being issued.

Nothing in this section shall be construed to provide an exemption from fire plan review for one and two family detached residential dwelling units which undergo a change in use or occupancy classification.

**F-103.4.3 Certification of a Fire Plans Examiner.** The Fire Plans Examiner shall be certified by BORA as a Fire Plans Examiner, shall be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the “Minimum Standards Course”, be a State certified Fire Inspector, and shall meet one or more of the following qualifications:

**F-103.4.3.1** An Engineer and/or a Degree in Fire Science, and/or a Degree in Fire Prevention and having a minimum of three (3) years as a fire plans examiner with a County or City within the state of Florida and shall be Broward County Certified.

**F-103.4.3.2** Five (5) years of experience as a Fire Inspector employed with a County or City in the State of Florida and shall be a Broward County certified.

**F-103.4.3.3** Ten (10) years of experience as a firefighter, four (4) years as a state certified fire inspectors employed with a County or City having fulfilled the duties of a fire inspector and shall be a Broward County certified.

**F-103.4.3.4** Have been fulfilling the duties of a Fire Plans Examiner with five (5) years continuous service within the State of Florida and be Broward County certified.

**F-103.4.3.5** Three (3) years’ experience as a Broward County and State of Florida Certified Fire Inspector and nationally certified as an NFPA Certified Fire Inspector (CFI-1) and NFPA Certified Fire Plans Examiner (CFPE) and be Broward County certified.

**F-103.5 Fire Inspector.** As set forth herein:

**F-103.5.1 Appointment of a Fire Inspector.** There shall be appointed by the Fire Chief of each Fire Service Provider/Fire Department certain fire prevention personnel to be qualified as

set forth in this Chapter as part of the FFPC to serve as a Fire Inspector. To be eligible for appointment as a Fire Inspector, such person shall be certified by BORA.

**F-103.5.2 Powers and Duties of the Fire Inspector.** Such employee shall have the duties and powers as delegated by the Fire Chief except that the Fire Chief may not delegate authority to subordinates to interpret the Fire Protection provisions of this Code, the FFPC, and all Fire Codes which authority is assigned to the Fire Marshal/Fire Code Official. A Fire Inspector, if properly qualified, may be certified and assigned duties in more than one category. Under the Fire Chief's direction, the Fire Inspector shall enforce all local ordinances of the jurisdiction pertinent to the prevention of fires, suppression or extinguishing of fires, storage, use and handling of explosive, flammable, combustible, toxic, corrosive and other hazardous gaseous, solid and liquid materials. The inspection of equipment and maintenance of automatic, manual, other fire alarm systems, fire extinguishing equipment, and the maintenance and regulation of fire escapes. The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction. The means and adequacy of each exit in the event of fire or similar emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters and all other places in which people work, live or congregate from time to time for any purpose. The investigation of the origin, cause, and circumstances of fire(s). If defects, omissions or violations exist on any other part of the system relating to work for which approval is requested, the issuance of the Approval shall be withheld until corrections have been made to the defective portion of the system, and the same are made to comply with this Fire Code. The Fire Inspector shall serve notice to the Fire Contractor/representative or owner/representative in writing, stating the reasons therefore and citing the relevant code section(s).

**F-103.5.3 Certification of a Fire Inspector.** Application for certification shall be on a form containing such pertinent information as is considered relevant to BORA. To be eligible for appointment as Fire Inspector, such person shall be certified by BORA and shall meet the following qualifications:

**F-103.5.3.1** Be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the "Minimum Standards Course" and shall be a state certified Fire Inspector.

**Exception:** At Fire Chief's discretion, a person may be given up to eighteen (18) months to become a Florida Certified Firefighter, from the date of hire.

**F-103.5.3.2** Pass a written competency examination approved by BORA, to be given in May and November (only one (1) required) of each year or the test may be given when requested by at least three (3) applicants.

#### **F-103.5.3.3 Retention;**

Individuals currently certified under this code may, at their separation date from a local fire department as an inspector place their certification in a non-active status for one FFPC

code cycle or a period of four (4) years whichever is longer, by notifying the Board of Rules and Appeals in writing of their selection. During this period the individual shall maintain continuing educational credits in Fire Prevention in the amount of 60 hours as required for renewal. At the conclusion of the code cycle or four (4) year period, as stated above the individual previously holding a certification in a non-active status will become null and void unless the provisions for recertification are met at the conclusion of the code cycle or four (4) year period.

**F-103.6 Certification.** All Fire Service Provider/Fire Department Inspection Personnel shall be certified by BORA.

**F-103.6.1 Certification Fee:** If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to the BORA Fee Schedule for Certification, payable to "Broward County Commissioners."

**F-103.6.2** Broward County Certification is valid for a period of four years and shall expire on the same date as their State of Florida Fire Inspector Certification.

**F-103.6.3** The certification of Fire Service Provider/Fire Department Inspection Personnel may be revoked, for cause, by BORA. BORA may deny, refuse to renew, suspend, or revoke the BORA certificate of a Fire Marshal/Fire Code Official, Fire Plans Examiner, or Fire Inspector if it finds that any of the following grounds exist:

- A)** Any cause for which issuance of a certificate could have been refused had it then existed and been known to BORA.
- B)** Violation of Florida Statutes 633 or any local fire code amendments.
- C)** Falsification of records relating to the certificate.
- D)** Having been found guilty of or having pleaded guilty or nolo contendere to a felony, whether or not a judgment of conviction has been entered.
- E)** Failure to meet any of the renewal requirements.
- F)** Having been convicted of a crime in any jurisdiction which directly relates to the practice of the fire code inspection, plan review, or administration.
- G)** Making or filing a report or record that the certificate holder knows to be false, or knowingly inducing another to file a false report or record, or knowingly failing to file a report or record required by the state or local law, or knowingly impeding or obstructing such filings, or knowingly inducing another person to impede or obstruct such filing.
- H)** Failure to properly enforce applicable fire codes or permit requirements within this state which the certificate holder knows are applicable by committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property.
- I)** Accepting labor, service, or materials at no charge or at a noncompetitive rate from any person who performs work that is under the enforcement authority of the certificate holder and who is not an immediate family member of the certificate

holder. For the purpose of this paragraph, the term "immediate family member" means a spouse, child, parent, sibling, grandparent, aunt, uncle, or first cousin of the person or the person's spouse or any person who resides in the primary residence of the certificate holder. BORA upon verification of the above grounds, shall immediately notify the Fire Marshal, Fire Code Official, Fire Plans Examiner, and/ or Fire Inspector involved, who, upon notification from BORA, shall appear before the Board to explain why ~~his/her~~ their certification should not be revoked.

**F-103.6.4** Personnel assigned to the bureau as Fire Inspectors shall be State of Florida Certified Firefighters (*see 18 month exception*), State of Florida Certified Fire Inspectors. For certification refer to Florida State Statute 633. Individuals being considered for appointment will be required to complete an affidavit of compliance with 71-575 (see Board policy 14-02)

**F-103.7 Recertification.** All Fire Service Provider/Fire Department Inspection Personnel shall be recertified by BORA.

**F-103.7.1** To be recertified all Fire Marshal/Fire Code Officials, Fire Plans Examiners, Fire Inspectors or a combination thereof who are presently certified by BORA, shall meet the following criteria:

**F-103.7.1.1** Be presently employed by a governmental fire entity within Broward County.

**F-103.7.1.2** Recertification shall have the same anniversary date as provided in Florida Statutes, Chapter 633, with the completion of sixty (60) contact hours in continuing education every four (4) consecutive years on Fire Protection and Fire Safety, which are approved by BORA.

**F-103.7.1.3** Personnel assigned to the bureau as Fire Inspectors shall be State of Florida Certified Firefighters, and State of Florida Certified Fire Inspectors. For certification or recertification refer to Florida State Statute 633.

**F-103.7.2** If certification is not renewed and allowed to lapse, application for recertification shall be accompanied with proof that (15) contact hours per year, in the preceding 4 years in continuing education has been met. Attendance at the BORA meetings and/or the BORA committee meetings shall be counted as one (1) hour for a maximum of fifteen (15) county required contact hours within a four (4) year renewal period.

If the certification is not renewed within 8 years, the individual must retake the state fire safety inspectors training and take the local fire exam and shall be on a form containing such pertinent information as is considered relevant to BORA. Individuals being considered for recertification will be required to complete an affidavit of compliance with 71-575 (see Board policy 14-02)

**F-103.7.3 Recertification Fee:** If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to the BORA Fee Schedule for Recertification, payable to "Broward County Commissioners."

## SECTION F-104

### Broward County Board of Rules and Appeals

## F-104 Broward County Board of Rules and Appeals.

**F-104.1** The Broward County Board of Rules and Appeals shall maintain a staff position to coordinate the enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes thereto. This person shall be known as the Chief Fire Prevention Code Compliance Officer and shall be certified as Fire Marshal/Fire Code Official. It is recommended that the individual under consideration for Fire Code Compliance Officer have at a minimum four years documented as a Fire Code Official / Fire Marshal.

**F104.2 The Fire Code Compliance Officer** shall have the authority to make inspections in the discipline and shall be responsible to see that the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes are being uniformly enforced by all AHJs (building and Fire Service Provider/Fire Department in Broward County).

## SECTION F-105

### Broward County Fire Code Committee

## F-105 Broward County Fire Code Committee:

**F-105.1** In order to determine the suitability of alternate materials and type of construction, to provide for reasonable interpretations of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, and to assist in the control of the life/safety in buildings and structures, there is hereby created a Broward County Fire Code Committee, to make recommendations to BORA.

**F-105.2** Membership: The BCFCC shall consist of:

1. One Mechanical Engineer, Florida P.E.
2. One Architect, Florida Registered
3. One Fire Sprinkler Contractor
4. One Representative of Persons with disabilities
5. One Master Electrician
6. Four Fire Service (Florida Certified Fire Inspectors)
7. One Fire Service Member of the Board of Rules and Appeals
8. One Contractor, Certified to Install Fire Alarms
9. One General Contractor
10. One Florida P.E., Electrical Discipline
11. One Mechanical Contractor
12. One Consumer Advocate

13 One Florida P.E., Structural Discipline,

14 One Chief Plumbing Inspector

**F-105.3** Membership, such as membership of the BCFCC, will be for one year (with members being able to succeed themselves through reappointment by BORA Chairperson). The Chairperson of BORA will select all members, including the Chairperson of the BCFCC. The Chairperson of the BCFCC shall be a Fire Service member of BORA.

**F-105.4 Appeals from the Decisions of the Fire Chief and/or Building Official:**

**F-105.4.1** The BCFCC shall review all appeals from the decisions of the Fire Chief and/or Building Official wherein such decision is on matters regulated by the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes. Appeals can be submitted by any person who has reason to believe they have been subjected to unreasonable enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-105.4.2** Procedures for Appeals: The BCFCC shall review the appeal prior to hearing by BORA and shall make recommendations to BORA for resolution of the appeal. BORA shall then hear the appeal and make a final ruling.

**F-105.4.3** Decisions by the BOARD related to an appeal of the FFPC can be challenged by submitting a request for a Declaratory Statement to the State Fire Marshal's Office.

**F-105.5 Procedures in County Court /Code Enforcement Board:**

When charges are filed based upon a violation under this code, such charges, prepared under the direction of the city, state, or county attorney and shall be heard by a county judge or Code Enforcement Board, within the time prescribed under county court procedures or Code Enforcement Board. Such conditions shall constitute an immediate danger to life.

**SECTION F-106**

**Authority Fire Chief, Fire Marshal/Fire Code Official, or his/her duly authorized representative**

**F-106 Authority:**

**F-106.1** The Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall investigate the origin, cause, and circumstances of every fire occurring within their AHJ. Such investigation shall begin immediately upon the occurrence of a fire, and the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall be immediately notified of the facts. The Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall take charge immediately of the physical evidence and shall notify the proper authorities designated by law to pursue the investigation of such matters. The Fire

Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case.

**F-106.2 Notices and Orders.** The Fire Chief, Fire Marshal/Fire Code Official or Fire Code Manager/Administrator, or their duly authorized representative shall issue all necessary notices or orders to ensure compliance with the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.2.1** A building, structure, occupancy, premises, or vehicle shall not be used when in violation of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.2.2** Unlawful Continuance of Fire/Life Safety Hazard: Any person or persons operating or maintaining any occupancy, premises or vehicle subject to this Code who shall permit any fire and/or life safety hazard to exist on premises or property under their control, and who shall fail to take immediate action to abate such hazards, when ordered or notified to do so by the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative, shall be guilty of a second degree misdemeanor. Criminal enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes shall remain with local law enforcement departments and officials charged with enforcement of the criminal laws of the State.

**F-106.2.3 Concealed Work:** The Building Official or his/her duly authorized representative and/or Fire Marshal/Fire Code Official or their duly authorized representative may order portions of the structure frame of a building and/or structure to be exposed for inspection when, in his/her opinion, there is a good reason to believe that a building or portion thereof is in an unsafe or dangerous condition or that there is willful or negligent concealment of a violation of this Code, the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.3 Removal or Destruction of Signs or Tags:**

**F-106.3.1** It shall be unlawful to remove or tamper with any seal, warning tag, or lock placed on an article, appliance, vehicle, meter, tank, or building by the building department or the Fire Service Provider/Fire Department, without first obtaining permission to do so by the AHJ

**F-106.3.2** It shall be unlawful for any person to tamper with or change the position of any utility valve, switch, wiring, piping, meter, or connection, or alter any utility service in any way, unless properly authorized to do so.

**SECTION F-107**

**Standby Fire Watch**

**F-107 Standby Fire Watch:**

**F-107.1** Whenever in the opinion of the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized

representative, when a potentially hazardous condition or a reduction in life safety features, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the Fire Chief or their duly authorized representative may require the owner, agent or lessee to employ one or more certified Fire Inspectors or Firefighters, as required and approved by the Fire Chief, to be on duty at such place. Said Fire Inspectors/Firefighters shall be subject to the Fire Chief's and/or their duly authorized representative orders at all times, when so employed, and remain on duty during the times such places are open to the public, or when such activity is being conducted. The Fire Chief may allow the use of other trained individuals to serve as an alternative to a Fire inspector / Fire Fighters requirement. Before each performance or the start of such activity, said Fire Inspector/Firefighter or others allowed by the Fire Chief shall inspect all required fire/life safety equipment, to insure that such equipment is in proper working order, and shall keep diligent watch for any emergency that should arise. Should any emergency arise, the Fire Inspector/Firefighter or others allowed by the Fire Chief shall take whatever action necessary to protect the occupants and public from injury or any life-threatening condition.

## **SECTION F-108**

### **Tents, Membrane Structures, Temporary Structures and Uses**

#### **F-108 Tents and Membrane Structures**

**F-108.1** For the purpose of this Section, a place of assembly shall include any circus, sideshow, carnival, tent show, theater, skating rink, dance hall or any other exhibition, production, engagement or offering, or other place of assembly in or under which 50 or more persons may gather for any purpose.

**F-108.1.1 General.** The Building Official or Fire Code Official is authorized to issue a permit for the erection of temporary structures such as seats, canopies, tents and fences used in construction work or for temporary purposes such as reviewing stands. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. Such structures shall be completely removed upon the expiration of permit.

- a) Temporary structures, such as tents with sides, exceeding 100 sq./ft., and canopies without sides exceeding 225 sq./ft., containing occupancy or operations that could present a life safety hazard to occupants and/or the general public based on the opinion of the Fire Code Official, shall be required to have a permit issued in conformance with permitting section of Chapter 1 and this code and be in conformance with the Life Safety provisions of this code and the Florida Building Code.

#### **F-108.1.2 Reserved**

#### **F-108.1.3 Conformance.**

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this Code and the FFPC as necessary to ensure public health, safety and general welfare.

**F-108.2 Parking of Vehicles:** Automotive equipment that is not necessary to the operation of the tent show performance shall not be parked within 20 feet of the tent or membrane structure. No other automotive equipment or internal combustion engines shall be located within 50 feet of the tent except upon a public street.

#### **F-108.3 Smoking and Open Flame:**

**F-108.3.2** An approved receptacle for the disposal of lighted smoking materials shall be provided at all entrances to tents and membrane structures.

**F-108.4 Fire Extinguishers and other Fire-Protection Equipment:** Fire extinguishers and other fire protection equipment shall be provided in every tent or membrane structure as follows:

**F-108.4.1** A minimum of one 4A-10B:C type extinguisher shall be provided in every tent or air supported structure having a floor area less than 2,000 square feet and also one in each additional 2,000 square feet or fraction thereof.

**F-108.4.2** At least one 40-B:C type fire extinguisher shall be provided for each power generator or transformer and at locations where flammable or combustible liquids are used, stored or dispensed.

#### **F-108.5 Storage of Flammable or Combustible Liquids:**

Flammable or combustible liquid shall not be stored in a tent or membrane structure nor less than 50 feet from any tent or membrane structure.

**F-108.6 Housekeeping:** Hay, straw, trash and other flammable material shall not be stored less than 35 feet from any tent or membrane structure, except as authorized by the authority having jurisdiction.

#### **F-108.7 Seating Arrangements:**

**F-108.7.1 Bonding of chairs.** All loose seats, folding chairs or similar seating facilities that are not fixed to the floor shall be bonded together in groups of not less than six. Exceptions:

- (1) When not more than 500 such seats, chairs or facilities are provided, bonding thereof may be deleted.



(2) The bonding of chairs shall not be required when tables are provided, as when the occupancy is used for dining or similar purposes.

**F-108.7.2** Securing of chairs, folding and telescoping seat seating, reviewing stands, grandstands, and bleachers shall be in accordance with NFPA 102.

#### **F-108.8 Awnings, Tents and Canopies:**

**F-108.8.1** Awnings, tents, canopies, and similar products whether attached or detached from a building shall have a flame spread rating of 25 or less.

#### **F-108.9 Vehicular Access:**

**F-108.9.1** Fire access roads shall be surfaced with solid pavement, grass turf reinforced by concrete grids, or by similar type surfaces approved by the authority having jurisdiction, designed to accommodate fire apparatus weighing a minimum of 32 tons.

**F-108.9.2** Buildings having ramps and/or elevated roadways shall have posted weight limit signs showing maximum load capacity.

**F-108.9.3 All new and existing automatic entry gates installed in either commercial or multifamily communities shall be provided with a universal access system, approved by the Fire Prevention subcommittee of the Broward County Fire Chief's Association, to allow rapid entry. Existing applications may be provided up to one (1) year to complete as approved by the AHJ.**

#### **F-108.10 Vehicles on Display:**

**F-108.10.1** When vehicles are on display ~~or stored~~ inside any occupancy group other than an automobile show room it shall comply with the provisions listed in NFPA 1, 20.1.5.5.4.12

### **SECTION F-109 RESERVED**

### **SECTION F-110 Reserved**

#### **SECTION F-111**

#### **Test Criteria for Mechanical Smoke Control Systems**

#### **F-111 Initial Acceptance Test Criteria and Periodic Testing of Mechanical Smoke Control Systems:**

Test Criteria for Mechanical Smoke Control Systems shall be stated on the mechanical plans.

**F-111.1** The following shall receive notice from the Mechanical Contractor so that they may witness the system's performance test:

**F-111.1.1** Fire Service AHJ.

**F-111.1.2** Building Department (Mechanical) AHJ. .

**F-111.1.3** Periodic Testing:

All smoke control systems shall be retested as per the provisions found in the FFPC by a firm (test and balance) possessing a certificate of competency as a test and balance contractor for smoke control systems as required in Broward County Ordinances, Chapter 9 and Broward Local Administrative Provisions Chapter 1 of the FBC and shall be approved by the local AHJ. The smoke control system shall be retested without smoke, in both the manual and automatic modes per the sequence of operation. The annual periodic testing and balancing results shall be provided in a certified test and balance report to the Fire Service Provider/Fire Department AHJ, who shall consult with the Chief Mechanical Inspector

At a minimum the annual periodic test report shall contain the following information;

- 1) All smoke control system air movement equipment and if operating as intended.
- 2) Retest voltage.
- 3) Retest amperage.
- 4) Retest RPM if applicable.
- 5) All smoke control system control dampers shall be identified and if operating as intended.
- 6) All smoke zone differential pressures at egress exit doors (egress doors shall have no more than 30 lbf on break and 15 lbf on swing.

### **SECTION F-112**

#### **Automatic Sprinklers Required**

#### **F-112 Automatic Sprinklers Required:**

**F-112.1** Fire flow testing of a water supply for an Automatic Fire Protection Systems (AFPS) and/or Standpipe System using water as an extinguishing agent for new and existing buildings and structures shall be in accordance with NFPA 291, Recommended Practice for Fire Flow Testing and Marking of Hydrants, Florida Administrative Code (FAC) 69A-60.

**F-112.2** The following occupancies shall be protected throughout by an approved automatic sprinkler system installed in accordance with NFPA 13.

**F-112.2.1 Storage.**

In existing storage occupancies (other than parking garages and high-piled combustible storage) used for the storage of combustible goods or merchandise and exceeding 20,000 square feet per floor.

**F-112.2.4 Industrial Occupancies:**

All existing industrial occupancies exceeding 15,000 square feet per floor.

**F-112.3 Reserved**

**F-112.4** Where automatic fire sprinkler systems are installed, the location of the Fire Service Provider/Fire Department connection shall be approved by the Fire Service Provider/Fire Department having jurisdiction.

**F-112.5 Limited Access Structures**

**F-112.5.1** Where automatic fire sprinklers are installed in new Mini Storage Buildings, fire department emergency access openings acceptable to the AHJ shall also be provided. The emergency access openings shall not be less than the dimensions referenced in the Life Safety Code for Underground and Limited Access Structures.

**SECTION F-113 Corridors**

**F-113 Corridors.**

Where exterior corridors or exterior balconies serving as a required means of egress are enclosed on both sides and above, and the length of the enclosure along the long axis is twenty-five (25) feet or more, fire-resistivity of walls and the protection of openings therein shall be required as if such corridors or balconies were enclosed interior corridors.

**SECTION F-114 Reserved**

**SECTION F-115 RESERVED**

**SECTION F-116**

**Flammable and Combustible Liquids**

**F-116 Flammable and Combustible Liquids.**

**F-116.1 Underground Storage and Dispensing of Flammable/Combustible Liquids:**

Underground tanks used to store flammable liquids shall bear an Underwriters' label or equivalent testing agency. Tank capacity for underground installations shall be limited to thirty thousand (30,000) gallons or less. Any tank to be installed

shall be jointly approved in writing by the Fire Chief, Building Official, the director of zoning, and/or their duly authorized representative, after an appropriate review has been conducted. Such review includes, but is not limited to, an analysis of the proposed installation, location, distance separations, types of occupancies in the vicinity, tank corrosion protection and construction, and applicable zoning restrictions. The maximum storage capacity in any one location shall not exceed an aggregate total of one hundred thousand (100,000) gallons unless approved by the local Fire Code Official. Any property or facility requesting installation of tanks exceeding an aggregate capacity of sixty thousand (60,000) gallons of flammable liquids shall comply with the following additional requirements:

- 1) The property must be of suitable size, shape and topography to allow for the safe installation of the proposed tanks and be in compliance with location requirements identified in other sections of the NFPA, state and local fire codes; and
- 2) The facility must have an attendant on site during hours of operation; and
- 3) The facility must be continuously monitored, either by an on-site attendant or a third party when the facility is not in operation; and
- 4) The operator must provide evidence of an employee training program for on-site attendants that educates concerning all on-site equipment, including life safety equipment and emergency response procedures; and
- 5) The facility must provide additional emergency shut-off stations for ready accessibility by on-site attendants and the public; and
- 6) Station operator shall submit an emergency response plan for review and approval prior to issuance of permits for operations of the facility. The emergency response plan shall, at a minimum, provide emergency contact information and notification requirements, fire prevention and control equipment employed at the site, monitoring requirements and plans and procedures for mitigating release of hazardous materials, as well as all other information required by applicable governing and permitting agencies.

When flammable liquids are stored in more than one location, tanks shall not be interconnected between locations.

**Exception:** Broward County Office of Transportation's Transit Operations and municipal, county and special districts having underground bulk fuel storage facilities shall comply with the provisions of NFPA 30. Aggregate Limitations of Flammable and Combustible Liquids as per the F- 116.1 shall not apply. Permit shall be reviewed for compliance by the

local Fire Service Provider/Fire Department having Jurisdiction.

**F-116.1.1** Underground tanks out of service for a period of one year shall be removed. Underground tanks may be abandoned in place only if approved by the Fire Service Provider/Fire Department having jurisdiction.

**F-116.2 Storage and Use on Site of Combustible Liquids Used for Fixed Equipment Shall Be Under the Following Requirements:**

**F-116.2.1** Aboveground installation of single-wall tanks shall comply with NFPA 30 and the following additional requirements:

**F-116.2.1.1** Above ground tanks having a capacity in gallons greater than 10,000 shall be approved by zoning and local AHJ.

**Exception:** Municipal, County and Special Districts installing aboveground fuel storage tanks for fixed equipment for providing governmental services. Permit shall be reviewed for compliance by the local Fire Service Provider/Fire Department AHJ .

**F-116.2.1.2** Tanks shall be surrounded with an embankment or impervious dike not less than four feet high and capable of holding not less than one- and one-half times the capacity of the tank surrounded. Embankments or dikes shall be continuous, with no opening for piping or roadways.

**F-116.2.2** All aboveground storage tanks shall be identified by a suitable sign which will state type of fuel and capacity of the tank.

**F-116.2.3** Tanks used for stationary combustion engines and gas turbines shall comply with NFPA 37, as adopted in FAC 69A-60, Standard for the

Installation and Use of Stationary Combustion Engines and Gas Turbines.

**F-116.2.4** Distance separation between aboveground storage tanks and property lines and buildings shall be as specified in Table F-116.2.4 below:

**Table F-116.2.4**

Capacity in Gallons	To line of adjoining unprotected building or property which may be built upon	To line of adjoining protected buildings	To line of existing frame buildings
1,000	12 feet	8 feet	20 feet
2,000	20 feet	15 feet	40 feet

3,000	20 feet	15 feet	40 feet
10,000	30 feet	20 feet	50 feet

**F-116.3 Aboveground Storage for Dispensing of Flammable and Combustible Liquids from UL listed 142 (double wall), 2085 or Equivalent Tanks:**

**F-116.3.1** Aboveground storage of flammable and combustible liquids shall be approved by the Fire Chief, Building Official, and/or their duly authorized representative after an appropriate review has been conducted. Such review includes, but is not limited to, an analysis of the proposed installation, location, distance separations, types of occupancies in the vicinity, tank corrosion protection and construction, and applicable zoning restrictions. The maximum storage capacity in any one location shall not exceed an aggregate total of 12,000 gallons. Aboveground storage of flammable and combustible liquids shall comply with the following regulations:

**Exception:** Municipal, county and special districts having aboveground fuel storage facilities shall comply with the provisions of NFPA 30. Aggregate Limitations of Flammable and Combustible Liquids as per F116.3.1 shall not apply. Permit shall be reviewed for compliance by the local Fire Service Provider/Fire Department AHJ .

**F-116.3.1.1** The provisions in this Section shall not supersede any zoning standard that might regulate or eliminate the use of aboveground storage tanks.

**F-116.3.1.2** Aboveground Tanks containing flammable and combustible liquids shall be in approved fire resistive tank enclosure assemblies.

**F-116.3.1.2.1** A fire resistive tank enclosure assembly storing flammable liquids shall consist of a tank bearing an Underwriters' label 142, 2085 or an equivalent testing criterion by an approved testing agency. A single tank or combination of tanks shall not exceed 12,000 gallons at one site.

**F-116.3.1.3** The tank assembly shall be installed upon a minimum four-inch (4") slab, meeting requirements of the manufacturer's specifications. Each tank assembly shall be anchored to withstand uplifting by flooding or storm surges, including when the tank is empty.

**F-116.3.1.4** Area around tank assembly shall be maintained free of combustible waste, debris and all types of storage. Any tank assembly exposed to vehicular traffic shall have collision barrier posts installed on all corners and sides so exposed and shall not be spaced more than four feet (4') apart, center to center. Fire Marshal/Fire Code Official, or their duly authorized representative, may require the installation of collision barrier posts, even if the clearance guidelines can be achieved.

**F-116.3.1.5** Dispensing devices are allowed to be installed on top of the tank enclosure assembly. Any such device dispensing Class 1 liquids shall have installed on the fill hose, a UL listed emergency breakaway device designed not to lose liquid from either side of the breakaway point. All product piping attached to the tank enclosure assembly shall be double walled, contain a shear valve or equivalent, and shall be installed by an authorized pollutant storage system specialty contractor. External piping leading away from the tank shall have a valve located within six inches (6") to the shell of the tank. Approved antisiphon devices shall be installed at each connection of piping to a tank when such piping extends below the level of the top of such tanks both internally and externally. All underground pipe work shall be uncovered until inspected by building and Fire Service Provider/Fire Departments, and other regulatory agencies.

**Exception:** Factory installed piping does not have to be installed by an authorized pollutant storage system specialty contractor.

**F-116.3.1.6** Aboveground tank assemblies temporarily out-of-service for a period not exceeding ninety (90) days shall immediately have the fill, gauge openings and pump suction capped and secured against tampering. The vent lines shall be left open. Aboveground tank assemblies out-of-service for a period exceeding ninety (90) days, shall be removed. The property owner or agent shall notify the Fire Service Provider/Fire Department of any tanks out-of-service greater than 90 days.

**F-116.4** Only Labeled and Listed Pumps Shall Be Used; Gravity Flow Pumps Are Prohibited. Fuel shall be drawn from aboveground storage tanks by pumps bearing the label of an Approved Testing Laboratory, such as Underwriters Laboratories, Inc. The use of pressure systems or gravity flow type pump systems is prohibited.

## **SECTION F-117**

### **Dispensing Areas**

**F-117.1** Dispensing areas shall be provided with a vehicular driveway constructed of reinforced concrete. It shall be sloped to allow any accidental discharge from the dispensing of fluid to flow away from the dispenser or any building and shall be subject to the approval of the Fire Marshal/Fire Code Official, or their duly authorized representative. This driveway shall be a minimum of twelve feet (12') wide and twenty feet (20') long, minimum. In every case, this driveway shall be large enough that the fuel hose, when fully extended, does not reach the far edge of the driveway.

**F-117.2** A fire extinguisher with a minimum classification 4A-60BC shall be provided and so located that it will be not more

than one hundred feet (100') from any pump, dispenser, or fill-pipe opening.

## **SECTION F-118**

### **Flammable Liquid Storage at Port Everglades and the Fort Lauderdale-Hollywood International Airport**

**F-118.1** Aboveground storage of flammable liquids shall be permitted at Port Everglades and the Fort Lauderdale-Hollywood International Airport ("Airport"). All tank locations at the Airport shall be approved by the Broward County Fire Marshal/Fire Code Official, or their duly authorized representative, prior to the issuance of a permit to erect or install a tank.

**F-118.2** All flammable liquid storage tanks at Port Everglades shall be constructed, installed and maintained in accordance with the Port Everglades Tariff Number 12 amendments thereto and reissues thereof.

## **SECTION F-119**

### **Liquefied Petroleum Gases**

**F-119.1 Scope.** This Section shall apply to the storage, handling and transportation of liquefied petroleum gas and the installation of all equipment pertinent to systems for such uses in addition to the requirements stated in NFPA-58, Storage and Handling of Liquefied Petroleum Gases.

**F-119.2 Definition.** Distributing Plant: A facility, the primary purpose of which is the distribution of gas, and which receives LP-Gas in tank car, truck transport or truck lots, distributing this gas to the end ~~use~~ user by portable container (packaged) delivery, by tank truck or through gas piping. Such plants have bulk storage (2,000 gallons water capacity or more) and usually have container filing and truck loading facilities on the premises. Bulk plants are considered as being in this category. Normally no person other than plant management or plant employees shall have access to these facilities. Additionally, definitions contained in NFPA 58 shall apply.

### **F-119.4 Location of Containers and Limits:**

**F-119.4.1** All new liquefied petroleum gas storage installation and handling shall be in accordance with NFPA-58, the laws of the State of Florida, and all applicable rules, regulations, and ordinances of the AHJs.

**F-119.4.2** Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested commercial areas, the aggregate capacity of any one installation shall not exceed 2,000 gallons water capacity, except that in particular installations this capacity limit may be altered by the approval of the Fire AHJ after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings,

capacity of proposed tanks, degree of private fire protection to be provided and facilities of the local Fire Department. The storage of liquefied petroleum gas shall conform to the provisions of the local zoning ordinance.

**F-119.4.3** Where a distributing point is allowed, there shall be in attendance a qualified person to make the transfer of liquefied petroleum gas. This person shall have been trained by a licensed gas company and be in possession of documents certifying such training. The owner of the distributing point shall be licensed by Florida Department of Agriculture and Consumer Services – Visions of Consumer Services.

**F-119.4.4** All plans for installations at distributing points shall be submitted to the AHJs for permits and approval. In addition, plans for locations at distributing points for fixed (stationary) installations of

- 1) 2,000 gallons individual water capacity, or
- 2) with the aggregate water capacity exceeding 4,000 gallons, or
- 3) Any installation, regardless of size, which will be used for resale to the public, shall be submitted to the Florida Department of Agriculture and Consumer Services – Visions of Consumer Services for approval and proper licensing, and be approved before the installation is started. Other safety precautions shall be adhered to as designated by the Fire Code Official/Fire Marshal, or their duly authorized representative.

**F-119.4.5** An LP Gas storage tank shall not be installed on the same island used for gasoline or diesel fuel dispensing. A minimum distance of 25 feet shall be maintained between the LP gas storage tank and the flammable liquid dispensing devices.

**F-119.4.6** A distributing plant, as defined in F-119.2, shall be prohibited unless approved by the Fire Code Official/Fire Marshal or their duly authorized representative, of the jurisdiction.

**F-119.4.7** Multiple container installations with a total storage water capacity of more than 180,000 gallons (150,000 gallons LP-gas capacity) shall be subdivided into groups containing not more than 180,000 gallons in each group. Such groups shall be separated by a distance of not less than 50 feet, unless the tanks are:

- 1) buried or mounted in an approved manner, or
- 2) protected with approved insulation on such areas that may be subject to impingement of ignited gas from pipelines or other leakage, or
- 3) protected by firewalls of approved construction, or

4) protected by an approved system for application of water, or

5) protected by other approved means, where one of these forms of protection is provided, the separation shall not be less than 25 feet between such container groups.

**F-119.4.8** The storage and transportation of liquefied petroleum gas and the installation of all pertinent equipment shall be installed and maintained in accordance with NFPA-58, and subject to the approval of the Fire Chief, or their duly authorized representative; These orders shall apply to all persons and places within the jurisdiction except as herein provided.

**F-119.5 Parking and Garaging:** Vehicles containing cylinders of liquefied petroleum gases 20 lbs or greater in size are prohibited in public parking garages, this includes LP gas delivery vehicles. Vehicles that are powered by LP gas and meet NFPA 54 for fuel systems are permitted.

#### **F-119.6 Prohibited Use of Liquefied Petroleum Gas:**

**F-119.6.1** Liquefied petroleum gas shall not be used for the purpose of operating any device or equipment unless such equipment or device is approved for use with a liquefied petroleum gas.

**F-119.6.2** Liquefied petroleum gas shall not be released to the atmosphere except through an approved liquid level gauge or other approved device.

#### **F-119.7 Dispensing and Overfilling.**

**F-119.7.1** The dispensing of liquefied petroleum gases shall be performed by a qualified attendant.

(a) It shall be illegal for any person, firm, corporation, association, club or organization to operate a self-service liquefied petroleum gas dispensing operation which is open to the public.

**F-119.7.2** A person shall not fill or maintain a liquefied petroleum gas container with liquefied petroleum gas in excess of the fixed outage gauge installed by the manufacturer or the weight stamped on the tank.

#### **F-119.8 Safety Devices.**

**F-119.8.1** A person shall not tamper with or make ineffective the safety devices of any liquefied petroleum gas container.

**F-119.9** Abandonment of Liquefied Petroleum Gas Equipment:



**F-119.9.1** At the discretion of the Authority Having Jurisdiction, whenever the use of liquefied petroleum gas equipment has been discontinued, it may be abandoned in an approved manner within a period of 30 days. However, after 90 days, F-119.9.4 applies.

**F-119.9.2** The following procedures may be used when approved by the Fire Chief or their duly authorized representative.

**F-119.9.2.1** Removal of all liquefied petroleum equipment.

**F-119.9.2.2** Burn-off content of container.

**F-119.9.3** All service openings shall be capped or plugged after contents have been removed from container.

**F-119.9.4** All LP tanks, abandoned or out of service in excess of ninety (90) days, shall be removed and properly disposed of.

**F-119.9.5** Combustible Gas Detection; In all facilities where combustible gases are piped to an appliance, a combustible gas detection system with an external notification device shall be installed in accordance with NFPA 72. The external notification device shall provide audio and visual notification and have a sign not less than 14" x 14" stating "combustible gas detected, call 911".

#### **F-119.10 Hydrogen Fuel for Emergency Power Systems.**

Hydrogen stationary fuel cell power systems shall be installed in accordance with NFPA 853 of the current edition. Storage shall be in compliance with NFPA 55 (Storage, Use and Handling of Compressed Gases Cryogenic Fluids in Portable or Stationary Containers, Cylinders and Tanks) for installation.

### **SECTION F-120**

#### **Fireworks and Sparkler/Novelty Items**

##### **F-120.1 General Requirements.**

**F-120.1.1** The manufacturing of fireworks, sparklers and pyrotechnic materials is prohibited.

**F-120.1.2** The storage of fireworks and pyrotechnic materials is prohibited except as permitted in NFPA 1, Section 65.

**F-120.1.3** Except as hereafter provided, it shall be unlawful for any person, firm, co-partnership or corporation to store, to offer for sale, expose to store, expose for sale, sell at retail, or use or explode any fireworks and/or pyrotechnic materials.

**F-120.1.3.1** Consumer fireworks can be utilized as per FS 791 on specified holidays.

**F-120.1.4** Approved sparklers per F. S. 791.013 and any wholesaler registered in accordance with Florida Statute 791.015 as of July 1, 1996, who has obtained all applicable governmental licenses and permits to operate from a permanent structure within Broward County as of July 1, 1996, are exempt from this subsection.

**F-120.1.5** Wholesale exemption sales of fireworks pursuant to F.S.791.04 shall be prohibited at temporary or seasonal sales sites, and sales sites located in tents, canopies and stands.

##### **F-120.1.6 Permit Requirements and Operator Qualifications.**

**F-120.1.6.1.** Application for permit to operate a display of fireworks or use of pyrotechnics before a proximate audience shall be made in writing on forms provided by the Authority Having Jurisdiction to the Fire Chief, or their duly authorized representative, at least 15 days in advance of the date of the display. Except as specifically modified within this Code, outdoor display of fireworks shall be as specified in NFPA 1123. See Section F 120.2 for additional requirements for Outdoor Display of Fireworks on Private Residential Property. See Section F- 120.3 for additional requirements for Offshore and Barge Fireworks Displays. Except as specifically modified within provisions of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, use of pyrotechnics before a proximate audience shall be as specified in NFPA 1126.

**F-120.1.6.1.1** Before any permit for a pyrotechnic display shall be issued, the person or organization making application shall furnish proof of financial responsibility to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of such person or any agent or employee thereof, in such amount, character, and form as the Fire Chief, or his/her duly authorized representative, determines to be necessary for the protection of the public.

**F-120.1.6.1.1.1** A copy of the certificate of insurance naming the permitting agency as additional insured is required.

**F-120.1.6.1.1.2** Minimum required amount of certificates of insurance for permit issuance is as follows: \$1,000,000 for bodily injury, and \$50,000 for property damage, per occurrence.

**F-120.1.6.2** Permit application shall be set forth and contain the following:

**F-120.1.6.2.1** The name, address and telephone number of the organization sponsoring the display, the supplier of the fireworks, the operator (pyrotechnician) and all assistants.

**F-120.1.6.2.2** Application shall be signed by the sponsoring organization representative, and the operator (pyrotechnician) and approved by Fire Chief or his/her designee.

**F-120.1.6.2.3** References for the most recent three firework displays supervised and discharged by the designated operator shall be required for review by the AHJ. Said referenced displays shall be similar in size and complexity and will provide contact persons and telephone numbers.

**F-120.1.6.2.4** The date and time of day at which the display is to be held and the duration time for said display. Permits shall not be issued for displays between the hours of 11:00 pm and 7:30 am.

**F-120.1.6.2.4.1** Time restrictions stated above may not be applicable on January 1, July 4, and December 31, or any other date where specific permission to operate a display of fireworks is granted by the AHJ.

**F-120.1.6.2.5** The exact location address for the display, event or production.

**F-120.1.6.2.6** A copy of a location site plan with dimensions indicating the exact location planned for the display site and all grounds and facilities at which the event will be held. This plan shall include the location of all structures, audience viewing areas, roads, trees and utilities.

**F-120.1.6.2.7** Operator and assistant qualifications shall comply with the provisions of NFPA 1123 and NFPA 1126.

**F-120.1.6.2.7.1** The operator shall be responsible for ensuring that a sufficient number of assistants are available on site for the safe storage and conduct of the fireworks display.

**F-120.1.6.2.7.2** Operators shall be at least 21 years of age and all assistants shall be at least 18 years of age. A copy of a valid driver's license or other valid picture I.D. acceptable to the AHJ shall be provided for all operators and assistants.

**F-120.1.6.2.8** The type and number of fireworks to be discharged.

**F-120.1.6.2.8.1** Aerial displays: Size and number of each type of burst (single, multiple, etc.)

**F-120.1.6.2.8.1.1** All aerial shells, regardless of size, shall be fired using approved electrical ignition unless alternate method of ignition is approval by the AHJ.

**F-120.1.6.2.8.1.2** All electrically fired displays shall provide a solid barrier located at least 100 feet from the mortar location from which all operators (pyrotechnicians) shall control the display with the exception of displays on barges.

**F-120.1.6.2.8.2 Fixed displays. Size, type and description of displays.**

**F-120.1.6.2.8.3** The manner and place of storage of fireworks prior to display. The date, time and travel route from the point the fireworks enter Broward County.

**F-120.1.6.2.9 Standby Firewatch Requirements.**

**F-120.1.6.2.9.1** The Fire Chief, or his/her duly authorized representative, shall require one or more standby firewatch personnel employed by the Fire Service Provider/Fire Department, to be on-duty for each display or performance. When deemed necessary the Fire Chief, or their duly authorized representative, additional fire rescue apparatus may be required for the display or performance. The expense of such personnel services and apparatus shall be borne by the permit holder and shall be paid prior to issuance of the permit.

**F-120.1.6.2.9.2** The standby firewatch personnel shall be on duty from the time of display set up, during the display, and until termination of the display and removal of all fireworks, debris, pyrotechnical materials and devices from the site.

**F-120.1.6.2.9.3** In the case of indoor displays or performances, standby firewatch personnel shall be maintained until total restoration of normal function of the fire safety systems has been verified.

**F-120.1.6.2.9.4** At a minimum, at least one of the assigned standby firewatch personnel shall be a BORA Certified Fire Inspector.

**F-120.2** Additional Requirements for Outdoor Display of Fireworks on Private Residential Property:

**F-120.2.1** Written approval from the property owners located adjacent the proposed display site property is required prior to approval of a permit for outdoor fireworks display.

**F-120.2.2** The display site shall have at least a 100 foot per inch radius of internal mortar diameter of the largest shell to be fired.

**F-120.2.3** Minimum distance separation shall be no less than 300 feet from the nearest dwelling, building, or structure. This includes canopies, chickee huts, or similar structures, bulk storage areas, public highways, railroads or other means of travel.

**F-120.2.4** Not within 1,000 feet of a school, theater, church, hospital, nursing home, assisted living facility, livestock/animal storage site, or similar structures or institutions.

**F-120.2.5** No less than 50-foot radius from the nearest aboveground utility, telephone or telegraph line, tree, or other overhead obstruction.

**F-120.2.6** The audience shall be restricted behind an approved barrier, location no less than 200 feet from the outside of the required display site distance separations.

**F-120.2.7 Reserved**

**F-120.3 Offshore and Barge Fireworks Displays.**

**F-120.3.1** Firework displays shall only be permitted on approved barges. Barge means a non-self-propelled vessel and shall meet the requirements of NFPA 1123 for construction and sizing requirements of the discharge site.

**F-120.3.2** A valid copy of a current U.S. Coast Guard permit of operation shall be provided for each barge display, if required by the U.S. Coast Guard.

**F-120.3.3** At least two chase boats shall be provided to maintain a clear separation distance of at least 1,000 feet radius around the barge from other vessels, structures and the beach. Chase boats shall also provide transportation of fire rescue personnel when required.

**F-120.3.4** Two-way compatible communication shall be provided for use by fire rescue and law enforcement personnel, chase boats and barge crew.

**F-120.3.5** Ladder access shall be provided to allow immediate access for inspection and emergency response.

**F-120.3.5.1** Stabilization shall be provided to secure the barge and prevent rotation from wind, water current and firing angle.

**F-120.3.5.2** Inspection of the barge by the Fire Service Provider/Fire Department shall occur at least one to two hours prior to the scheduled departure for sea.

**F-120.4 Safety Precautions for Outdoor fireworks.**

**F-120.4.1** If in the opinion of the Fire Chief, or his/her duly authorized representative, any unsafe or hazardous condition exists, the fireworks display shall be postponed until such time as said conditions are corrected.

**F-120.4.2** If high winds, precipitation or other adverse weather conditions prevail, such that in the opinion of the Fire Chief, or his/her duly authorized representative, a significant hazard exists, the fireworks display shall be postponed until weather conditions improve to an acceptable level to allow discharge.

**F-120.4.2.1** No discharge of a fireworks display shall be permitted to take place when the wind velocity is 17 knots (20 mph) or greater.

**F-120.4.3** Immediately upon delivery to the display site, all fireworks shall be properly secured and shall not be left unattended at any time. When deemed necessary, the Fire Chief, or their duly authorized representative, may require the operator or employ special security measures to ensure the proper security of the stored fireworks.

**F-120.4.4** A minimum of two, two and one-half gallon pressurized water fire extinguishers shall be available in the discharge area. Additional extinguishers or equipment may be required if conditions warrant. In addition, adequate water supply for fire protection shall be available at the discharge site.

**F-120.5** Requirements for the Sale, Display, Merchandising, Storage and Handling of Approved Sparklers and Novelty Items within buildings, Structures, Canopies and Outdoor Sites.

**F-120.5.1** No person shall be in possession of a lighted cigarette, cigar, or pipe, or any open flame, within 50 feet of any sales, display, merchandising, storage, or handling area. Proper receptacles for disposal of smoking materials shall be provided at all entrances to such areas (i.e. water filled or sand filled buckets).

**F-120.5.2** A minimum of two approved two and one-half gallon pressurized water fire extinguishers shall be available within the sales, display, and handling areas; additional fire extinguishers or fire protection equipment may be required by the authority having jurisdiction.

**F-120.5.3** Precautions shall be taken to protect against fire or spread of fire in all sites located within fields or lots with ground cover such as brush, grass or other overgrowth of vegetation.

**F-120.5.4** Durable and readily visible signs to read "Caution Sparklers—No Smoking" shall be posted on the exterior of each entrance way into and throughout all sparkler sales, storage, and handling areas within the interior of any building, structure, canopy, or outdoor site. These signs shall be readily visible in all directions.

**F-120.5.5** The use, ignition or discharge of any approved sparklers or novelty items is prohibited within buildings or structures where sparklers or novelty items are offered for sale, displayed, or stored, and within 100 feet of any outdoor sales storage or handling sites.

**F-120.5.6** Buildings or structures used in whole or in part for sales (retail or wholesale), display, merchandising, handling, or storage of sparklers and/or novelty items shall be fully protected throughout with an automatic sprinklers system in

accordance with NFPA 13, the edition in 69A-60, Florida Administrative Code.

**F-120.5.7** No storage of sparklers or novelty items shall be permitted in vehicles.

**Exception:** Transportation purposes only, to and from the site or at a permitted site, if approved by the authority having jurisdiction.

**F-120.5.8** Sales, display and merchandising shall be conducted in an approved and safe manner in order to control handling by the general public.

**F-120.5.9** Amounts of sparklers and related novelty items displayed within the sales area shall not exceed those amounts approved by the Fire Chief, or their duly authorized representative. Note: Where the primary business of the occupancy is not sale of sparklers, the sale areas of sparklers or novelty items shall not exceed two percent of the net floor space of the building or structure.

**F-120.5.10** Storage of approved sparklers and novelty items shall comply with the following.

**F-120.5.10.1** Sparklers shall not be stored or kept in any area

**F-120.5.10.1.1** In which paints, oils, or varnishes are manufactured or kept for use or sale, unless the paints, oils or varnishes are in unbroken (sealed) containers.

**F-120.5.10.1.2** In which resin, turpentine gasoline or flammable substances which may generate vapors are used, stored, or offered for sale unless the resin, turpentine, gasoline, or substance is in unbroken (sealed) containers.

**F-120.5.10.1.3** In which there is not at least one 2A10BC fire extinguisher available in the area used for storage.

**F-120.5.10.2** Storage of sparklers shall be in an approved manner, remote from the public, and separated from all other merchandise by at least one hour fire protection and an approved automatic sprinkler system.

**Exception:** Canopies and approved steel storage vaults or containers when used outdoors.

**F-120.5.10.3** Approved storage facilities shall be labeled with an approved Explosion placard complying with the Department of Transportation (DOT) Standard.

**F-120.5.11** Outdoor sites for sale, storage, and/or handling of approved sparklers shall comply with the following distance requirements: The minimum distance between a storage site and any building or structure shall be 50 feet.

## **F-120.6 Separation.**

**F-120.6.1** The minimum distance required between a site and any fuel storage/dispensing area or device shall be 50 feet.

**F-120.6.2** Storage areas shall be separated from sales and handling areas by a minimum of 25 feet.

**F-120.6.3** Any building or structure used as storage facilities for sparklers and novelty items in conjunction with outdoor sites shall comply with the one-hour protection separation and automatic sprinkler system requirements as required for storage areas within building and structures.

**Exception:** Canopies and approved steel storage vaults or containers.

**F-120.6.4** When a canopy can be used in conjunction with an outdoor site operation, the following shall apply:

**F-120.6.4.1** No sides of any kind are permitted on the canopy at any time. Provide copy of Building Permit for canopy.

**F-120.6.4.2** The canopy shall comply with the flame-retardant requirement. Proper flame retardant certificate required.

**F-120.6.4.3** Proper exit and exit access shall be maintained at all times within the interior of the canopy. No obstruction to egress from any portion of the canopy is permitted.

**F-120.6.4.4** Provide and maintain a minimum of one 2A40BC dry chemical fire extinguisher, with properly updated service tag for each 2,500 sq. ft. of canopy area. Not less than one fire extinguisher for each canopy.

**F-120.6.5** If the site is to operate after daylight hours, the site shall be properly illuminated. If electricity powered and/or electrical equipment is used, the following shall apply:

**F-120.6.5.1** All electrical equipment and associated wiring shall comply with NFPA 70, the National Electrical Code, edition as adopted in 69A-60, Florida Administrative Code. Provide copy of permit for electrical service and equipment.

**F-120.6.5.2 If fuel powered generator is to be used to supply power for the site, the following shall apply.**

**F-120.6.5.2.1** Generator shall be kept a minimum distance of twenty feet (20') from sales, storage, or handling area.

**F-120.6.5.2.2** Precautions against fire or fire spread shall be taken when generator sites are located within fields or grassed lots.

**F-120.6.5.2.3** Only an approved metal five-gallon safety container shall be used to store fuel for the generator. Fuel containers shall be properly stored with a maximum of ten gallons per site.

**F-120.6.5.2.4** Approved fuel containers shall not be stored in sales, storage, handling areas or vehicles.

**F-120.6.5.3** Durable sign to read “NO SMOKING” shall be posted at the generator site.

#### **F-120.7 Pyrotechnics Before Proximate Audience**

**F-120.7** The requirements for the use of pyrotechnics before a proximate audience shall be in accordance with the standards as set forth in the FFPC. In addition, the following local amendments shall apply:

**F-120.7.1** Application for permit to operate a display of pyrotechnics before a proximate audience shall be made in writing on forms provided by the Authority Having Jurisdiction to the Fire Chief, or their duly authorized representative, at least 15 days in advance of the date of the display.

**F-120.7.2** The local Fire Marshal/Fire Code Official, or their duly authorized representative at their discretion, shall require standby fire watch personnel employed by the AHJ of the Fire Service Provider/Fire Department, to be on duty for each display or performance. When deemed necessary by the local Fire Marshal/Fire Code Official, or his/her duly authorized representative, additional fire and rescue apparatus may be required for the display or performance. Any and all expense(s) of standby personnel services and apparatus shall be borne by the permit holder.

**F-120.7.2.1** Standby fire watch personnel shall be on duty from the time of display setup, during the display, and until termination of the display and removal of all pyrotechnic materials, debris, and devices from the site.

**F-120.7.2.2** In the case of indoor displays or performances, standby fire watch personnel shall be maintained until total restoration of normal functioning of the fire safety systems has been verified.

**F-120.7.2.3** At a minimum, at least one of the assigned standby fire watch personnel shall be a BORA Certified Fire Inspector.

**F-120.7.3** Any indoor use of pyrotechnics shall not be permitted in buildings or any portion thereof unless protected by an approved automatic sprinkler system.

**F-120.7.3.1** Indoor use of pyrotechnics shall be prohibited in temporary structures such as tents, canopies,

**F-120.8 Rooftop Pyrotechnics:** In addition to the aforementioned code requirements, the following shall apply to rooftop pyrotechnic displays:

**F-120.8.1** Only NFPA 1126 approved pyrotechnics shall be permitted for all rooftop displays.

**F-120.8.1.1** If a rooftop display is being proposed, the pyrotechnician shall identify a debris fallout area on the submitted plan.

**F-120.8.1.2** The pyrotechnician shall provide the local Fire Marshal/Fire Code Official, or their duly authorized representative with an approved, written notice from the FAA acknowledging receipt of the time frame of the display, the pyrotechnic material used, and approval from the FAA representative to proceed with the event.

**F-120.8.1.3** Such an approved written notice shall be a part of the permit application submitted at least 15 working days prior to the event.

**F-120.8.1.4** Failure to provide approved, written notice from the FAA to the local Fire Marshal/Fire Code Official, or their duly authorized representative, shall be cause for denial to display rooftop pyrotechnics.

**F-120.8.1.5** At the discretion of the local Fire Marshal/Fire Code Official, or their duly authorized representative, the pyrotechnician may be required to post all, or part of the following:

**F-120.8.1.5.1** Additional insurance policy in the amount of one million dollars indemnifying the local AHJ.

**F-120.8.1.5.2** Post a refundable clean-up bond with the local AHJ holding the pyrotechnician responsible for post-event clean up from pyrotechnic debris fallout.

**F-120.8.1.5.3** If the pyrotechnician is not directly responsible for post event cleanup of debris, the pyrotechnician shall furnish written proof from the party responsible for post event cleanup of pyrotechnic debris.

**F-120.8.1.6** The pyrotechnician shall be held responsible for the cleanup of any NFPA 1126 pyrotechnic material fallout on any structure, vehicles, and/or part thereof in the fallout area unless otherwise advised in writing, to the fire code official, as to the contracted party responsible for such cleanup.

#### **F-121 Reserved— Automatic External Defibrillator (AED) and Stop the Bleed Kit (SBK)**

**F-121.1.1 All new and existing buildings needing to comply with the following sections, shall be provided a maximum of eighteen (18) months from the date approved by the Broward County Board of Rules and Appeals to comply.**

**F-121.2 AED(S) and SBK(S) shall be installed in the following occupancies as defined in NFPA 101, Life Safety Code.**



F-121.2.1 Assembly occupancy:

a. Fitness centers, gymnasiums, and indoor recreational centers in excess of one thousand five hundred (1,500) square feet.

b. Theaters, restaurants, drinking establishments, with a capacity of one hundred (100) or greater.

c. Places of worship with a capacity of one hundred (100) or greater.

F-121.2.2 Business occupancy:

a. Office buildings/business occupancies with a square footage greater than twenty thousand (20,000) square feet.

b. All Dental offices in accordance with Florida Administrative Code 64B5-17.015.

F-121.2.3 Day Care occupancy:

a. All adult day care facilities

F-121.2.4 Educational occupancy:

a. All Charter and Private Schools.

F-121.2.5 Healthcare occupancy:

a. Assisted living facilities as defined by section 429.021(5) Florida Statute as amended from time to time.

b. Ambulatory surgical centers as defined by section 395.002 (3) Florida Statute as amended from time to time.

c. Walk in medical care facilities.

d. Hospitals providing emergency services, including freestanding facilities, shall be excluded.

F-121.2.6 Mercantile occupancy:

a. Commercial and retail spaces with a square footage greater than thirty-five thousand (35,000) square feet.

F-121.2.7 Residential occupancy:

a. All hotels and motels.

b. Multi-story residential/dormitory buildings five (5) floors or more

F-121.2.7.1 Multi story occupancies listed above shall place an AED and SBK on every other floor beginning on the first floor. The AED and SBK shall be placed near the

elevator(s) beginning in the first-floor lobby (first floor, third floor, fifth floor etc.)

F-121.3 Installation and Operation.

F-121.3.1 The Authority Having Jurisdiction (AHJ) shall verify all AED devices and SBK's for operation prior to being placed in service or available for use, and on an annual basis.

F-121.3.2 AED(S) devices and SBK(S) shall be:

a. Conspicuously located in plain view of the primary public entrance or by the elevator lobby with unobstructed access.

b. Readily accessible and immediately available when needed for on-site employees and the general public, including disabled persons.

c. The AED(S) and SBK(S) shall be 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 to prevent tampering, theft, or damage.

d. The AED shall be located below a sign having a minimum area of seventy (70) square inches and containing the letters "AED" and the universally recognizable symbol, which should be placed no more than sixty (60) inches, on center, above the floor.

e. The SBK shall be located below a SBK sticker. The SBK sticker may also be placed on the cabinet containing the SBK.

F-121.3.3 AED devices shall contain adult pads and pediatric pads as required by the AHJ.

F-121.3.4 SBK(S) with the exception of large occupancy SBK(S), shall minimally contain:

a. Eight commercially manufactured tourniquets; and

b. Eight gloves; and

c. One scissor; and

d. Two 3-inch gauze rolls; and

e. Two gauze combine pads.

F-121.3.5 Places of occupancy that hold 500 or more persons, regardless of occupancy classification, shall have a large occupancy SBK, which minimally contain:

a. Eight commercially manufactured tourniquets; and

b. Eight gloves; and

c. Two scissors; and

d. Eight 3-inch gauze rolls; and

e. Eight gauze combine pads.

F-121.3.6 The AED(S) devices and SBK(S) shall be used in accordance with the manufacturer's guidelines.

F-121.3.7 It shall be the responsibility of the owner/occupant to:

a. Install the AED device and SBK;

b. Provide all necessary training and appropriate use; and

c. Maintain AED devices and SBK in accordance with manufacture recommended maintenance requirements and as required herein.

F-121.3.8 If an AED device or SBK is removed for repair, a replacement shall be provided by the owner/occupant or by the manufacturer.

F-121.3.9 Requirements and procedures. The following shall be the requirements and procedures for use, training, and data collection of the AED and SBK program:

F-121.3.9.1 The implementation of an AED and/or SBK shall occur only after a written notification is made to the Fire Chief or designee by the individual, entity, organization, or company acquiring an AED. The written notification must contain the facility or business name, street address, specific location of the AED and/or SBK, the number employees at the facility or business, the total number of persons trained or to be trained in the use of the AED and SBK, and name of manufacturer and model number of each AED.

F-121.3.9.2 Prior to implementation of an AED or SBK, the individual, organization or company will obtain and send to the AHJ, proof of standardized training for all intended users of the AED and SBK. The training shall consist of a class provided by a nationally recognized organization, or locally approved by the AHJ, including, but not limited to, the American Heart Association, the American Red Cross, and the National Safety Council, and shall follow a standardized curriculum. The standardized curriculum shall include, at a minimum:

a. Signs and symptoms of sudden cardiac arrest.

b. Cardiopulmonary resuscitation (CPR); and

c. Proper use, maintenance, and inspection of AED's.

F-121.3.9.3 The training for the SBK shall consist of a class provided by a nationally recognized organization or locally approved by the AHJ. The standardized curriculum shall include, at a minimum:

a. Tourniquet application and use

F-121.3.9.4 The owner of the AED will ensure that the use of the AED follows the policies and procedures developed and authorized by the AHJ, and the provision of F.S. § 401.2915, as may be amended.

F-121.3.9.5 Recertification of users, maintenance, and inspection of the AED and SBK is the responsibility of the owner/occupant and shall be done on a periodic basis, as prescribed by the manufacturer and/or certifying agency. Recertification of users will consist of a class, which will review the techniques for using the AED and SBK and follow a standardized curriculum. Recertification training shall be provided as in section F-121.2 and F-121.3 above. Maintenance of the AED device and SBK shall be in accordance with the manufacturer's recommendations.

F-121.3.9.6 The AHJ may conduct a quality assurance review after the use of an AED or SBK that includes gathering clinical data and information from the person that used the AED or SBK and from the AED itself.

F-121.3.9.7 Any person who uses an AED is required to contact the AHJ by calling 9-1-1 immediately prior to, or immediately upon use of the AED (F.S. § 401.2915 (c)).

F-121.3.9.8 The owner and user of the AED or SBK will not withhold consent for a quality assurance review by the AHJ after the use of an AED or to the retrieval of clinical data from the device itself.

F-121.3.9.9 The AHJ shall verify the presence of the AED device and/or SBK and may inspect any maintenance records and documentation of training to ensure compliance with the community AED and stop the bleed program.

F-121.3.9.10 The AHJ is not liable for any damages experienced by the AED and by the SBK, or any person or entity arising as a result of

**a) business's use or misuse of the equipment or supplies.**

**b) business's failure to provide services pertaining to the equipment supplies**

**c) any defects in the equipment or supplies.**

**Immunity from civil liability provisions. The provisions of F.S.768.1325, and specifically the immunity from civil liability for any harm resulting from the use or attempted use of an automated external defibrillator (AED) device as found in F.S. 768.1325(3) as may be amended from time to time are hereby adopted and incorporated into the ordinance.**

## **F-122 Mobile and Temporary Cooking Operations**

**F-122.1** The following section shall be a minimum life safety requirement but can be modified if deemed necessary by the local AHJ.

**F-122.1.1** Mobile or Temporary Cooking. Any cooking facility, apparatus or equipment, being operated on a one time or interim basis, or for less than 90 days in the same location, other than at a fixed location, building or structure which has been inspected and permitted under another section of this code, regulation or statute, inclusive of self-propelled trucks and vehicle, trailered units, push carts, equipment located under cover of awnings, canopies or pop-up tents, or other structures for which a building permit has not been issued.

**F-122.1.2** All current licensing, semiannual / annual fire suppression system inspections reports and a cleaning report with related documents shall be placed in a binder and accessible to the AHJ at all times.

**F-122.1.3** Prior to operating within Broward County, each Mobile Food Dispensing Vehicle shall be inspected and approved.

- a. Inspection and approval by the AHJ shall not relieve the mobile food vendor's owner of the responsibility of compliance with the design, construction, installation, alteration, repairs, equipment maintenance, process and relocation of the mobile food truck.
- b. Inspection and approval shall not hold the AHJ responsible for the enforcement of regulations of such other regulatory agencies unless specifically mandated to enforce those agencies regulations.

**F-122.1.54** Cooking equipment that produces grease-laden vapors shall be protected by a fire-extinguishing system. Automatic fire-extinguishing systems shall comply with

ANSI/UL300 or other equivalent standards and shall be installed in accordance with the terms of their listing, the manufacturer's instructions, and NFPA 17A.

## **F-122.2 Cleaning**

**F-122.2.1** The entire exhaust system, appliances, floor underneath and wall behind appliances, shall be inspected and cleaned for grease buildup by a properly trained, qualified, and certified person(s) acceptable to the AHJ and in accordance with Table 11.4 in NFPA 96, and in accordance with

## **F-122.3 Fire Extinguishers**

**F-122.7.1** There shall be a quarter-turn valve installed within the LP- gas piping for emergency shut-off use, shall be installed on the exterior of the vehicle and readily assessable.

**F-122.7.2** A "PROPANE EMERGENCY SHUT-OFF" sign and a "NO SMOKING" sign shall be installed directly next to or above the gas cylinder and shall be a highly visible, permanent weatherproof sign with a minimum of 2" lettering.

**F-122.7.3** Cylinders shall be retested every 5-12 years in accordance with the manufacturer's recommendations and 49 CFR 180.205.

- a. No letter after the requalification date means the cylinder must be retested within 12 years.
- b. An "S" after the requalification date means the cylinder must be retested within 7 years.
- c. An "E" after the requalification date means the cylinder must be retested within 5 years.

## **F-122.8 Leak Detection**

**F-122.8.1** A test gauge shall be installed at or before the regulator for means of leak detection. Pressure shall be observed for a minimum of 3 minutes with no drop in pressure. Propane tanks, hoses and fittings shall be free of leaks. Documentation that the system is free of leaks shall be kept in a binder and readily assessable for the AHJ upon request.

## **F-123 Permanently Installed Cooking Exhaust Systems**

**F-123.1** Cooking Exhaust Systems: Cleaning of Cooking Exhaust Systems shall be in compliance with NFPA 96 and the following.

F-123.2 Cooking ventilation systems shall be inspected for grease buildup by a person meeting the training requirements as set forth by International Kitchen Exhaust Cleaning Association (IKECA) or other nationally recognized exhaust system cleaning association acceptable to the AHJ in accordance with NFPA 96, Section 11.6.1.

F-123.3 Certification of training shall be submitted to the Local AHJ prior to cleaning operations taking place.

F-123.4 The completed inspection or cleaning report as found in NFPA 96, 11.6.14 shall be provided to the owner and a copy along with photos taken prior to cleaning and after cleaning shall be submitted to the local AHJ.

#### **F-124 Uniform Generator Code**

**F-124.1** Scope The purpose of this document is to provide uniform procedures for the AHJs' in Broward County as it pertains to secondary power sources. Any Board and Care occupancy as defined by the provisions of this code that is required to receive an inspection from an AHJ as per Florida State Statute or the Florida Administrative Code, shall comply with the provisions of this code.

#### **F-124.2** Referenced Publications:

NFPA 1, *Fire Code*

NFPA 30, *Flammable and Combustible Liquids Code*

NFPA 37, *Standard for the Installation of and Use of Stationary Combustion Engines and Gas Turbines*

NFPA 54, *National Fuel Gas Code*

NFPA 58, *Liquefied Petroleum Gas Code*

NFPA 70, *National Electrical Code*

NFPA 72, *National Fire Alarm and Signaling Code*

NFPA 110, *Standard for Emergency and Standby Power Systems*

NFPA 111, *Standard on Stored Electrical Energy Emergency and Standby Power Systems*

NFPA 720, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment*

Florida Administrative Code 58A-5.036 for Assisted Living Facilities

Florida Administrative Code 59A-4.1265 for Nursing Homes

#### Florida Building Code

#### **F-124.3** General:

F-124.3.1 Existing approved, non-conforming installations shall be deemed compliant with this code unless the AHJ determines that non conformity presents a distinct hazard to life.

F-124.3.2 All facilities shall store a minimum of seventy-two (72) hours of fuel onsite and be able to show proof (such as a fuel service contract) of a reliable method to obtain the additional twenty-four (24) hours of fuel within forty-eight (48) hours of a declared State of Emergency. Piped natural gas is an allowable fuel source.

F-124.3.3 If local ordinances or other regulations limit the amount of onsite fuel storage at the location of the facility, then the owner/operator shall develop a plan that includes maximum onsite fuel storage allowable by the ordinance or regulation and a reliable method to obtain the maximum additional fuel at least 24 hours prior to the depletion of the onsite fuel.

F-124.3.4 Storage of any fuels shall be compliant with the applicable National Fire Protection Association's (NFPA) codes and standards.

**F-124.3.5 Other fuel sources shall be permitted in conformance with the NFPA 54 and 58 as currently adopted.**

#### **F-124.4** Minimum Permit Submittal Requirements:

F-124.4.1 The following is a list of the minimum required information that shall be submitted to the AHJ for review:

- A) Plans shall be submitted for permitting, with details and manufacturer specifications that demonstrate compliance with all applicable NFPA codes and standards. The submittal shall be made by a qualified and licensed contractor.
- B) All generators shall be NFPA 110 compliant.
- C) Plans shall clearly identify the class, type, and level of the generator.
- D) A site plan shall be provided indicating the location of the emergency generator in relation to the building openings as well as adjacent building openings, exit discharges, the fuel source type, and the automatic transfer switch.
- E) The location of the manual emergency shut off shall be clearly identified on the plans. The emergency shut off shall be readily accessible at all times, identified with permanent weatherproof signage, shall be readily visible to emergency responders, and the location shall be approved by the AHJ.

- F) Plans shall demonstrate that the fuel supply can accommodate the specific EPS class and time duration identified on the plans.
- G) Physical protection of the fuel source and generator when located in areas subject to vehicular traffic shall be clearly identified.
- H) A remote generator annunciator shall be installed at a continuously attended location and indicated on the plans, approved by the AHJ.
- I) A signed generator maintenance contract shall be submitted, maintained, and made available to the AHJ upon request.
- J) Carbon monoxide protection shall be installed in accordance with NFPA 720. The location(s) of Carbon Monoxide Alarms shall be indicated on the plans.

**F-124.5** Inspection and Testing

- A) Emergency Power Supply Systems' (EPSS), including all appurtenant components, shall be inspected weekly and exercised under load at least monthly.
- B) The facility owner shall ensure that the EPSS is properly maintained and serviced not less than annually by a qualified person or contractor in accordance with the manufacturer's specifications.

**F-124.6** Records Retention

- A) Each facility shall provide a binder which contains a log of weekly inspections and monthly load exercise. The owner or their agent is responsible for the proper recording of this information.
- B) The binder shall also include a copy of the annual service agreement as well as the most current annual service report.
- C) This binder shall be made readily accessible to the AHJ upon request.



# ***Broward County Local Amendments to the Florida Fire Prevention Code***

## **SECTION F-101 GENERAL**

**F-101.1— Title.** These regulations shall be known as the Broward County Local Fire Code Amendments to the Florida Fire Prevention Code (FFPC).

**F- 101.2 - Scope.** The provisions of this Chapter shall govern the administration and enforcement the FFPC and the Fire Protection Provisions of this Code and shall apply countywide in both incorporated and unincorporated areas of Broward County, Florida. The provisions of this code shall apply to new and existing buildings or structures, equipment, installations, construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings.

**F-101.2.1 Appendices or Annexes:** Provisions in the appendices or Annexes shall not apply unless specifically adopted by Florida Statute 633.

### **F-101.2.2 Definitions:**

- A. AHJ** means Authority Having Jurisdiction shall be a federal, state, local organization, office or individual responsible for enforcing the requirements of this code as found in Chapter 1, Broward Administrative Provisions.
- B. BCFCC** means Broward County Fire Code Committee
- C. BORA** means the Broward County Board of Rules and Appeals
- D. Engineer** means licensed professional engineer, licensed in the State of Florida
- E. FBC** means the Florida Building Code
- F. FFPC** means the Florida Fire Prevention Code including the Broward County Local Fire Amendments to the Florida Fire Prevention Code
- G. State** means State of Florida
- H. Fire Code Manager/Administrator** means a person certified by the State Fire Marshal Office as meeting the provisions found in NFPA 1037 and means Fire Marshal / Fire Code Official.
- I. Fire Service Provider** means Fire Department
- J. Door / Door Assembly;** when used for fire service provider access as referred to in this code or the FFPC, except

in chapters where other configurations are specifically permitted, shall mean a side hinged, swinging type egress exterior door / door assembly that can be opened from the outside and that provides access to the interior of the dwelling unit or building.

**K. AHCA:** Agency for Health Care Administration

**L. APD:** Agency for Persons with Disabilities.

**M. Class:** The class defines the minimum time, in hours, for which the EPSS is designed to operate at its rated load without being refueled or recharged.

**N. Board and Care Occupancy.** An occupancy used for lodging and boarding of residents, not related by blood or marriage to the owners or operators, for the purpose of providing personal care services.

**O. Legally Required Standby Generator:** Those systems required and so classed as legally required standby secondary power sources by municipal, state, federal, or other codes or by any governmental agency having jurisdiction. These systems are intended to automatically supply power to selected loads (other than those classed as emergency systems) in the event of failure of the normal source.

**P. Emergency Generators Systems:** Those systems legally required and classed as emergency by municipal, state, federal, or other codes, or by any governmental agency having jurisdiction. Those systems are intended to automatically supply illumination, power, or both, to designated areas and equipment in the event of failure of the normal supply or in the event of accident to elements of a system intended to supply, distribute, and control power and illumination essential for safety to human life.

**Q. EPS: Emergency Power Supply.** The source of electric power of the required capacity and quality for an emergency power supply system (EPSS).

**R. EPSS: Emergency Power Supply System.** A complete functioning EPS system coupled to a system of conductors, disconnecting means and overcurrent protective devices, transfer switches, and all control, supervisory, and support devices up to and including the load terminals of the transfer

equipment needed to operate as a safe and reliable source of electric power.

**S. Permit:** A document issued by the AHJ for the purpose of authorizing performance of a specified activity.

**T. Plans:** Plans are required for new construction, modification, or rehabilitation, construction documents and shop drawings and shall be submitted, reviewed and approved prior to the start of such work. Plans shall be prepared by a licensed Florida professional engineer.

**U. Qualified Person:** One who has skills and knowledge related to the operation, maintenance, repair, and testing of the EPSS equipment and installations and has received safety training to recognize and avoid the hazards involved.

#### **V. External Defibrillator (AED)**

(a) Is commercially available in accordance with the Federal Food, Drug, and Cosmetic Act,

(b) 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

(c) Upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual.

#### **W. Stop the Bleed Kit (SBK)**

(a) Capable of stopping severe bleeding through clotting, pressure, tourniquets, and other proven effective means of stopping blood loss; and

(b) Upon a blood loss emergency, is able to stem blood loss rapidly to prevent massive blood loss.

**F-101.3 - Intent.** The purpose of the FFPC is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress, facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment including alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises, and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may be referred to as service systems and to provide safety to fire fighters and emergency responders during emergency operations.

**F-101.4 - Violations and Penalties.** Any person, firm or corporation, who shall violate a provision of the FFPC or a Fire Protection Provision of this Code or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the FFPC or any Fire Protection Provisions of this Code is committed or continued, and upon conviction of any such violation, such person shall be punishable by a fine of not less than fifty (\$50) nor more than five hundred (\$500) dollars, or by imprisonment not exceeding sixty days, or by both such

fine and imprisonment.

**F-101.5--- Quality control.** Quality control of materials and workmanship is not within the purview of the FFPC or this Code except as it relates to the purposes stated herein.

**F-101.6--- Referenced Codes.** The other codes listed in and referenced elsewhere in the FFPC, all Fire Codes, and the Fire Protection Provisions of this Code shall be considered part of the requirements of the FFPC to the prescribed extent of each such reference.

**F-101.6.1 Fire prevention.** For provisions related to fire prevention, refer to the FFPC as referenced in Florida Statute 633, Broward County Local FFPCs as adopted and the Fire Protection Provisions of this Code as referenced above. The FFPC shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures, or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

### **SECTION F-102**

#### **Applicability**

**F-102.1 General.** Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**F-102.1.1** FFPC and the Fire Protection Provisions of this Code, does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of, FFPC and Fire Protection Provisions of this Code.

### **SECTION F-103**

#### **Fire Chief, Bureau of Fire Prevention, Fire Marshal, Fire Code Official, Fire Plans Examiner, and Fire Inspector**

**F- 103 — Bureau of Fire Prevention:** A Bureau of Fire Prevention shall be established within the Fire Service Provider/Fire Department, under the direction of the Fire Chief, which shall consist of such Fire Service Provider/Fire Department personnel as may be assigned thereto, by the Fire Chief, in accordance with the requirements prescribed herein. The function of this bureau shall be to assist the Fire Chief in the administration and enforcement of the FFPC, Fire Protection Provisions of this Code, and the Fire Protection Provisions of this Chapter. Personnel assigned to the bureau as the Fire Marshal / Fire Code Official, Fire Plans Examiner, and/or Fire Inspector shall be certified by BORA.

**F-103.1 — Appointment of Fire Marshal/ Fire Code**

**Official:** There shall be appointed by the Fire Chief certain fire prevention personnel to be qualified as set forth in this Chapter as part of the FFPC to be qualified as Fire Marshal / Fire Code Official. Personnel assigned to the bureau as Fire Marshal / Fire Code Official, Fire Plans Examiner, and / or Fire Inspector shall be State Certified Firefighters, State Certified Fire Inspectors, and certified by BORA. For state certification and recertification refer to Florida State Statute 633.

**F- 103.2 Powers and Duties of a Fire Marshal /Fire Code**

**Official:** The Fire Chief shall duly authorize their representative of the Fire Service Provider/Fire Department to exercise the powers and perform the duties of the Chief. They shall also be known as Fire Marshal/Fire Code Official. The Fire Marshal/Fire Code Official shall be authorized and directed to enforce the Fire Protection Provisions of this Code and the FFPC, and the sole authority to render interpretations of the Fire Protection Provisions of this Code and the FFPC, and to adopt policies and procedures in order to clarify the application of its provisions and shall have responsibility for the administration and enforcement of the FFPC and Fire Protection Provisions of this Code. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of the Fire Protection Provisions of this Code and the FFPC. Such policies and procedures shall not have the effect of waving requirements specifically provided for in the Fire Protection Provisions of this Code and FFPC. It shall be their duty and responsibility to enforce and coordinate the work of all subordinates such as Fire Plans Examiners and Fire Inspectors. Based on current technology that the Fire Marshal/Fire Code Official does not have to be personally present at the Fire Service Provider/Fire Department as long as they are available by telephone/computer etc. and can perform their duties. In the event that the Fire Marshal/Fire Code Official is not available to perform his/her duties, the Fire Chief may appoint an interim Fire Marshal/Fire Code Official provided such person is qualified as set forth in Section F-103.3 of this Code and the FFPC. The Fire Chief or Fire Service Provider/Fire Department shall notify in writing BORA of the starting date and period of time that the Interim Fire Marshal/Fire Code Official will assume the Fire Marshal/Fire Code Official's duties. The name of the Interim Fire Marshal/Fire Code Official will be recorded by BORA but they will not be issued a certification card as a Fire Marshal/Fire Code Official. The Fire Marshal/Fire Code Official shall be subject to the powers vested by Florida State Statute 633 and BORA in this Code. If there is one Fire Plans Examiner or Fire Inspector hired by an inspection authority, that Plans Examiner or Inspector shall be a Fire Marshal/ Fire Code Official.

**F-103.2.1** Under the Fire Chief's direction, the Fire Service Provider/Fire Department shall enforce the Fire Protection Provisions of this Code and the FFPC and all Fire Codes pertinent to the prevention of fires, suppression or extinguishing of fires, storage, use and handling of explosive, flammable, combustible, toxic, corrosive and other hazardous gaseous, and solid and liquid materials. These inspections shall include, but are not limited to:

**F-103.2.1.1** The inspection of equipment and maintenance of automatic, manual and other fire alarm systems and fire extinguishing equipment;

**F-103.2.1.2** The maintenance and regulation of fire escapes;

**F-103.2.1.3** The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction;

**F-103.2.1.4** The means and adequacy of each exit in the event of fire or similar emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters and all other places in which people work, live or congregate from time to time for any purpose; and

**F-103.2.1.5** The investigation of the origin, cause, and circumstances of fires.

**F-103.2.3** No enforcing agency may issue any permit for construction, erection, alteration, repair, or demolition until the Building Official/Fire Code Official, in conjunction with the appropriate fire plans examiner, has reviewed the plans and/or specifications for such proposal and both officials have found the plans and/or specifications to be in compliance with the FFPC and the applicable fire safety standards as determined by the local authority in accordance with the FFPC and Chapter 633, Florida Statutes. Plans shall be reviewed within 30 working days from the date of submission or specifications are received. In the event that agreement cannot be reached between the Building and Fire Officials, the dispute shall be referred to the BCFCC for review and recommendation to BORA.

**F-103.2.4** It shall be the duty of the Fire Chief of the Fire Service Provider/Fire Department to inspect or cause to be inspected by their duly authorized representatives of the Fire Prevention Bureau, as often as may be necessary, but not less than annually, during normal business hours, for the establishment in question, all buildings and premises, including common or public areas as well as all public aisles, corridors, halls, rooms, storage areas, or other nonresidential areas of such buildings, for the purpose of ascertaining and causing to be corrected, any condition liable to cause fire or any violation of the provisions or intent of the FFPC, by providing written notice of the code sections violated, and to otherwise enforce any violation of the Fire Protection Provisions of this Code and the FFPC. Whenever the Fire Chief or their duly authorized representatives of the Fire Service Provider/Fire Department determines that a violation exists, the person responsible for maintaining the building or area where such violation exists, shall be given reasonable written notice of such violation, and if the violation continues, a presumption of a violation of the Fire Protection Provisions of this Code and the FFPC, shall be created against the person responsible for maintaining the building or area where such violation exists. Rejections shall include specific reference to the Code Section upon which rejection is based in writing.

**F-103.2.5 Right of Entry.** Upon presentation of proper credentials, the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative may enter, at any reasonable time, any building, structure or premises for the

purpose of making any inspection or investigation, which under the Fire Protection Provisions of this Code and the FFPC.

**F-103.2.6 Stop-Work Orders.** If the Fire Chief becomes aware of a hazardous condition, which presents immediate danger to life, work being done contrary to this code or FFPC, work without permit, they shall be authorized to order the hazard removed or remedied immediately, and shall be empowered to order the closing of the building or place where such danger to life violation exists, until such time as same has been corrected. Any failure of immediate compliance shall empower the Fire Chief, or their duly authorized representative finding such hazardous condition creating immediate danger to life, to close such building or cause same to be closed and the people herein evacuated and barred from reentering until such time as such immediate danger to life, work being done contrary to this code or FFPC, work without permit, has been corrected. The Fire Chief, or their duly authorized representative is given the authority to order any gas company, power company, or other utility company, to disconnect its service to any building or buildings containing gas or power installations, where such installations, in the opinion of the Fire Chief, or their duly authorized representative creates an immediate danger to life, work being done contrary to this code or FFPC, work without permit, and to otherwise close or evacuate such building and to bar reentry thereto, until such installation is repaired or replaced and such hazard to life ceases to exist. Rejections shall include specific reference to the Code Section upon which rejection is based in writing.

**F-103.2.7** The Fire Chief or their duly authorized representative upon the complaint of any person or whenever they shall deem it necessary, shall inspect any buildings and premises within their jurisdiction.

**F-103.2.8** Approval of the Fire Service Provider/Fire Department accessibility and all tests of fire alarm detection and suppression systems, smoke evacuation systems and life safety systems shall be conducted prior to final structural inspection and issuance of Certificate of Occupancy.

**F-103.2.9 Orders To Eliminate Dangerous Or Hazardous Conditions:** Whenever the Fire Chief or their duly authorized representative shall find in any building or upon any premises, dangerous or hazardous conditions or materials, including, but not limited to violations of the requirements encompassed in Chapter 633, Florida Statutes, or the following Paragraphs they shall order such violations and dangerous conditions or materials removed or remedied.

**F-103.2.9.1** Dangerous or unlawful amounts of combustible or explosive or otherwise hazardous materials.

**F-103.2.9.2** Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive or otherwise hazardous materials.

**F-103.2.9.3** Dangerous accumulation of rubbish, wastepaper, boxes, shavings, or other flammable materials.

**F-103.2.9.4** Accumulations of dust or waste material in air conditioning or ventilation systems or of grease in kitchen or other exhaust ducts.

#### **F-103.2.9.5 Hurricane Protection Devices**

After the termination of such periods of time that had been designated by the National Weather Service as being a hurricane watch or warning, hurricane protective devices installed on occupied buildings which impede required egress or required light and ventilation shall be removed within 15 days.

**F-103.2.9.6** Obstructions to, on, or under fire escapes, stairs, passageways, or doors, liable to interfere with the operations of the Fire Service Provider/Fire Department or egress of occupants; locked exits shall constitute an unsafe condition.

*Exception: unless permitted by the Fire Protection Provisions of this Code and the FFPC.*

**F-103.2.9.7** Obstruction to windows. Where windows are required to provide the second means of escape from a room or area, the following are prohibited.

**F-103.2.9.7.1** Bars that cannot be opened from the inside.

**F-103.2.9.7.2** Other obstructions such as security grill.

*Exception: Only one (1) window is required to meet the above where two (2) windows are in the same room or area.*

**F-103.2.9.8 Reserved**

**F-103.2.9.9 Reserved**

**F-103.2.9.10** Any building or other structure which, for want of repairs, lack of adequate exit facilities, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, create a hazardous condition.

**F-103.2.9.11 Reserved**

**F-103.2.9.12** The improper storage, transporting or handling of all classes of flammable or combustible liquids or otherwise hazardous substances any place within the enforcing jurisdiction.

**F-103.3 Certification of Fire Marshal/Fire Code Official.**

The Fire Marshal/Fire Code Official shall be certified by BORA as a Fire Code Official, be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the “Minimum Standards Course”, be a State certified Fire Inspector, and shall meet one or more of the following qualifications:

**F-103.3.1** An Engineer and/or a Degree in Fire Science and/or a Degree in Fire Prevention and shall have been employed as a County or City Fire Inspector for three (3) years within the State of Florida and shall possess a Broward County Certification.

**F-103.3.2** A County or City Fire Plans Examiner with at least five (5) years of experience within the State of Florida and shall possess a Broward County Certification.

**F-103.3.3** Ten (10) years’ experience as a Fire Inspector, employed in a County or City within the State of Florida with at least five (5) years of experience within the jurisdiction of the FFPC and be a Broward County Certified Fire Inspector.

**F-103.3.4** Have been fulfilling the duties of a Fire Marshal/Fire Code Official with five (5) years continuous service as such within a County or City in the State of Florida and shall possess a Broward County Certification.

**F-103.3.5** Possesses a certification issued by the State Fire Marshal as a Fire Code Manager/Administrator in accordance with NFPA 1037 with a total of six (6) years’ experience with a County or City as a fire plans examiner and inspector in Florida and shall possess a Broward County Certification.

**F-103.3.6** Three (3) years’ experience as a Broward County Certified Plans Examiner and nationally certified as an NFPA Certified Fire Inspector 1 (CFI-1), NFPA Certified Fire Plans Examiner (CFPE) and NFPA Certified Fire Protection Specialist (CFPS).

**F-103.4 Fire Plans Examiner.** As set forth herein:

**F-103.4.1 Appointment of a Fire Plans Examiner.** There shall be appointed by the Fire Chief of each Fire Service Provider/Fire Department certain fire prevention personnel to be qualified as set forth in this Chapter as part of the FFPC to serve as a Fire Plans Examiner. To be eligible for appointment as a Fire Plans Examiner, such person shall be certified by BORA.

**F-103.4.2 Powers and Duties of the Fire Plans Examiner.**

Such employee shall have the duties and powers as delegated by the Fire Chief except that the Fire Chief may not delegate authority to subordinates to interpret provisions of the Fire Protection Provisions of this Code, FFPC, and all Fire Codes which authority is assigned to the Fire Marshal/Fire Code Official. A Fire Plans Examiner, if properly qualified, may be certified and assigned duties in more than one category. Prior to the issuance of any permit for construction, erection, alterations, repair, or demolition, the Fire Plans Examiner shall review all plans and/or specifications in conjunction with the Building Department. One and two family detached residential dwelling units shall not be subject to provisions found in NFPA 101 during plan review by the Fire Plans Examiner as described in this section or inspection by the Fire Plans Examiner as described in F.S. 633. When approvals by other

agencies having authority may logically be required to be affixed to the plans and/or specifications before approval by the Fire Plans Examiner, such approval shall be affixed to the plans and/or specifications before examination by the Fire Plans Examiner. If the application or plans and/or specifications do not conform to the requirements of all pertinent laws or regulations, the Fire Plans Examiner shall reject such application in writing, stating the reasons therefore and citing the relevant code section(s) of the FFPC. Plans and/or specifications that are rejected, as stated herein above, shall be returned for correction. Pen notations on mechanically reproduced plans and/or specifications may be accepted for only minor corrections. If the applications, plans and/or specifications, upon examination, are found to comply with the requirements of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, the plans and/or specifications shall be signed and marked approved. Fire Service Provider/Fire

Department acceptance of fire and life safety features in buildings after performance objectives are met is required, prior to certificate of occupancy being issued.

Nothing in this section shall be construed to provide an exemption from fire plan review for one and two family detached residential dwelling units which undergo a change in use or occupancy classification.

**F-103.4.3 Certification of a Fire Plans Examiner.** The Fire Plans Examiner shall be certified by BORA as a Fire Plans Examiner, shall be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the “Minimum Standards Course”, be a State certified Fire Inspector, and shall meet one or more of the following qualifications:

**F-103.4.3.1** An Engineer and/or a Degree in Fire Science, and/or a Degree in Fire Prevention and having a minimum of three (3) years as a fire plans examiner with a County or City within the state of Florida and shall be Broward County Certified.

**F-103.4.3.2** Five (5) years of experience as a Fire Inspector employed with a County or City in the State of Florida and shall be a Broward County certified.

**F-103.4.3.3** Ten (10) years of experience as a firefighter, four (4) years as a state certified fire inspectors employed with a County or City having fulfilled the duties of a fire inspector and shall be a Broward County certified.

**F-103.4.3.4** Have been fulfilling the duties of a Fire Plans Examiner with five (5) years continuous service within the State of Florida and be Broward County certified.

**F-103.4.3.5** Three (3) years’ experience as a Broward County and State of Florida Certified Fire Inspector and nationally certified as an NFPA Certified Fire Inspector (CFI-1) and NFPA Certified Fire Plans Examiner (CFPE) and be Broward County certified.

**F-103.5 Fire Inspector.** As set forth herein:

**F-103.5.1 Appointment of a Fire Inspector.** There shall be appointed by the Fire Chief of each Fire Service Provider/Fire Department certain fire prevention personnel to be qualified as



set forth in this Chapter as part of the FFPC to serve as a Fire Inspector. To be eligible for appointment as a Fire Inspector, such person shall be certified by BORA.

**F-103.5.2 Powers and Duties of the Fire Inspector.** Such employee shall have the duties and powers as delegated by the Fire Chief except that the Fire Chief may not delegate authority to subordinates to interpret the Fire Protection provisions of this Code, the FFPC, and all Fire Codes which authority is assigned to the Fire Marshal/Fire Code Official. A Fire Inspector, if properly qualified, may be certified and assigned duties in more than one category. Under the Fire Chief's direction, the Fire Inspector shall enforce all local ordinances of the jurisdiction pertinent to the prevention of fires, suppression or extinguishing of fires, storage, use and handling of explosive, flammable, combustible, toxic, corrosive and other hazardous gaseous, solid and liquid materials. The inspection of equipment and maintenance of automatic, manual, other fire alarm systems, fire extinguishing equipment, and the maintenance and regulation of fire escapes. The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction. The means and adequacy of each exit in the event of fire or similar emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters and all other places in which people work, live or congregate from time to time for any purpose. The investigation of the origin, cause, and circumstances of fire(s). If defects, omissions or violations exist on any other part of the system relating to work for which approval is requested, the issuance of the Approval shall be withheld until corrections have been made to the defective portion of the system, and the same are made to comply with this Fire Code. The Fire Inspector shall serve notice to the Fire Contractor/representative or owner/representative in writing, stating the reasons therefore and citing the relevant code section(s).

**F-103.5.3 Certification of a Fire Inspector.** Application for certification shall be on a form containing such pertinent information as is considered relevant to BORA. To be eligible for appointment as Fire Inspector, such person shall be certified by BORA and shall meet the following qualifications:

**F-103.5.3.1** Be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the "Minimum Standards Course" and shall be a state certified Fire Inspector.

**Exception:** At Fire Chief's discretion, a person may be given up to eighteen (18) months to become a Florida Certified Firefighter, from the date of hire.

**F-103.5.3.2** Pass a written competency examination approved by BORA, to be given in May and November (only one (1) required) of each year or the test may be given when requested by at least three (3) applicants.

#### **F-103.5.3.3 Retention;**

Individuals currently certified under this code may, at their separation date from a local fire department as an inspector place their certification in a non-active status for one FFPC

code cycle or a period of four (4) years whichever is longer, by notifying the Board of Rules and Appeals in writing of their selection. During this period the individual shall maintain continuing educational credits in Fire Prevention in the amount of 60 hours as required for renewal. At the conclusion of the code cycle or four (4) year period, as stated above the individual previously holding a certification in a non-active status will become null and void unless the provisions for recertification are met at the conclusion of the code cycle or four (4) year period.

**F-103.6 Certification.** All Fire Service Provider/Fire Department Inspection Personnel shall be certified by BORA.

**F-103.6.1 Certification Fee:** If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to the BORA Fee Schedule for Certification, payable to "Broward County Commissioners."

**F-103.6.2** Broward County Certification is valid for a period of four years and shall expire on the same date as their State of Florida Fire Inspector Certification.

**F-103.6.3** The certification of Fire Service Provider/Fire Department Inspection Personnel may be revoked, for cause, by BORA. BORA may deny, refuse to renew, suspend, or revoke the BORA certificate of a Fire Marshal/Fire Code Official, Fire Plans Examiner, or Fire Inspector if it finds that any of the following grounds exist:

- A)** Any cause for which issuance of a certificate could have been refused had it then existed and been known to BORA.
- B)** Violation of Florida Statutes 633 or any local fire code amendments.
- C)** Falsification of records relating to the certificate.
- D)** Having been found guilty of or having pleaded guilty or nolo contendere to a felony, whether or not a judgment of conviction has been entered.
- E)** Failure to meet any of the renewal requirements.
- F)** Having been convicted of a crime in any jurisdiction which directly relates to the practice of the fire code inspection, plan review, or administration.
- G)** Making or filing a report or record that the certificate holder knows to be false, or knowingly inducing another to file a false report or record, or knowingly failing to file a report or record required by the state or local law, or knowingly impeding or obstructing such filings, or knowingly inducing another person to impede or obstruct such filing.
- H)** Failure to properly enforce applicable fire codes or permit requirements within this state which the certificate holder knows are applicable by committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property.
- I)** Accepting labor, service, or materials at no charge or at a noncompetitive rate from any person who performs work that is under the enforcement authority of the certificate holder and who is not an immediate family member of the certificate

holder. For the purpose of this paragraph, the term "immediate family member" means a spouse, child, parent, sibling, grandparent, aunt, uncle, or first cousin of the person or the person's spouse or any person who resides in the primary residence of the certificate holder. BORA upon verification of the above grounds, shall immediately notify the Fire Marshal, Fire Code Official, Fire Plans Examiner, and/ or Fire Inspector involved, who, upon notification from BORA, shall appear before the Board to explain why ~~his/her~~ their certification should not be revoked.

**F-103.6.4** Personnel assigned to the bureau as Fire Inspectors shall be State of Florida Certified Firefighters (*see 18 month exception*), State of Florida Certified Fire Inspectors. For certification refer to Florida State Statute 633. Individuals being considered for appointment will be required to complete an affidavit of compliance with 71-575 (see Board policy 14-02)

**F-103.7 Recertification.** All Fire Service Provider/Fire Department Inspection Personnel shall be recertified by BORA.

**F-103.7.1** To be recertified all Fire Marshal/Fire Code Officials, Fire Plans Examiners, Fire Inspectors or a combination thereof who are presently certified by BORA, shall meet the following criteria:

**F-103.7.1.1** Be presently employed by a governmental fire entity within Broward County.

**F-103.7.1.2** Recertification shall have the same anniversary date as provided in Florida Statutes, Chapter 633, with the completion of sixty (60) contact hours in continuing education every four (4) consecutive years on Fire Protection and Fire Safety, which are approved by BORA.

**F-103.7.1.3** Personnel assigned to the bureau as Fire Inspectors shall be State of Florida Certified Firefighters, and State of Florida Certified Fire Inspectors. For certification or recertification refer to Florida State Statute 633.

**F-103.7.2** If certification is not renewed and allowed to lapse, application for recertification shall be accompanied with proof that (15) contact hours per year, in the preceding 4 years in continuing education has been met. Attendance at the BORA meetings and/or the BORA committee meetings shall be counted as one (1) hour for a maximum of fifteen (15) county required contact hours within a four (4) year renewal period.

If the certification is not renewed within 8 years, the individual must retake the state fire safety inspectors training and take the local fire exam and shall be on a form containing such pertinent information as is considered relevant to BORA. Individuals being considered for recertification will be required to complete an affidavit of compliance with 71-575 (see Board policy 14-02)

**F-103.7.3 Recertification Fee:** If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to the BORA Fee Schedule for Recertification, payable to "Broward County Commissioners."

## SECTION F-104

### Broward County Board of Rules and Appeals

## F-104 Broward County Board of Rules and Appeals.

**F-104.1** The Broward County Board of Rules and Appeals shall maintain a staff position to coordinate the enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes thereto. This person shall be known as the Chief Fire Prevention Code Compliance Officer and shall be certified as Fire Marshal/Fire Code Official. It is recommended that the individual under consideration for Fire Code Compliance Officer have at a minimum four years documented as a Fire Code Official / Fire Marshal.

**F104.2 The Fire Code Compliance Officer** shall have the authority to make inspections in the discipline and shall be responsible to see that the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes are being uniformly enforced by all AHJs (building and Fire Service Provider/Fire Department in Broward County).

## SECTION F-105

### Broward County Fire Code Committee

## F-105 Broward County Fire Code Committee:

**F-105.1** In order to determine the suitability of alternate materials and type of construction, to provide for reasonable interpretations of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, and to assist in the control of the life/safety in buildings and structures, there is hereby created a Broward County Fire Code Committee, to make recommendations to BORA.

**F-105.2** Membership: The BCFCC shall consist of:

1. One Mechanical Engineer, Florida P.E.
2. One Architect, Florida Registered
3. One Fire Sprinkler Contractor
4. One Representative of Persons with disabilities
5. One Master Electrician
6. Four Fire Service (Florida Certified Fire Inspectors)
7. One Fire Service Member of the Board of Rules and Appeals
8. One Contractor, Certified to Install Fire Alarms
9. One General Contractor
10. One Florida P.E., Electrical Discipline
11. One Mechanical Contractor
12. One Consumer Advocate

13 One Florida P.E., Structural Discipline,

14 One Chief Plumbing Inspector

**F-105.3** Membership, such as membership of the BCFCC, will be for one year (with members being able to succeed themselves through reappointment by BORA Chairperson). The Chairperson of BORA will select all members, including the Chairperson of the BCFCC. The Chairperson of the BCFCC shall be a Fire Service member of BORA.

**F-105.4 Appeals from the Decisions of the Fire Chief and/or Building Official:**

**F-105.4.1** The BCFCC shall review all appeals from the decisions of the Fire Chief and/or Building Official wherein such decision is on matters regulated by the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes. Appeals can be submitted by any person who has reason to believe they have been subjected to unreasonable enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-105.4.2** Procedures for Appeals: The BCFCC shall review the appeal prior to hearing by BORA and shall make recommendations to BORA for resolution of the appeal. BORA shall then hear the appeal and make a final ruling.

**F-105.4.3** Decisions by the BOARD related to an appeal of the FFPC can be challenged by submitting a request for a Declaratory Statement to the State Fire Marshal's Office.

**F-105.5 Procedures in County Court /Code Enforcement Board:**

When charges are filed based upon a violation under this code, such charges, prepared under the direction of the city, state, or county attorney and shall be heard by a county judge or Code Enforcement Board, within the time prescribed under county court procedures or Code Enforcement Board. Such conditions shall constitute an immediate danger to life.

**SECTION F-106**

**Authority Fire Chief, Fire Marshal/Fire Code Official, or his/her duly authorized representative**

**F-106 Authority:**

**F-106.1** The Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall investigate the origin, cause, and circumstances of every fire occurring within their AHJ. Such investigation shall begin immediately upon the occurrence of a fire, and the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall be immediately notified of the facts. The Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall take charge immediately of the physical evidence and shall notify the proper authorities designated by law to pursue the investigation of such matters. The Fire

Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case.

**F-106.2 Notices and Orders.** The Fire Chief, Fire Marshal/Fire Code Official or Fire Code Manager/Administrator, or their duly authorized representative shall issue all necessary notices or orders to ensure compliance with the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.2.1** A building, structure, occupancy, premises, or vehicle shall not be used when in violation of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.2.2** Unlawful Continuance of Fire/Life Safety Hazard: Any person or persons operating or maintaining any occupancy, premises or vehicle subject to this Code who shall permit any fire and/or life safety hazard to exist on premises or property under their control, and who shall fail to take immediate action to abate such hazards, when ordered or notified to do so by the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative, shall be guilty of a second degree misdemeanor. Criminal enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes shall remain with local law enforcement departments and officials charged with enforcement of the criminal laws of the State.

**F-106.2.3 Concealed Work:** The Building Official or his/her duly authorized representative and/or Fire Marshal/Fire Code Official or their duly authorized representative may order portions of the structure frame of a building and/or structure to be exposed for inspection when, in his/her opinion, there is a good reason to believe that a building or portion thereof is in an unsafe or dangerous condition or that there is willful or negligent concealment of a violation of this Code, the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.3 Removal or Destruction of Signs or Tags:**

**F-106.3.1** It shall be unlawful to remove or tamper with any seal, warning tag, or lock placed on an article, appliance, vehicle, meter, tank, or building by the building department or the Fire Service Provider/Fire Department, without first obtaining permission to do so by the AHJ

**F-106.3.2** It shall be unlawful for any person to tamper with or change the position of any utility valve, switch, wiring, piping, meter, or connection, or alter any utility service in any way, unless properly authorized to do so.

**SECTION F-107**

**Standby Fire Watch**

**F-107 Standby Fire Watch:**

**F-107.1** Whenever in the opinion of the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized

representative, when a potentially hazardous condition or a reduction in life safety features, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the Fire Chief or their duly authorized representative may require the owner, agent or lessee to employ one or more certified Fire Inspectors or Firefighters, as required and approved by the Fire Chief, to be on duty at such place. Said Fire Inspectors/Firefighters shall be subject to the Fire Chief's and/or their duly authorized representative orders at all times, when so employed, and remain on duty during the times such places are open to the public, or when such activity is being conducted. The Fire Chief may allow the use of other trained individuals to serve as an alternative to a Fire inspector / Fire Fighters requirement. Before each performance or the start of such activity, said Fire Inspector/Firefighter or others allowed by the Fire Chief shall inspect all required fire/life safety equipment, to insure that such equipment is in proper working order, and shall keep diligent watch for any emergency that should arise. Should any emergency arise, the Fire Inspector/Firefighter or others allowed by the Fire Chief shall take whatever action necessary to protect the occupants and public from injury or any life-threatening condition.

## **SECTION F-108**

### **Tents, Membrane Structures, Temporary Structures and Uses**

#### **F-108 Tents and Membrane Structures**

**F-108.1** For the purpose of this Section, a place of assembly shall include any circus, sideshow, carnival, tent show, theater, skating rink, dance hall or any other exhibition, production, engagement or offering, or other place of assembly in or under which 50 or more persons may gather for any purpose.

**F-108.1.1 General.** The Building Official or Fire Code Official is authorized to issue a permit for the erection of temporary structures such as seats, canopies, tents and fences used in construction work or for temporary purposes such as reviewing stands. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. Such structures shall be completely removed upon the expiration of permit.

- a) Temporary structures, such as tents with sides, exceeding 100 sq./ft., and canopies without sides exceeding 225 sq./ft., containing occupancy or operations that could present a life safety hazard to occupants and/or the general public based on the opinion of the Fire Code Official, shall be required to have a permit issued in conformance with permitting section of Chapter 1 and this code and be in conformance with the Life Safety provisions of this code and the Florida Building Code.

#### **F-108.1.2 Reserved**

#### **F-108.1.3 Conformance.**

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this Code and the FFPC as necessary to ensure public health, safety and general welfare.

**F-108.2 Parking of Vehicles:** Automotive equipment that is not necessary to the operation of the tent show performance shall not be parked within 20 feet of the tent or membrane structure. No other automotive equipment or internal combustion engines shall be located within 50 feet of the tent except upon a public street.

#### **F-108.3 Smoking and Open Flame:**

**F-108.3.2** An approved receptacle for the disposal of lighted smoking materials shall be provided at all entrances to tents and membrane structures.

**F-108.4 Fire Extinguishers and other Fire-Protection Equipment:** Fire extinguishers and other fire protection equipment shall be provided in every tent or membrane structure as follows:

**F-108.4.1** A minimum of one 4A-10B:C type extinguisher shall be provided in every tent or air supported structure having a floor area less than 2,000 square feet and also one in each additional 2,000 square feet or fraction thereof.

**F-108.4.2** At least one 40-B:C type fire extinguisher shall be provided for each power generator or transformer and at locations where flammable or combustible liquids are used, stored or dispensed.

#### **F-108.5 Storage of Flammable or Combustible Liquids:**

Flammable or combustible liquid shall not be stored in a tent or membrane structure nor less than 50 feet from any tent or membrane structure.

**F-108.6 Housekeeping:** Hay, straw, trash and other flammable material shall not be stored less than 35 feet from any tent or membrane structure, except as authorized by the authority having jurisdiction.

#### **F-108.7 Seating Arrangements:**

**F-108.7.1 Bonding of chairs.** All loose seats, folding chairs or similar seating facilities that are not fixed to the floor shall be bonded together in groups of not less than six. Exceptions:

- (1) When not more than 500 such seats, chairs or facilities are provided, bonding thereof may be deleted.

(2) The bonding of chairs shall not be required when tables are provided, as when the occupancy is used for dining or similar purposes.

**F-108.7.2** Securing of chairs, folding and telescoping seat seating, reviewing stands, grandstands, and bleachers shall be in accordance with NFPA 102.

#### **F-108.8 Awnings, Tents and Canopies:**

**F-108.8.1** Awnings, tents, canopies, and similar products whether attached or detached from a building shall have a flame spread rating of 25 or less.

#### **F-108.9 Vehicular Access:**

**F-108.9.1** Fire access roads shall be surfaced with solid pavement, grass turf reinforced by concrete grids, or by similar type surfaces approved by the authority having jurisdiction, designed to accommodate fire apparatus weighing a minimum of 32 tons.

**F-108.9.2** Buildings having ramps and/or elevated roadways shall have posted weight limit signs showing maximum load capacity.

**F-108.9.3** All new and existing automatic entry gates installed in either commercial or multifamily communities shall be provided with a universal access system, approved by the Fire Prevention subcommittee of the Broward County Fire Chief's Association, to allow rapid entry. Existing applications may be provided up to one (1) year to complete as approved by the AHJ.

#### **F-108.10 Vehicles on Display:**

**F-108.10.1** When vehicles are on display ~~or stored~~ inside any occupancy group other than an automobile show room it shall comply with the provisions listed in NFPA 1, 20.1.5.5.4.12

### **SECTION F-109 RESERVED**

#### **SECTION F-110 Reserved**

#### **SECTION F-111**

##### **Test Criteria for Mechanical Smoke Control Systems**

##### **F-111 Initial Acceptance Test Criteria and Periodic Testing of Mechanical Smoke Control Systems:**

Test Criteria for Mechanical Smoke Control Systems shall be stated on the mechanical plans.

**F-111.1** The following shall receive notice from the Mechanical Contractor so that they may witness the system's performance test:

**F-111.1.1** Fire Service AHJ.

**F-111.1.2** Building Department (Mechanical) AHJ. .

**F-111.1.3** Periodic Testing:

All smoke control systems shall be retested as per the provisions found in the FFPC by a firm (test and balance) possessing a certificate of competency as a test and balance contractor for smoke control systems as required in Broward County Ordinances, Chapter 9 and Broward Local Administrative Provisions Chapter 1 of the FBC and shall be approved by the local AHJ. The smoke control system shall be retested without smoke, in both the manual and automatic modes per the sequence of operation. The annual periodic testing and balancing results shall be provided in a certified test and balance report to the Fire Service Provider/Fire Department AHJ, who shall consult with the Chief Mechanical Inspector

At a minimum the annual periodic test report shall contain the following information;

- 1) All smoke control system air movement equipment and if operating as intended.
- 2) Retest voltage.
- 3) Retest amperage.
- 4) Retest RPM if applicable.
- 5) All smoke control system control dampers shall be identified and if operating as intended.
- 6) All smoke zone differential pressures at egress exit doors (egress doors shall have no more than 30 lbf on break and 15 lbf on swing.

### **SECTION F-112**

#### **Automatic Sprinklers Required**

##### **F-112 Automatic Sprinklers Required:**

**F-112.1** Fire flow testing of a water supply for an Automatic Fire Protection Systems (AFPS) and/or Standpipe System using water as an extinguishing agent for new and existing buildings and structures shall be in accordance with NFPA 291, Recommended Practice for Fire Flow Testing and Marking of Hydrants, Florida Administrative Code (FAC) 69A-60.



**F-112.2** The following occupancies shall be protected throughout by an approved automatic sprinkler system installed in accordance with NFPA 13.

**F-112.2.1 Storage.**

In existing storage occupancies (other than parking garages and high-piled combustible storage) used for the storage of combustible goods or merchandise and exceeding 20,000 square feet per floor.

**F-112.2.4 Industrial Occupancies:**

All existing industrial occupancies exceeding 15,000 square feet per floor.

**F-112.3 Reserved**

**F-112.4** Where automatic fire sprinkler systems are installed, the location of the Fire Service Provider/Fire Department connection shall be approved by the Fire Service Provider/Fire Department having jurisdiction.

**F-112.5 Limited Access Structures**

**F-112.5.1** Where automatic fire sprinklers are installed in new Mini Storage Buildings, fire department emergency access openings acceptable to the AHJ shall also be provided. The emergency access openings shall not be less than the dimensions referenced in the Life Safety Code for Underground and Limited Access Structures.

**SECTION F-113 Corridors**

**F-113 Corridors.**

Where exterior corridors or exterior balconies serving as a required means of egress are enclosed on both sides and above, and the length of the enclosure along the long axis is twenty-five (25) feet or more, fire-resistivity of walls and the protection of openings therein shall be required as if such corridors or balconies were enclosed interior corridors.

**SECTION F-114 Reserved**

**SECTION F-115 RESERVED**

**SECTION F-116**

**Flammable and Combustible Liquids**

**F-116 Flammable and Combustible Liquids.**

**F-116.1 Underground Storage and Dispensing of Flammable/Combustible Liquids:**

Underground tanks used to store flammable liquids shall bear an Underwriters' label or equivalent testing agency. Tank capacity for underground installations shall be limited to thirty thousand (30,000) gallons or less. Any tank to be installed

shall be jointly approved in writing by the Fire Chief, Building Official, the director of zoning, and/or their duly authorized representative, after an appropriate review has been conducted. Such review includes, but is not limited to, an analysis of the proposed installation, location, distance separations, types of occupancies in the vicinity, tank corrosion protection and construction, and applicable zoning restrictions. The maximum storage capacity in any one location shall not exceed an aggregate total of one hundred thousand (100,000) gallons unless approved by the local Fire Code Official. Any property or facility requesting installation of tanks exceeding an aggregate capacity of sixty thousand (60,000) gallons of flammable liquids shall comply with the following additional requirements:

- 1) The property must be of suitable size, shape and topography to allow for the safe installation of the proposed tanks and be in compliance with location requirements identified in other sections of the NFPA, state and local fire codes; and
- 2) The facility must have an attendant on site during hours of operation; and
- 3) The facility must be continuously monitored, either by an on-site attendant or a third party when the facility is not in operation; and
- 4) The operator must provide evidence of an employee training program for on-site attendants that educates concerning all on-site equipment, including life safety equipment and emergency response procedures; and
- 5) The facility must provide additional emergency shut-off stations for ready accessibility by on-site attendants and the public; and
- 6) Station operator shall submit an emergency response plan for review and approval prior to issuance of permits for operations of the facility. The emergency response plan shall, at a minimum, provide emergency contact information and notification requirements, fire prevention and control equipment employed at the site, monitoring requirements and plans and procedures for mitigating release of hazardous materials, as well as all other information required by applicable governing and permitting agencies.

When flammable liquids are stored in more than one location, tanks shall not be interconnected between locations.

**Exception:** Broward County Office of Transportation's Transit Operations and municipal, county and special districts having underground bulk fuel storage facilities shall comply with the provisions of NFPA 30. Aggregate Limitations of Flammable and Combustible Liquids as per the F- 116.1 shall not apply. Permit shall be reviewed for compliance by the

local Fire Service Provider/Fire Department having Jurisdiction.

**F-116.1.1** Underground tanks out of service for a period of one year shall be removed. Underground tanks may be abandoned in place only if approved by the Fire Service Provider/Fire Department having jurisdiction.

**F-116.2 Storage and Use on Site of Combustible Liquids Used for Fixed Equipment Shall Be Under the Following Requirements:**

**F-116.2.1** Aboveground installation of single-wall tanks shall comply with NFPA 30 and the following additional requirements:

**F-116.2.1.1** Above ground tanks having a capacity in gallons greater than 10,000 shall be approved by zoning and local AHJ.

**Exception:** Municipal, County and Special Districts installing aboveground fuel storage tanks for fixed equipment for providing governmental services. Permit shall be reviewed for compliance by the local Fire Service Provider/Fire Department AHJ .

**F-116.2.1.2** Tanks shall be surrounded with an embankment or impervious dike not less than four feet high and capable of holding not less than one- and one-half times the capacity of the tank surrounded. Embankments or dikes shall be continuous, with no opening for piping or roadways.

**F-116.2.2** All aboveground storage tanks shall be identified by a suitable sign which will state type of fuel and capacity of the tank.

**F-116.2.3** Tanks used for stationary combustion engines and gas turbines shall comply with NFPA 37, as adopted in FAC 69A-60, Standard for the

Installation and Use of Stationary Combustion Engines and Gas Turbines.

**F-116.2.4** Distance separation between aboveground storage tanks and property lines and buildings shall be as specified in Table F-116.2.4 below:

**Table F-116.2.4**

Capacity in Gallons	To line of adjoining unprotected building or property which may be built upon	To line of adjoining protected buildings	To line of existing frame buildings
1,000	12 feet	8 feet	20 feet
2,000	20 feet	15 feet	40 feet

3,000	20 feet	15 feet	40 feet
10,000	30 feet	20 feet	50 feet

**F-116.3 Aboveground Storage for Dispensing of Flammable and Combustible Liquids from UL listed 142 (double wall), 2085 or Equivalent Tanks:**

**F-116.3.1** Aboveground storage of flammable and combustible liquids shall be approved by the Fire Chief, Building Official, and/or their duly authorized representative after an appropriate review has been conducted. Such review includes, but is not limited to, an analysis of the proposed installation, location, distance separations, types of occupancies in the vicinity, tank corrosion protection and construction, and applicable zoning restrictions. The maximum storage capacity in any one location shall not exceed an aggregate total of 12,000 gallons. Aboveground storage of flammable and combustible liquids shall comply with the following regulations:

**Exception:** Municipal, county and special districts having aboveground fuel storage facilities shall comply with the provisions of NFPA 30. Aggregate Limitations of Flammable and Combustible Liquids as per F116.3.1 shall not apply. Permit shall be reviewed for compliance by the local Fire Service Provider/Fire Department AHJ .

**F-116.3.1.1** The provisions in this Section shall not supersede any zoning standard that might regulate or eliminate the use of aboveground storage tanks.

**F-116.3.1.2** Aboveground Tanks containing flammable and combustible liquids shall be in approved fire resistive tank enclosure assemblies.

**F-116.3.1.2.1** A fire resistive tank enclosure assembly storing flammable liquids shall consist of a tank bearing an Underwriters' label 142, 2085 or an equivalent testing criterion by an approved testing agency. A single tank or combination of tanks shall not exceed 12,000 gallons at one site.

**F-116.3.1.3** The tank assembly shall be installed upon a minimum four-inch (4") slab, meeting requirements of the manufacturer's specifications. Each tank assembly shall be anchored to withstand uplifting by flooding or storm surges, including when the tank is empty.

**F-116.3.1.4** Area around tank assembly shall be maintained free of combustible waste, debris and all types of storage. Any tank assembly exposed to vehicular traffic shall have collision barrier posts installed on all corners and sides so exposed and shall not be spaced more than four feet (4') apart, center to center. Fire Marshal/Fire Code Official, or their duly authorized representative, may require the installation of collision barrier posts, even if the clearance guidelines can be achieved.

**F-116.3.1.5** Dispensing devices are allowed to be installed on top of the tank enclosure assembly. Any such device dispensing Class 1 liquids shall have installed on the fill hose, a UL listed emergency breakaway device designed not to lose liquid from either side of the breakaway point. All product piping attached to the tank enclosure assembly shall be double walled, contain a shear valve or equivalent, and shall be installed by an authorized pollutant storage system specialty contractor. External piping leading away from the tank shall have a valve located within six inches (6") to the shell of the tank. Approved antisiphon devices shall be installed at each connection of piping to a tank when such piping extends below the level of the top of such tanks both internally and externally. All underground pipe work shall be uncovered until inspected by building and Fire Service Provider/Fire Departments, and other regulatory agencies.

**Exception:** Factory installed piping does not have to be installed by an authorized pollutant storage system specialty contractor.

**F-116.3.1.6** Aboveground tank assemblies temporarily out-of-service for a period not exceeding ninety (90) days shall immediately have the fill, gauge openings and pump suction capped and secured against tampering. The vent lines shall be left open. Aboveground tank assemblies out-of-service for a period exceeding ninety (90) days, shall be removed. The property owner or agent shall notify the Fire Service Provider/Fire Department of any tanks out-of-service greater than 90 days.

**F-116.4** Only Labeled and Listed Pumps Shall Be Used; Gravity Flow Pumps Are Prohibited. Fuel shall be drawn from aboveground storage tanks by pumps bearing the label of an Approved Testing Laboratory, such as Underwriters Laboratories, Inc. The use of pressure systems or gravity flow type pump systems is prohibited.

## **SECTION F-117**

### **Dispensing Areas**

**F-117.1** Dispensing areas shall be provided with a vehicular driveway constructed of reinforced concrete. It shall be sloped to allow any accidental discharge from the dispensing of fluid to flow away from the dispenser or any building and shall be subject to the approval of the Fire Marshal/Fire Code Official, or their duly authorized representative. This driveway shall be a minimum of twelve feet (12') wide and twenty feet (20') long, minimum. In every case, this driveway shall be large enough that the fuel hose, when fully extended, does not reach the far edge of the driveway.

**F-117.2** A fire extinguisher with a minimum classification 4A-60BC shall be provided and so located that it will be not more

than one hundred feet (100') from any pump, dispenser, or fill-pipe opening.

## **SECTION F-118**

### **Flammable Liquid Storage at Port Everglades and the Fort Lauderdale-Hollywood International Airport**

**F-118.1** Aboveground storage of flammable liquids shall be permitted at Port Everglades and the Fort Lauderdale-Hollywood International Airport ("Airport"). All tank locations at the Airport shall be approved by the Broward County Fire Marshal/Fire Code Official, or their duly authorized representative, prior to the issuance of a permit to erect or install a tank.

**F-118.2** All flammable liquid storage tanks at Port Everglades shall be constructed, installed and maintained in accordance with the Port Everglades Tariff Number 12 amendments thereto and reissues thereof.

## **SECTION F-119**

### **Liquefied Petroleum Gases**

**F-119.1 Scope.** This Section shall apply to the storage, handling and transportation of liquefied petroleum gas and the installation of all equipment pertinent to systems for such uses in addition to the requirements stated in NFPA-58, Storage and Handling of Liquefied Petroleum Gases.

**F-119.2 Definition.** Distributing Plant: A facility, the primary purpose of which is the distribution of gas, and which receives LP-Gas in tank car, truck transport or truck lots, distributing this gas to the end ~~use~~ user by portable container (packaged) delivery, by tank truck or through gas piping. Such plants have bulk storage (2,000 gallons water capacity or more) and usually have container filing and truck loading facilities on the premises. Bulk plants are considered as being in this category. Normally no person other than plant management or plant employees shall have access to these facilities. Additionally, definitions contained in NFPA 58 shall apply.

### **F-119.4 Location of Containers and Limits:**

**F-119.4.1** All new liquefied petroleum gas storage installation and handling shall be in accordance with NFPA-58, the laws of the State of Florida, and all applicable rules, regulations, and ordinances of the AHJs.

**F-119.4.2** Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested commercial areas, the aggregate capacity of any one installation shall not exceed 2,000 gallons water capacity, except that in particular installations this capacity limit may be altered by the approval of the Fire AHJ after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings,

capacity of proposed tanks, degree of private fire protection to be provided and facilities of the local Fire Department. The storage of liquefied petroleum gas shall conform to the provisions of the local zoning ordinance.

**F-119.4.3** Where a distributing point is allowed, there shall be in attendance a qualified person to make the transfer of liquefied petroleum gas. This person shall have been trained by a licensed gas company and be in possession of documents certifying such training. The owner of the distributing point shall be licensed by Florida Department of Agriculture and Consumer Services – Visions of Consumer Services.

**F-119.4.4** All plans for installations at distributing points shall be submitted to the AHJs for permits and approval. In addition, plans for locations at distributing points for fixed (stationary) installations of

- 1) 2,000 gallons individual water capacity, or
- 2) with the aggregate water capacity exceeding 4,000 gallons, or
- 3) Any installation, regardless of size, which will be used for resale to the public, shall be submitted to the Florida Department of Agriculture and Consumer Services – Visions of Consumer Services for approval and proper licensing, and be approved before the installation is started. Other safety precautions shall be adhered to as designated by the Fire Code Official/Fire Marshal, or their duly authorized representative.

**F-119.4.5** An LP Gas storage tank shall not be installed on the same island used for gasoline or diesel fuel dispensing. A minimum distance of 25 feet shall be maintained between the LP gas storage tank and the flammable liquid dispensing devices.

**F-119.4.6** A distributing plant, as defined in F-119.2, shall be prohibited unless approved by the Fire Code Official/Fire Marshal or their duly authorized representative, of the jurisdiction.

**F-119.4.7** Multiple container installations with a total storage water capacity of more than 180,000 gallons (150,000 gallons LP-gas capacity) shall be subdivided into groups containing not more than 180,000 gallons in each group. Such groups shall be separated by a distance of not less than 50 feet, unless the tanks are:

- 1) buried or mounted in an approved manner, or
- 2) protected with approved insulation on such areas that may be subject to impingement of ignited gas from pipelines or other leakage, or
- 3) protected by firewalls of approved construction, or

4) protected by an approved system for application of water, or

5) protected by other approved means, where one of these forms of protection is provided, the separation shall not be less than 25 feet between such container groups.

**F-119.4.8** The storage and transportation of liquefied petroleum gas and the installation of all pertinent equipment shall be installed and maintained in accordance with NFPA-58, and subject to the approval of the Fire Chief, or their duly authorized representative; These orders shall apply to all persons and places within the jurisdiction except as herein provided.

**F-119.5 Parking and Garaging:** Vehicles containing cylinders of liquefied petroleum gases 20 lbs or greater in size are prohibited in public parking garages, this includes LP gas delivery vehicles. Vehicles that are powered by LP gas and meet NFPA 54 for fuel systems are permitted.

#### **F-119.6 Prohibited Use of Liquefied Petroleum Gas:**

**F-119.6.1** Liquefied petroleum gas shall not be used for the purpose of operating any device or equipment unless such equipment or device is approved for use with a liquefied petroleum gas.

**F-119.6.2** Liquefied petroleum gas shall not be released to the atmosphere except through an approved liquid level gauge or other approved device.

#### **F-119.7 Dispensing and Overfilling.**

**F-119.7.1** The dispensing of liquefied petroleum gases shall be performed by a qualified attendant.

(a) It shall be illegal for any person, firm, corporation, association, club or organization to operate a self-service liquefied petroleum gas dispensing operation which is open to the public.

**F-119.7.2** A person shall not fill or maintain a liquefied petroleum gas container with liquefied petroleum gas in excess of the fixed outage gauge installed by the manufacturer or the weight stamped on the tank.

#### **F-119.8 Safety Devices.**

**F-119.8.1** A person shall not tamper with or make ineffective the safety devices of any liquefied petroleum gas container.

**F-119.9** Abandonment of Liquefied Petroleum Gas Equipment:

**F-119.9.1** At the discretion of the Authority Having Jurisdiction, whenever the use of liquefied petroleum gas equipment has been discontinued, it may be abandoned in an approved manner within a period of 30 days. However, after 90 days, F-119.9.4 applies.

**F-119.9.2** The following procedures may be used when approved by the Fire Chief or their duly authorized representative.

**F-119.9.2.1** Removal of all liquefied petroleum equipment.

**F-119.9.2.2** Burn-off content of container.

**F-119.9.3** All service openings shall be capped or plugged after contents have been removed from container.

**F-119.9.4** All LP tanks, abandoned or out of service in excess of ninety (90) days, shall be removed and properly disposed of.

**F-119.9.5** Combustible Gas Detection; In all facilities where combustible gases are piped to an appliance, a combustible gas detection system with an external notification device shall be installed in accordance with NFPA 72. The external notification device shall provide audio and visual notification and have a sign not less than 14" x 14" stating "combustible gas detected, call 911".

#### **F-119.10 Hydrogen Fuel for Emergency Power Systems.**

Hydrogen stationary fuel cell power systems shall be installed in accordance with NFPA 853 of the current edition. Storage shall be in compliance with NFPA 55 (Storage, Use and Handling of Compressed Gases Cryogenic Fluids in Portable or Stationary Containers, Cylinders and Tanks) for installation.

### **SECTION F-120**

#### **Fireworks and Sparkler/Novelty Items**

##### **F-120.1 General Requirements.**

**F-120.1.1** The manufacturing of fireworks, sparklers and pyrotechnic materials is prohibited.

**F-120.1.2** The storage of fireworks and pyrotechnic materials is prohibited except as permitted in NFPA 1, Section 65.

**F-120.1.3** Except as hereafter provided, it shall be unlawful for any person, firm, co-partnership or corporation to store, to offer for sale, expose to store, expose for sale, sell at retail, or use or explode any fireworks and/or pyrotechnic materials.

**F-120.1.3.1** Consumer fireworks can be utilized as per FS 791 on specified holidays.

**F-120.1.4** Approved sparklers per F. S. 791.013 and any wholesaler registered in accordance with Florida Statute 791.015 as of July 1, 1996, who has obtained all applicable governmental licenses and permits to operate from a permanent structure within Broward County as of July 1, 1996, are exempt from this subsection.

**F-120.1.5** Wholesale exemption sales of fireworks pursuant to F.S.791.04 shall be prohibited at temporary or seasonal sales sites, and sales sites located in tents, canopies and stands.

##### **F-120.1.6 Permit Requirements and Operator Qualifications.**

**F-120.1.6.1.** Application for permit to operate a display of fireworks or use of pyrotechnics before a proximate audience shall be made in writing on forms provided by the Authority Having Jurisdiction to the Fire Chief, or their duly authorized representative, at least 15 days in advance of the date of the display. Except as specifically modified within this Code, outdoor display of fireworks shall be as specified in NFPA 1123. See Section F 120.2 for additional requirements for Outdoor Display of Fireworks on Private Residential Property. See Section F- 120.3 for additional requirements for Offshore and Barge Fireworks Displays. Except as specifically modified within provisions of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, use of pyrotechnics before a proximate audience shall be as specified in NFPA 1126.

**F-120.1.6.1.1** Before any permit for a pyrotechnic display shall be issued, the person or organization making application shall furnish proof of financial responsibility to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of such person or any agent or employee thereof, in such amount, character, and form as the Fire Chief, or his/her duly authorized representative, determines to be necessary for the protection of the public.

**F-120.1.6.1.1.1** A copy of the certificate of insurance naming the permitting agency as additional insured is required.

**F-120.1.6.1.1.2** Minimum required amount of certificates of insurance for permit issuance is as follows: \$1,000,000 for bodily injury, and \$50,000 for property damage, per occurrence.

**F-120.1.6.2** Permit application shall be set forth and contain the following:

**F-120.1.6.2.1** The name, address and telephone number of the organization sponsoring the display, the supplier of the fireworks, the operator (pyrotechnician) and all assistants.



**F-120.1.6.2.2** Application shall be signed by the sponsoring organization representative, and the operator (pyrotechnician) and approved by Fire Chief or his/her designee.

**F-120.1.6.2.3** References for the most recent three firework displays supervised and discharged by the designated operator shall be required for review by the AHJ. Said referenced displays shall be similar in size and complexity and will provide contact persons and telephone numbers.

**F-120.1.6.2.4** The date and time of day at which the display is to be held and the duration time for said display. Permits shall not be issued for displays between the hours of 11:00 pm and 7:30 am.

**F-120.1.6.2.4.1** Time restrictions stated above may not be applicable on January 1, July 4, and December 31, or any other date where specific permission to operate a display of fireworks is granted by the AHJ.

**F-120.1.6.2.5** The exact location address for the display, event or production.

**F-120.1.6.2.6** A copy of a location site plan with dimensions indicating the exact location planned for the display site and all grounds and facilities at which the event will be held. This plan shall include the location of all structures, audience viewing areas, roads, trees and utilities.

**F-120.1.6.2.7** Operator and assistant qualifications shall comply with the provisions of NFPA 1123 and NFPA 1126.

**F-120.1.6.2.7.1** The operator shall be responsible for ensuring that a sufficient number of assistants are available on site for the safe storage and conduct of the fireworks display.

**F-120.1.6.2.7.2** Operators shall be at least 21 years of age and all assistants shall be at least 18 years of age. A copy of a valid driver's license or other valid picture I.D. acceptable to the AHJ shall be provided for all operators and assistants.

**F-120.1.6.2.8** The type and number of fireworks to be discharged.

**F-120.1.6.2.8.1** Aerial displays: Size and number of each type of burst (single, multiple, etc.)

**F-120.1.6.2.8.1.1** All aerial shells, regardless of size, shall be fired using approved electrical ignition unless alternate method of ignition is approval by the AHJ.

**F-120.1.6.2.8.1.2** All electrically fired displays shall provide a solid barrier located at least 100 feet from the mortar location from which all operators (pyrotechnicians) shall control the display with the exception of displays on barges.

**F-120.1.6.2.8.2 Fixed displays. Size, type and description of displays.**

**F-120.1.6.2.8.3** The manner and place of storage of fireworks prior to display. The date, time and travel route from the point the fireworks enter Broward County.

**F-120.1.6.2.9 Standby Firewatch Requirements.**

**F-120.1.6.2.9.1** The Fire Chief, or his/her duly authorized representative, shall require one or more standby firewatch personnel employed by the Fire Service Provider/Fire Department, to be on-duty for each display or performance. When deemed necessary the Fire Chief, or their duly authorized representative, additional fire rescue apparatus may be required for the display or performance. The expense of such personnel services and apparatus shall be borne by the permit holder and shall be paid prior to issuance of the permit.

**F-120.1.6.2.9.2** The standby firewatch personnel shall be on duty from the time of display set up, during the display, and until termination of the display and removal of all fireworks, debris, pyrotechnical materials and devices from the site.

**F-120.1.6.2.9.3** In the case of indoor displays or performances, standby firewatch personnel shall be maintained until total restoration of normal function of the fire safety systems has been verified.

**F-120.1.6.2.9.4** At a minimum, at least one of the assigned standby firewatch personnel shall be a BORA Certified Fire Inspector.

**F-120.2** Additional Requirements for Outdoor Display of Fireworks on Private Residential Property:

**F-120.2.1** Written approval from the property owners located adjacent the proposed display site property is required prior to approval of a permit for outdoor fireworks display.

**F-120.2.2** The display site shall have at least a 100 foot per inch radius of internal mortar diameter of the largest shell to be fired.

**F-120.2.3** Minimum distance separation shall be no less than 300 feet from the nearest dwelling, building, or structure. This includes canopies, chickee huts, or similar structures, bulk storage areas, public highways, railroads or other means of travel.

**F-120.2.4** Not within 1,000 feet of a school, theater, church, hospital, nursing home, assisted living facility, livestock/animal storage site, or similar structures or institutions.

**F-120.2.5** No less than 50-foot radius from the nearest aboveground utility, telephone or telegraph line, tree, or other overhead obstruction.

**F-120.2.6** The audience shall be restricted behind an approved barrier, location no less than 200 feet from the outside of the required display site distance separations.

**F-120.2.7 Reserved**

**F-120.3 Offshore and Barge Fireworks Displays.**

**F-120.3.1** Firework displays shall only be permitted on approved barges. Barge means a non-self-propelled vessel and shall meet the requirements of NFPA 1123 for construction and sizing requirements of the discharge site.

**F-120.3.2** A valid copy of a current U.S. Coast Guard permit of operation shall be provided for each barge display, if required by the U.S. Coast Guard.

**F-120.3.3** At least two chase boats shall be provided to maintain a clear separation distance of at least 1,000 feet radius around the barge from other vessels, structures and the beach. Chase boats shall also provide transportation of fire rescue personnel when required.

**F-120.3.4** Two-way compatible communication shall be provided for use by fire rescue and law enforcement personnel, chase boats and barge crew.

**F-120.3.5** Ladder access shall be provided to allow immediate access for inspection and emergency response.

**F-120.3.5.1** Stabilization shall be provided to secure the barge and prevent rotation from wind, water current and firing angle.

**F-120.3.5.2** Inspection of the barge by the Fire Service Provider/Fire Department shall occur at least one to two hours prior to the scheduled departure for sea.

**F-120.4 Safety Precautions for Outdoor fireworks.**

**F-120.4.1** If in the opinion of the Fire Chief, or his/her duly authorized representative, any unsafe or hazardous condition exists, the fireworks display shall be postponed until such time as said conditions are corrected.

**F-120.4.2** If high winds, precipitation or other adverse weather conditions prevail, such that in the opinion of the Fire Chief, or his/her duly authorized representative, a significant hazard exists, the fireworks display shall be postponed until weather conditions improve to an acceptable level to allow discharge.

**F-120.4.2.1** No discharge of a fireworks display shall be permitted to take place when the wind velocity is 17 knots (20 mph) or greater.

**F-120.4.3** Immediately upon delivery to the display site, all fireworks shall be properly secured and shall not be left unattended at any time. When deemed necessary, the Fire Chief, or their duly authorized representative, may require the operator or employ special security measures to ensure the proper security of the stored fireworks.

**F-120.4.4** A minimum of two, two and one-half gallon pressurized water fire extinguishers shall be available in the discharge area. Additional extinguishers or equipment may be required if conditions warrant. In addition, adequate water supply for fire protection shall be available at the discharge site.

**F-120.5** Requirements for the Sale, Display, Merchandising, Storage and Handling of Approved Sparklers and Novelty Items within buildings, Structures, Canopies and Outdoor Sites.

**F-120.5.1** No person shall be in possession of a lighted cigarette, cigar, or pipe, or any open flame, within 50 feet of any sales, display, merchandising, storage, or handling area. Proper receptacles for disposal of smoking materials shall be provided at all entrances to such areas (i.e. water filled or sand filled buckets).

**F-120.5.2** A minimum of two approved two and one-half gallon pressurized water fire extinguishers shall be available within the sales, display, and handling areas; additional fire extinguishers or fire protection equipment may be required by the authority having jurisdiction.

**F-120.5.3** Precautions shall be taken to protect against fire or spread of fire in all sites located within fields or lots with ground cover such as brush, grass or other overgrowth of vegetation.

**F-120.5.4** Durable and readily visible signs to read "Caution Sparklers—No Smoking" shall be posted on the exterior of each entrance way into and throughout all sparkler sales, storage, and handling areas within the interior of any building, structure, canopy, or outdoor site. These signs shall be readily visible in all directions.

**F-120.5.5** The use, ignition or discharge of any approved sparklers or novelty items is prohibited within buildings or structures where sparklers or novelty items are offered for sale, displayed, or stored, and within 100 feet of any outdoor sales storage or handling sites.

**F-120.5.6** Buildings or structures used in whole or in part for sales (retail or wholesale), display, merchandising, handling, or storage of sparklers and/or novelty items shall be fully protected throughout with an automatic sprinklers system in

accordance with NFPA 13, the edition in 69A-60, Florida Administrative Code.

**F-120.5.7** No storage of sparklers or novelty items shall be permitted in vehicles.

**Exception:** Transportation purposes only, to and from the site or at a permitted site, if approved by the authority having jurisdiction.

**F-120.5.8** Sales, display and merchandising shall be conducted in an approved and safe manner in order to control handling by the general public.

**F-120.5.9** Amounts of sparklers and related novelty items displayed within the sales area shall not exceed those amounts approved by the Fire Chief, or their duly authorized representative. Note: Where the primary business of the occupancy is not sale of sparklers, the sale areas of sparklers or novelty items shall not exceed two percent of the net floor space of the building or structure.

**F-120.5.10** Storage of approved sparklers and novelty items shall comply with the following.

**F-120.5.10.1** Sparklers shall not be stored or kept in any area

**F-120.5.10.1.1** In which paints, oils, or varnishes are manufactured or kept for use or sale, unless the paints, oils or varnishes are in unbroken (sealed) containers.

**F-120.5.10.1.2** In which resin, turpentine gasoline or flammable substances which may generate vapors are used, stored, or offered for sale unless the resin, turpentine, gasoline, or substance is in unbroken (sealed) containers.

**F-120.5.10.1.3** In which there is not at least one 2A10BC fire extinguisher available in the area used for storage.

**F-120.5.10.2** Storage of sparklers shall be in an approved manner, remote from the public, and separated from all other merchandise by at least one hour fire protection and an approved automatic sprinkler system.

**Exception:** Canopies and approved steel storage vaults or containers when used outdoors.

**F-120.5.10.3** Approved storage facilities shall be labeled with an approved Explosion placard complying with the Department of Transportation (DOT) Standard.

**F-120.5.11** Outdoor sites for sale, storage, and/or handling of approved sparklers shall comply with the following distance requirements: The minimum distance between a storage site and any building or structure shall be 50 feet.

## **F-120.6 Separation.**

**F-120.6.1** The minimum distance required between a site and any fuel storage/dispensing area or device shall be 50 feet.

**F-120.6.2** Storage areas shall be separated from sales and handling areas by a minimum of 25 feet.

**F-120.6.3** Any building or structure used as storage facilities for sparklers and novelty items in conjunction with outdoor sites shall comply with the one-hour protection separation and automatic sprinkler system requirements as required for storage areas within building and structures.

**Exception:** Canopies and approved steel storage vaults or containers.

**F-120.6.4** When a canopy can be used in conjunction with an outdoor site operation, the following shall apply:

**F-120.6.4.1** No sides of any kind are permitted on the canopy at any time. Provide copy of Building Permit for canopy.

**F-120.6.4.2** The canopy shall comply with the flame-retardant requirement. Proper flame retardant certificate required.

**F-120.6.4.3** Proper exit and exit access shall be maintained at all times within the interior of the canopy. No obstruction to egress from any portion of the canopy is permitted.

**F-120.6.4.4** Provide and maintain a minimum of one 2A40BC dry chemical fire extinguisher, with properly updated service tag for each 2,500 sq. ft. of canopy area. Not less than one fire extinguisher for each canopy.

**F-120.6.5** If the site is to operate after daylight hours, the site shall be properly illuminated. If electricity powered and/or electrical equipment is used, the following shall apply:

**F-120.6.5.1** All electrical equipment and associated wiring shall comply with NFPA 70, the National Electrical Code, edition as adopted in 69A-60, Florida Administrative Code. Provide copy of permit for electrical service and equipment.

**F-120.6.5.2 If fuel powered generator is to be used to supply power for the site, the following shall apply.**

**F-120.6.5.2.1** Generator shall be kept a minimum distance of twenty feet (20') from sales, storage, or handling area.

**F-120.6.5.2.2** Precautions against fire or fire spread shall be taken when generator sites are located within fields or grassed lots.

**F-120.6.5.2.3** Only an approved metal five-gallon safety container shall be used to store fuel for the generator. Fuel containers shall be properly stored with a maximum of ten gallons per site.

**F-120.6.5.2.4** Approved fuel containers shall not be stored in sales, storage, handling areas or vehicles.

**F-120.6.5.3** Durable sign to read “NO SMOKING” shall be posted at the generator site.

#### **F-120.7 Pyrotechnics Before Proximate Audience**

**F-120.7** The requirements for the use of pyrotechnics before a proximate audience shall be in accordance with the standards as set forth in the FFPC. In addition, the following local amendments shall apply:

**F-120.7.1** Application for permit to operate a display of pyrotechnics before a proximate audience shall be made in writing on forms provided by the Authority Having Jurisdiction to the Fire Chief, or their duly authorized representative, at least 15 days in advance of the date of the display.

**F-120.7.2** The local Fire Marshal/Fire Code Official, or their duly authorized representative at their discretion, shall require standby fire watch personnel employed by the AHJ of the Fire Service Provider/Fire Department, to be on duty for each display or performance. When deemed necessary by the local Fire Marshal/Fire Code Official, or his/her duly authorized representative, additional fire and rescue apparatus may be required for the display or performance. Any and all expense(s) of standby personnel services and apparatus shall be borne by the permit holder.

**F-120.7.2.1** Standby fire watch personnel shall be on duty from the time of display setup, during the display, and until termination of the display and removal of all pyrotechnic materials, debris, and devices from the site.

**F-120.7.2.2** In the case of indoor displays or performances, standby fire watch personnel shall be maintained until total restoration of normal functioning of the fire safety systems has been verified.

**F-120.7.2.3** At a minimum, at least one of the assigned standby fire watch personnel shall be a BORA Certified Fire Inspector.

**F-120.7.3** Any indoor use of pyrotechnics shall not be permitted in buildings or any portion thereof unless protected by an approved automatic sprinkler system.

**F-120.7.3.1** Indoor use of pyrotechnics shall be prohibited in temporary structures such as tents, canopies,

**F-120.8 Rooftop Pyrotechnics:** In addition to the aforementioned code requirements, the following shall apply to rooftop pyrotechnic displays:

**F-120.8.1** Only NFPA 1126 approved pyrotechnics shall be permitted for all rooftop displays.

**F-120.8.1.1** If a rooftop display is being proposed, the pyrotechnician shall identify a debris fallout area on the submitted plan.

**F-120.8.1.2** The pyrotechnician shall provide the local Fire Marshal/Fire Code Official, or their duly authorized representative with an approved, written notice from the FAA acknowledging receipt of the time frame of the display, the pyrotechnic material used, and approval from the FAA representative to proceed with the event.

**F-120.8.1.3** Such an approved written notice shall be a part of the permit application submitted at least 15 working days prior to the event.

**F-120.8.1.4** Failure to provide approved, written notice from the FAA to the local Fire Marshal/Fire Code Official, or their duly authorized representative, shall be cause for denial to display rooftop pyrotechnics.

**F-120.8.1.5** At the discretion of the local Fire Marshal/Fire Code Official, or their duly authorized representative, the pyrotechnician may be required to post all, or part of the following:

**F-120.8.1.5.1** Additional insurance policy in the amount of one million dollars indemnifying the local AHJ.

**F-120.8.1.5.2** Post a refundable clean-up bond with the local AHJ holding the pyrotechnician responsible for post-event clean up from pyrotechnic debris fallout.

**F-120.8.1.5.3** If the pyrotechnician is not directly responsible for post event cleanup of debris, the pyrotechnician shall furnish written proof from the party responsible for post event cleanup of pyrotechnic debris.

**F-120.8.1.6** The pyrotechnician shall be held responsible for the cleanup of any NFPA 1126 pyrotechnic material fallout on any structure, vehicles, and/or part thereof in the fallout area unless otherwise advised in writing, to the fire code official, as to the contracted party responsible for such cleanup.

#### **F-121 Automatic External Defibrillator (AED) and Stop the Bleed Kit (SBK)**

**F-121.1.1** All new and existing buildings needing to comply with the following sections, shall be provided a maximum of eighteen (18) months from the date approved by the Broward County Board of Rules and Appeals to comply.

**F-121.2** AED(S) and SBK(S) shall be installed in the following occupancies as defined in NFPA 101, Life Safety Code.

F-121.2.1 *Assembly occupancy:*

a. Fitness centers, gymnasiums, and indoor recreational centers in excess of one thousand five hundred (1,500) square feet.

b. Theaters, restaurants, drinking establishments, with a capacity of one hundred (100) or greater.

c. Places of worship with a capacity of one hundred (100) or greater.

F-121.2.2 *Business occupancy:*

a. Office buildings/business occupancies with a square footage greater than twenty thousand (20,000) square feet.

b. All Dental offices in accordance with Florida Administrative Code 64B5-17.015.

F-121.2.3 *Day Care occupancy:*

a. All adult day care facilities

F-121.2.4 *Educational occupancy:*

a. All Charter and Private Schools.

F-121.2.5 *Healthcare occupancy:*

a. Assisted living facilities as defined by section 429.021(5) Florida Statute as amended from time to time.

b. Ambulatory surgical centers as defined by section 395.002 (3) Florida Statute as amended from time to time.

c. Walk in medical care facilities.

d. Hospitals providing emergency services, including freestanding facilities, shall be excluded.

F-121.2.6 *Mercantile occupancy:*

a. Commercial and retail spaces with a square footage greater than thirty-five thousand (35,000) square feet.

F-121.2.7 *Residential occupancy:*

a. All hotels and motels.

b. Multi-story residential/dormitory buildings five (5) floors or more

F-121.2.7.1 Multi story occupancies listed above shall place an AED and SBK on every other floor beginning on the first floor. The AED and SBK shall be placed near the elevator(s) beginning in the first-floor lobby (first floor, third floor, fifth floor etc.)

F-121.3 *Installation and Operation.*

F-121.3.1 The Authority Having Jurisdiction (AHJ) shall verify all AED devices and SBK's for operation prior to being placed in service or available for use, and on an annual basis.

F-121.3.2 AED(S) devices and SBK(S) shall be:

a. Conspicuously located in plain view of the primary public entrance or by the elevator lobby with unobstructed access.

b. Readily accessible and immediately available when needed for on-site employees and the general public, including disabled persons.

c. The AED(S) and SBK(S) shall be 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 to prevent tampering, theft, or damage.

d. The AED shall be located below a sign having a minimum area of seventy (70) square inches and containing the letters "AED" and the universally recognizable symbol, which should be placed no more than sixty (60) inches, on center, above the floor.

e. The SBK shall be located below a SBK sticker. The SBK sticker may also be placed on the cabinet containing the SBK.

F-121.3.3 AED devices shall contain adult pads and pediatric pads as required by the AHJ.

F-121.3.4 SBK(S) with the exception of large occupancy SBK(S), shall minimally contain:

a. Eight commercially manufactured tourniquets; and

b. Eight gloves; and

c. One scissor; and

d. Two 3-inch gauze rolls; and

e. Two gauze combine pads.

F-121.3.5 Places of occupancy that hold 500 or more persons, regardless of occupancy classification, shall have a large occupancy SBK, which minimally contain:

a. Eight commercially manufactured tourniquets; and

b. Eight gloves; and

c. Two scissors; and

d. Eight 3-inch gauze rolls; and



e. Eight gauze combine pads.

F-121.3.6 The AED(S) devices and SBK(S) shall be used in accordance with the manufacturer's guidelines.

F-121.3.7 It shall be the responsibility of the owner/occupant to:

a. Install the AED device and SBK;

b. Provide all necessary training and appropriate use; and

c. Maintain AED devices and SBK in accordance with manufacture recommended maintenance requirements and as required herein.

F-121.3.8 If an AED device or SBK is removed for repair, a replacement shall be provided by the owner/occupant or by the manufacturer.

F-121.3.9 *Requirements and procedures.* The following shall be the requirements and procedures for use, training, and data collection of the AED and SBK program:

F-121.3.9.1 The implementation of an AED and/or SBK shall occur only after a written notification is made to the Fire Chief or designee by the individual, entity, organization, or company acquiring an AED. The written notification must contain the facility or business name, street address, specific location of the AED and/or SBK, the number employees at the facility or business, the total number of persons trained or to be trained in the use of the AED and SBK, and name of manufacturer and model number of each AED.

F-121.3.9.2 Prior to implementation of an AED or SBK, the individual, organization or company will obtain and send to the AHJ, proof of standardized training for all intended users of the AED and SBK. The training shall consist of a class provided by a nationally recognized organization, or locally approved by the AHJ, including, but not limited to, the American Heart Association, the American Red Cross, and the National Safety Council, and shall follow a standardized curriculum. The standardized curriculum shall include, at a minimum:

a. Signs and symptoms of sudden cardiac arrest.

b. Cardiopulmonary resuscitation (CPR); and

c. Proper use, maintenance, and inspection of AED's.

F-121.3.9.3 The training for the SBK shall consist of a class provided by a nationally recognized organization or locally approved by the AHJ. The standardized curriculum shall include, at a minimum:

a. Tourniquet application and use

F-121.3.9.4 The owner of the AED will ensure that the use of the AED follows the policies and procedures developed and authorized by the AHJ, and the provision of F.S. § 401.2915, as may be amended.

F-121.3.9.5 Recertification of users, maintenance, and inspection of the AED and SBK is the responsibility of the owner/occupant and shall be done on a periodic basis, as prescribed by the manufacturer and/or certifying agency. Recertification of users will consist of a class, which will review the techniques for using the AED and SBK and follow a standardized curriculum. Recertification training shall be provided as in section F-121.2 and F-121.3 above. Maintenance of the AED device and SBK shall be in accordance with the manufacturer's recommendations.

F-121.3.9.6 The AHJ may conduct a quality assurance review after the use of an AED or SBK that includes gathering clinical data and information from the person that used the AED or SBK and from the AED itself.

F-121.3.9.7 Any person who uses an AED is required to contact the AHJ by calling 9-1-1 immediately prior to, or immediately upon use of the AED (F.S. § 401.2915 (c)).

F-121.3.9.8 The owner and user of the AED or SBK will not withhold consent for a quality assurance review by the AHJ after the use of an AED or to the retrieval of clinical data from the device itself.

F-121.3.9.9 The AHJ shall verify the presence of the AED device and/or SBK and may inspect any maintenance records and documentation of training to ensure compliance with the community AED and stop the bleed program.

F-121.3.9.10 The AHJ is not liable for any damages experienced by the AED and by the SBK, or any person or entity arising as a result of

a) business's use or misuse of the equipment or supplies.

b) business's failure to provide services pertaining to the equipment supplies

c) any defects in the equipment or supplies.

Immunity from civil liability provisions. The provisions of F.S.768.1325, and specifically the immunity from civil liability for any harm resulting from the use or attempted use of an automated external defibrillator (AED) device as found in F.S. 768.1325(3) as may be amended from time to time are hereby adopted and incorporated into the ordinance.

## **F-122 Mobile and Temporary Cooking Operations**

**F-122.1** The following section shall be a minimum life safety requirement but can be modified if deemed necessary by the local AHJ.

**F-122.1.1** Mobile or Temporary Cooking. Any cooking facility, apparatus or equipment, being operated on a one time or interim basis, or for less than 90 days in the same location, other than at a fixed location, building or structure which has been inspected and permitted under another section of this code, regulation or statute, inclusive of self-propelled trucks and vehicle, trailered units, push carts, equipment located under cover of awnings, canopies or pop-up tents, or other structures for which a building permit has not been issued.

**F-122.1.2** All current licensing, semiannual / annual fire suppression system inspections reports and a cleaning report with related documents shall be placed in a binder and accessible to the AHJ at all times.

**F-122.1.3** Prior to operating within Broward County, each Mobile Food Dispensing Vehicle shall be inspected and approved.

a. Inspection and approval by the AHJ shall not relieve the mobile food vendor's owner of the responsibility of compliance with the design, construction, installation, alteration, repairs, equipment maintenance, process and relocation of the mobile food truck.

b. Inspection and approval shall not hold the AHJ responsible for the enforcement of regulations of such other regulatory agencies unless specifically mandated to enforce those agencies regulations.

**F-122.1.54** Cooking equipment that produces grease-laden vapors shall be protected by a fire-extinguishing system. Automatic fire-extinguishing systems shall comply with ANSI/UL300 or other equivalent standards and shall be installed in accordance with the terms of their listing, the manufacturer's instructions, and NFPA 17A.

## **F-122.2 Cleaning**

**F-122.2.1** The entire exhaust system, appliances, floor underneath and wall behind appliances, shall be inspected and cleaned for grease buildup by a properly trained, qualified, and certified person(s) acceptable to the AHJ and in accordance with Table 11.4 in NFPA 96 and in accordance with

## **F-122.3 Fire Extinguishers**

**F-122.7.1** There shall be a quarter-turn valve installed within the LP- gas piping for emergency shut-off use, shall be installed on the exterior of the vehicle and readily assessable.

**F-122.7.2** A "PROPANE EMERGENCY SHUT-OFF" sign and a "NO SMOKING" sign shall be installed directly next to or above the gas cylinder and shall be a highly visible, permanent weatherproof sign with a minimum of 2" lettering.

**F-122.7.3** Cylinders shall be retested every 5-12 years in accordance with the manufacturer's recommendations and 49 CFR 180.205.

a. No letter after the requalification date means the cylinder must be retested within 12 years.

b. An "S" after the requalification date means the cylinder must be retested within 7 years.

c. An "E" after the requalification date means the cylinder must be retested within 5 years.

## **F-122.8 Leak Detection**

**F-122.8.1** A test gauge shall be installed at or before the regulator for means of leak detection. Pressure shall be observed for a minimum of 3 minutes with no drop in pressure. Propane tanks, hoses and fittings shall be free of leaks. Documentation that the system is free of leaks shall be kept in a binder and readily assessable for the AHJ upon request.

## **F-123 Permanently Installed Cooking Exhaust Systems**

**F-123.1** Cooking Exhaust Systems: Cleaning of Cooking Exhaust Systems shall be in compliance with NFPA 96 and the following.

**F-123.2** Cooking ventilation systems shall be inspected for grease buildup by a person meeting the training requirements as set forth by International Kitchen Exhaust Cleaning Association (IKECA) or other nationally recognized exhaust system cleaning association acceptable to the AHJ in accordance with NFPA 96, Section 11.6.1.

**F-123.3** Certification of training shall be submitted to the Local AHJ prior to cleaning operations taking place.

**F-123.4** The completed inspection or cleaning report as found in NFPA 96, 11.6.14 shall be provided to the owner and a copy along with photos taken prior to cleaning and after cleaning shall be submitted to the local AHJ.

## **F-124 Uniform Generator Code**

**F-124.1 Scope** The purpose of this document is to provide uniform procedures for the AHJs' in Broward County as it pertains to secondary power sources. Any Board and Care occupancy as defined by the provisions of this code that is required to receive an inspection from an AHJ as per Florida State Statute or the Florida Administrative Code, shall comply with the provisions of this code.

**F-124.2 Referenced Publications:**

NFPA 1, *Fire Code*

NFPA 30, *Flammable and Combustible Liquids Code*

NFPA 37, *Standard for the Installation of and Use of Stationary Combustion Engines and Gas Turbines*

NFPA 54, *National Fuel Gas Code*

NFPA 58, *Liquefied Petroleum Gas Code*

NFPA 70, *National Electrical Code*

NFPA 72, *National Fire Alarm and Signaling Code*

NFPA 110, *Standard for Emergency and Standby Power Systems*

NFPA 111, *Standard on Stored Electrical Energy Emergency and Standby Power Systems*

NFPA 720, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment*

Florida Administrative Code 58A-5.036 for Assisted Living Facilities

Florida Administrative Code 59A-4.1265 for Nursing Homes

Florida Building Code

**F-124.3 General:**

F-124.3.1 Existing approved, non-conforming installations shall be deemed compliant with this code unless the AHJ determines that non conformity presents a distinct hazard to life.

F-124.3.2 All facilities shall store a minimum of seventy-two (72) hours of fuel onsite and be able to show proof (such as a fuel service contract) of a reliable method to obtain the additional twenty-four (24) hours of fuel within forty-eight (48) hours of a declared State of Emergency. Piped natural gas is an allowable fuel source.

F-124.3.3 If local ordinances or other regulations limit the amount of onsite fuel storage at the location of the facility, then the owner/operator shall develop a plan that includes

maximum onsite fuel storage allowable by the ordinance or regulation and a reliable method to obtain the maximum additional fuel at least 24 hours prior to the depletion of the onsite fuel.

F-124.3.4 Storage of any fuels shall be compliant with the applicable National Fire Protection Association's (NFPA) codes and standards.

**F-124.3.5 Other fuel sources shall be permitted in conformance with the NFPA 54 and 58 as currently adopted.**

**F-124.4 Minimum Permit Submittal Requirements:**

F-124.4.1 The following is a list of the minimum required information that shall be submitted to the AHJ for review:

- A) Plans shall be submitted for permitting, with details and manufacturer specifications that demonstrate compliance with all applicable NFPA codes and standards. The submittal shall be made by a qualified and licensed contractor.
- B) All generators shall be NFPA 110 compliant.
- C) Plans shall clearly identify the class, type, and level of the generator.
- D) A site plan shall be provided indicating the location of the emergency generator in relation to the building openings as well as adjacent building openings, exit discharges, the fuel source type, and the automatic transfer switch.
- E) The location of the manual emergency shut off shall be clearly identified on the plans. The emergency shut off shall be readily accessible at all times, identified with permanent weatherproof signage, shall be readily visible to emergency responders, and the location shall be approved by the AHJ.
- F) Plans shall demonstrate that the fuel supply can accommodate the specific EPS class and time duration identified on the plans.
- G) Physical protection of the fuel source and generator when located in areas subject to vehicular traffic shall be clearly identified.
- H) A remote generator annunciator shall be installed at a continuously attended location and indicated on the plans, approved by the AHJ.
- I) A signed generator maintenance contract shall be submitted, maintained, and made available to the AHJ upon request.
- J) Carbon monoxide protection shall be installed in accordance with NFPA 720. The location(s) of Carbon Monoxide Alarms shall be indicated on the plans.

**F-124.5 Inspection and Testing**

- A) Emergency Power Supply Systems' (EPSS), including all appurtenant components, shall be

inspected weekly and exercised under load at least monthly.

- B) The facility owner shall ensure that the EPSS is properly maintained and serviced not less than annually by a qualified person or contractor in accordance with the manufacturer's specifications.

**F-124.6** Records Retention

- A) Each facility shall provide a binder which contains a log of weekly inspections and monthly load exercise. The owner or their agent is responsible for the proper recording of this information.
- B) The binder shall also include a copy of the annual service agreement as well as the most current annual service report.
- C) This binder shall be made readily accessible to the AHJ upon request.

# ***Broward County Local Amendments to the Florida Fire Prevention Code***

## **SECTION F-101 GENERAL**

**F-101.1— Title.** These regulations shall be known as the Broward County Local Fire Code Amendments to the Florida Fire Prevention Code (FFPC).

**F- 101.2 - Scope.** The provisions of this Chapter shall govern the administration and enforcement the FFPC and the Fire Protection Provisions of this Code and shall apply countywide in both incorporated and unincorporated areas of Broward County, Florida. The provisions of this code shall apply to new and existing buildings or structures, equipment, installations, construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings.

**F-101.2.1 Appendices or Annexes:** Provisions in the appendices or Annexes shall not apply unless specifically adopted by Florida Statute 633.

### **F-101.2.2 Definitions:**

- A. AHJ** means Authority Having Jurisdiction shall be a federal, state, local organization, office or individual responsible for enforcing the requirements of this code as found in Chapter 1, Broward Administrative Provisions.
- B. BCFCC** means Broward County Fire Code Committee
- C. BORA** means the Broward County Board of Rules and Appeals
- D. Engineer** means licensed professional engineer, licensed in the State of Florida
- E. FBC** means the Florida Building Code
- F. FFPC** means the Florida Fire Prevention Code including the Broward County Local Fire Amendments to the Florida Fire Prevention Code
- G. State** means State of Florida
- H. Fire Code Manager/Administrator** means a person certified by the State Fire Marshal Office as meeting the provisions found in NFPA 1037 and means Fire Marshal / Fire Code Official.
- I. Fire Service Provider** means Fire Department
- J. Door / Door Assembly;** when used for fire service provider access as referred to in this code or the FFPC, except

in chapters where other configurations are specifically permitted, shall mean a side hinged, swinging type egress exterior door / door assembly that can be opened from the outside and that provides access to the interior of the dwelling unit or building.

**K. AHCA:** Agency for Health Care Administration

**L. APD:** Agency for Persons with Disabilities.

**M. Class:** The class defines the minimum time, in hours, for which the EPSS is designed to operate at its rated load without being refueled or recharged.

**N. Board and Care Occupancy.** An occupancy used for lodging and boarding of residents, not related by blood or marriage to the owners or operators, for the purpose of providing personal care services.

**O. Legally Required Standby Generator:** Those systems required and so classed as legally required standby secondary power sources by municipal, state, federal, or other codes or by any governmental agency having jurisdiction. These systems are intended to automatically supply power to selected loads (other than those classed as emergency systems) in the event of failure of the normal source.

**P. Emergency Generators Systems:** Those systems legally required and classed as emergency by municipal, state, federal, or other codes, or by any governmental agency having jurisdiction. Those systems are intended to automatically supply illumination, power, or both, to designated areas and equipment in the event of failure of the normal supply or in the event of accident to elements of a system intended to supply, distribute, and control power and illumination essential for safety to human life.

**Q. EPS: Emergency Power Supply.** The source of electric power of the required capacity and quality for an emergency power supply system (EPSS).

**R. EPSS: Emergency Power Supply System.** A complete functioning EPS system coupled to a system of conductors, disconnecting means and overcurrent protective devices, transfer switches, and all control, supervisory, and support devices up to and including the load terminals of the transfer



equipment needed to operate as a safe and reliable source of electric power.

**S. Permit:** A document issued by the AHJ for the purpose of authorizing performance of a specified activity.

**T. Plans:** Plans are required for new construction, modification, or rehabilitation, construction documents and shop drawings and shall be submitted, reviewed and approved prior to the start of such work. Plans shall be prepared by a licensed Florida professional engineer.

**U. Qualified Person:** One who has skills and knowledge related to the operation, maintenance, repair, and testing of the EPSS equipment and installations and has received safety training to recognize and avoid the hazards involved.

#### **V. External Defibrillator (AED)**

(a) Is commercially available in accordance with the Federal Food, Drug, and Cosmetic Act,

(b) 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

(c) Upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual.

#### **W. Stop the Bleed Kit (SBK)**

(a) Capable of stopping severe bleeding through clotting, pressure, tourniquets, and other proven effective means of stopping blood loss; and

(b) Upon a blood loss emergency, is able to stem blood loss rapidly to prevent massive blood loss.

**F-101.3 - Intent.** The purpose of the FFPC is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress, facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment including alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises, and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may be referred to as service systems and to provide safety to fire fighters and emergency responders during emergency operations.

**F-101.4 - Violations and Penalties.** Any person, firm or corporation, who shall violate a provision of the FFPC or a Fire Protection Provision of this Code or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the FFPC or any Fire Protection Provisions of this Code is committed or continued, and upon conviction of any such violation, such person shall be punishable by a fine of not less than fifty (\$50) nor more than five hundred (\$500) dollars, or by imprisonment not exceeding sixty days, or by both such

fine and imprisonment.

**F-101.5--- Quality control.** Quality control of materials and workmanship is not within the purview of the FFPC or this Code except as it relates to the purposes stated herein.

**F-101.6--- Referenced Codes.** The other codes listed in and referenced elsewhere in the FFPC, all Fire Codes, and the Fire Protection Provisions of this Code shall be considered part of the requirements of the FFPC to the prescribed extent of each such reference.

**F-101.6.1 Fire prevention.** For provisions related to fire prevention, refer to the FFPC as referenced in Florida Statute 633, Broward County Local FFPCs as adopted and the Fire Protection Provisions of this Code as referenced above. The FFPC shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures, or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

### **SECTION F-102**

#### **Applicability**

**F-102.1 General.** Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**F-102.1.1** FFPC and the Fire Protection Provisions of this Code, does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of, FFPC and Fire Protection Provisions of this Code.

### **SECTION F-103**

**Fire Chief, Bureau of Fire Prevention, Fire Marshal, Fire Code Official, Fire Plans Examiner, and Fire Inspector**

**F- 103 — Bureau of Fire Prevention:** A Bureau of Fire Prevention shall be established within the Fire Service Provider/Fire Department, under the direction of the Fire Chief, which shall consist of such Fire Service Provider/Fire Department personnel as may be assigned thereto, by the Fire Chief, in accordance with the requirements prescribed herein. The function of this bureau shall be to assist the Fire Chief in the administration and enforcement of the FFPC, Fire Protection Provisions of this Code, and the Fire Protection Provisions of this Chapter. Personnel assigned to the bureau as the Fire Marshal / Fire Code Official, Fire Plans Examiner, and/or Fire Inspector shall be certified by BORA.

**F-103.1 — Appointment of Fire Marshal/ Fire Code**

**Official:** There shall be appointed by the Fire Chief certain fire prevention personnel to be qualified as set forth in this Chapter as part of the FFPC to be qualified as Fire Marshal / Fire Code Official. Personnel assigned to the bureau as Fire Marshal / Fire Code Official, Fire Plans Examiner, and / or Fire Inspector shall be State Certified Firefighters, State Certified Fire Inspectors, and certified by BORA. For state certification and recertification refer to Florida State Statute 633.

**F- 103.2 Powers and Duties of a Fire Marshal /Fire Code**

**Official:** The Fire Chief shall duly authorize their representative of the Fire Service Provider/Fire Department to exercise the powers and perform the duties of the Chief. They shall also be known as Fire Marshal/Fire Code Official. The Fire Marshal/Fire Code Official shall be authorized and directed to enforce the Fire Protection Provisions of this Code and the FFPC, and the sole authority to render interpretations of the Fire Protection Provisions of this Code and the FFPC, and to adopt policies and procedures in order to clarify the application of its provisions and shall have responsibility for the administration and enforcement of the FFPC and Fire Protection Provisions of this Code. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of the Fire Protection Provisions of this Code and the FFPC. Such policies and procedures shall not have the effect of waving requirements specifically provided for in the Fire Protection Provisions of this Code and FFPC. It shall be their duty and responsibility to enforce and coordinate the work of all subordinates such as Fire Plans Examiners and Fire Inspectors. Based on current technology that the Fire Marshal/Fire Code Official does not have to be personally present at the Fire Service Provider/Fire Department as long as they are available by telephone/computer etc. and can perform their duties. In the event that the Fire Marshal/Fire Code Official is not available to perform his/her duties, the Fire Chief may appoint an interim Fire Marshal/Fire Code Official provided such person is qualified as set forth in Section F-103.3 of this Code and the FFPC. The Fire Chief or Fire Service Provider/Fire Department shall notify in writing BORA of the starting date and period of time that the Interim Fire Marshal/Fire Code Official will assume the Fire Marshal/Fire Code Official's duties. The name of the Interim Fire Marshal/Fire Code Official will be recorded by BORA but they will not be issued a certification card as a Fire Marshal/Fire Code Official. The Fire Marshal/Fire Code Official shall be subject to the powers vested by Florida State Statute 633 and BORA in this Code. If there is one Fire Plans Examiner or Fire Inspector hired by an inspection authority, that Plans Examiner or Inspector shall be a Fire Marshal/ Fire Code Official.

**F-103.2.1** Under the Fire Chief's direction, the Fire Service Provider/Fire Department shall enforce the Fire Protection Provisions of this Code and the FFPC and all Fire Codes pertinent to the prevention of fires, suppression or extinguishing of fires, storage, use and handling of explosive, flammable, combustible, toxic, corrosive and other hazardous gaseous, and solid and liquid materials. These inspections shall include, but are not limited to:

**F-103.2.1.1** The inspection of equipment and maintenance of automatic, manual and other fire alarm systems and fire extinguishing equipment;

**F-103.2.1.2** The maintenance and regulation of fire escapes;

**F-103.2.1.3** The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction;

**F-103.2.1.4** The means and adequacy of each exit in the event of fire or similar emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters and all other places in which people work, live or congregate from time to time for any purpose; and

**F-103.2.1.5** The investigation of the origin, cause, and circumstances of fires.

**F-103.2.3** No enforcing agency may issue any permit for construction, erection, alteration, repair, or demolition until the Building Official/Fire Code Official, in conjunction with the appropriate fire plans examiner, has reviewed the plans and/or specifications for such proposal and both officials have found the plans and/or specifications to be in compliance with the FFPC and the applicable fire safety standards as determined by the local authority in accordance with the FFPC and Chapter 633, Florida Statutes. Plans shall be reviewed within 30 working days from the date of submission or specifications are received. In the event that agreement cannot be reached between the Building and Fire Officials, the dispute shall be referred to the BCFCC for review and recommendation to BORA.

**F-103.2.4** It shall be the duty of the Fire Chief of the Fire Service Provider/Fire Department to inspect or cause to be inspected by their duly authorized representatives of the Fire Prevention Bureau, as often as may be necessary, but not less than annually, during normal business hours, for the establishment in question, all buildings and premises, including common or public areas as well as all public aisles, corridors, halls, rooms, storage areas, or other nonresidential areas of such buildings, for the purpose of ascertaining and causing to be corrected, any condition liable to cause fire or any violation of the provisions or intent of the FFPC, by providing written notice of the code sections violated, and to otherwise enforce any violation of the Fire Protection Provisions of this Code and the FFPC. Whenever the Fire Chief or their duly authorized representatives of the Fire Service Provider/Fire Department determines that a violation exists, the person responsible for maintaining the building or area where such violation exists, shall be given reasonable written notice of such violation, and if the violation continues, a presumption of a violation of the Fire Protection Provisions of this Code and the FFPC, shall be created against the person responsible for maintaining the building or area where such violation exists. Rejections shall include specific reference to the Code Section upon which rejection is based in writing.

**F-103.2.5 Right of Entry.** Upon presentation of proper credentials, the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative may enter, at any reasonable time, any building, structure or premises for the

purpose of making any inspection or investigation, which under the Fire Protection Provisions of this Code and the FFPC.

**F-103.2.6 Stop-Work Orders.** If the Fire Chief becomes aware of a hazardous condition, which presents immediate danger to life, work being done contrary to this code or FFPC, work without permit, they shall be authorized to order the hazard removed or remedied immediately, and shall be empowered to order the closing of the building or place where such danger to life violation exists, until such time as same has been corrected. Any failure of immediate compliance shall empower the Fire Chief, or their duly authorized representative finding such hazardous condition creating immediate danger to life, to close such building or cause same to be closed and the people herein evacuated and barred from reentering until such time as such immediate danger to life, work being done contrary to this code or FFPC, work without permit, has been corrected. The Fire Chief, or their duly authorized representative is given the authority to order any gas company, power company, or other utility company, to disconnect its service to any building or buildings containing gas or power installations, where such installations, in the opinion of the Fire Chief, or their duly authorized representative creates an immediate danger to life, work being done contrary to this code or FFPC, work without permit, and to otherwise close or evacuate such building and to bar reentry thereto, until such installation is repaired or replaced and such hazard to life ceases to exist. Rejections shall include specific reference to the Code Section upon which rejection is based in writing.

**F-103.2.7** The Fire Chief or their duly authorized representative upon the complaint of any person or whenever they shall deem it necessary, shall inspect any buildings and premises within their jurisdiction.

**F-103.2.8** Approval of the Fire Service Provider/Fire Department accessibility and all tests of fire alarm detection and suppression systems, smoke evacuation systems and life safety systems shall be conducted prior to final structural inspection and issuance of Certificate of Occupancy.

**F-103.2.9 Orders To Eliminate Dangerous Or Hazardous Conditions:** Whenever the Fire Chief or their duly authorized representative shall find in any building or upon any premises, dangerous or hazardous conditions or materials, including, but not limited to violations of the requirements encompassed in Chapter 633, Florida Statutes, or the following Paragraphs they shall order such violations and dangerous conditions or materials removed or remedied.

**F-103.2.9.1** Dangerous or unlawful amounts of combustible or explosive or otherwise hazardous materials.

**F-103.2.9.2** Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive or otherwise hazardous materials.

**F-103.2.9.3** Dangerous accumulation of rubbish, wastepaper, boxes, shavings, or other flammable materials.

**F-103.2.9.4** Accumulations of dust or waste material in air conditioning or ventilation systems or of grease in kitchen or other exhaust ducts.

#### **F-103.2.9.5 Hurricane Protection Devices**

After the termination of such periods of time that had been designated by the National Weather Service as being a hurricane watch or warning, hurricane protective devices installed on occupied buildings which impede required egress or required light and ventilation shall be removed within 15 days.

**F-103.2.9.6** Obstructions to, on, or under fire escapes, stairs, passageways, or doors, liable to interfere with the operations of the Fire Service Provider/Fire Department or egress of occupants; locked exits shall constitute an unsafe condition.

*Exception: unless permitted by the Fire Protection Provisions of this Code and the FFPC.*

**F-103.2.9.7** Obstruction to windows. Where windows are required to provide the second means of escape from a room or area, the following are prohibited.

**F-103.2.9.7.1** Bars that cannot be opened from the inside.

**F-103.2.9.7.2** Other obstructions such as security grill.

*Exception: Only one (1) window is required to meet the above where two (2) windows are in the same room or area.*

**F-103.2.9.8 Reserved**

**F-103.2.9.9 Reserved**

**F-103.2.9.10** Any building or other structure which, for want of repairs, lack of adequate exit facilities, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, create a hazardous condition.

**F-103.2.9.11 Reserved**

**F-103.2.9.12** The improper storage, transporting or handling of all classes of flammable or combustible liquids or otherwise hazardous substances any place within the enforcing jurisdiction.

**F-103.3 Certification of Fire Marshal/Fire Code Official.**

The Fire Marshal/Fire Code Official shall be certified by BORA as a Fire Code Official, be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the “Minimum Standards Course”, be a State certified Fire Inspector, and shall meet one or more of the following qualifications:

**F-103.3.1** An Engineer and/or a Degree in Fire Science and/or a Degree in Fire Prevention and shall have been employed as a County or City Fire Inspector for three (3) years within the State of Florida and shall possess a Broward County Certification.

**F-103.3.2** A County or City Fire Plans Examiner with at least five (5) years of experience within the State of Florida and shall possess a Broward County Certification.

**F-103.3.3** Ten (10) years’ experience as a Fire Inspector, employed in a County or City within the State of Florida with at least five (5) years of experience within the jurisdiction of the FFPC and be a Broward County Certified Fire Inspector.

**F-103.3.4** Have been fulfilling the duties of a Fire Marshal/Fire Code Official with five (5) years continuous service as such within a County or City in the State of Florida and shall possess a Broward County Certification.

**F-103.3.5** Possesses a certification issued by the State Fire Marshal as a Fire Code Manager/Administrator in accordance with NFPA 1037 with a total of six (6) years’ experience with a County or City as a fire plans examiner and inspector in Florida and shall possess a Broward County Certification.

**F-103.3.6** Three (3) years’ experience as a Broward County Certified Plans Examiner and nationally certified as an NFPA Certified Fire Inspector 1 (CFI-1), NFPA Certified Fire Plans Examiner (CFPE) and NFPA Certified Fire Protection Specialist (CFPS).

**F-103.4 Fire Plans Examiner.** As set forth herein:

**F-103.4.1 Appointment of a Fire Plans Examiner.** There shall be appointed by the Fire Chief of each Fire Service Provider/Fire Department certain fire prevention personnel to be qualified as set forth in this Chapter as part of the FFPC to serve as a Fire Plans Examiner. To be eligible for appointment as a Fire Plans Examiner, such person shall be certified by BORA.

**F-103.4.2 Powers and Duties of the Fire Plans Examiner.**

Such employee shall have the duties and powers as delegated by the Fire Chief except that the Fire Chief may not delegate authority to subordinates to interpret provisions of the Fire Protection Provisions of this Code, FFPC, and all Fire Codes which authority is assigned to the Fire Marshal/Fire Code Official. A Fire Plans Examiner, if properly qualified, may be certified and assigned duties in more than one category. Prior to the issuance of any permit for construction, erection, alterations, repair, or demolition, the Fire Plans Examiner shall review all plans and/or specifications in conjunction with the Building Department. One and two family detached residential dwelling units shall not be subject to provisions found in NFPA 101 during plan review by the Fire Plans Examiner as described in this section or inspection by the Fire Plans Examiner as described in F.S. 633. When approvals by other

agencies having authority may logically be required to be affixed to the plans and/or specifications before approval by the Fire Plans Examiner, such approval shall be affixed to the plans and/or specifications before examination by the Fire Plans Examiner. If the application or plans and/or specifications do not conform to the requirements of all pertinent laws or regulations, the Fire Plans Examiner shall reject such application in writing, stating the reasons therefore and citing the relevant code section(s) of the FFPC. Plans and/or specifications that are rejected, as stated herein above, shall be returned for correction. Pen notations on mechanically reproduced plans and/or specifications may be accepted for only minor corrections. If the applications, plans and/or specifications, upon examination, are found to comply with the requirements of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, the plans and/or specifications shall be signed and marked approved. Fire Service Provider/Fire

Department acceptance of fire and life safety features in buildings after performance objectives are met is required, prior to certificate of occupancy being issued.

Nothing in this section shall be construed to provide an exemption from fire plan review for one and two family detached residential dwelling units which undergo a change in use or occupancy classification.

**F-103.4.3 Certification of a Fire Plans Examiner.** The Fire Plans Examiner shall be certified by BORA as a Fire Plans Examiner, shall be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the “Minimum Standards Course”, be a State certified Fire Inspector, and shall meet one or more of the following qualifications:

**F-103.4.3.1** An Engineer and/or a Degree in Fire Science, and/or a Degree in Fire Prevention and having a minimum of three (3) years as a fire plans examiner with a County or City within the state of Florida and shall be Broward County Certified.

**F-103.4.3.2** Five (5) years of experience as a Fire Inspector employed with a County or City in the State of Florida and shall be a Broward County certified.

**F-103.4.3.3** Ten (10) years of experience as a firefighter, four (4) years as a state certified fire inspectors employed with a County or City having fulfilled the duties of a fire inspector and shall be a Broward County certified.

**F-103.4.3.4** Have been fulfilling the duties of a Fire Plans Examiner with five (5) years continuous service within the State of Florida and be Broward County certified.

**F-103.4.3.5** Three (3) years’ experience as a Broward County and State of Florida Certified Fire Inspector and nationally certified as an NFPA Certified Fire Inspector (CFI-1) and NFPA Certified Fire Plans Examiner (CFPE) and be Broward County certified.

**F-103.5 Fire Inspector.** As set forth herein:

**F-103.5.1 Appointment of a Fire Inspector.** There shall be appointed by the Fire Chief of each Fire Service Provider/Fire Department certain fire prevention personnel to be qualified as

set forth in this Chapter as part of the FFPC to serve as a Fire Inspector. To be eligible for appointment as a Fire Inspector, such person shall be certified by BORA.

**F-103.5.2 Powers and Duties of the Fire Inspector.** Such employee shall have the duties and powers as delegated by the Fire Chief except that the Fire Chief may not delegate authority to subordinates to interpret the Fire Protection provisions of this Code, the FFPC, and all Fire Codes which authority is assigned to the Fire Marshal/Fire Code Official. A Fire Inspector, if properly qualified, may be certified and assigned duties in more than one category. Under the Fire Chief's direction, the Fire Inspector shall enforce all local ordinances of the jurisdiction pertinent to the prevention of fires, suppression or extinguishing of fires, storage, use and handling of explosive, flammable, combustible, toxic, corrosive and other hazardous gaseous, solid and liquid materials. The inspection of equipment and maintenance of automatic, manual, other fire alarm systems, fire extinguishing equipment, and the maintenance and regulation of fire escapes. The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures and other property, including those under construction. The means and adequacy of each exit in the event of fire or similar emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters and all other places in which people work, live or congregate from time to time for any purpose. The investigation of the origin, cause, and circumstances of fire(s). If defects, omissions or violations exist on any other part of the system relating to work for which approval is requested, the issuance of the Approval shall be withheld until corrections have been made to the defective portion of the system, and the same are made to comply with this Fire Code. The Fire Inspector shall serve notice to the Fire Contractor/representative or owner/representative in writing, stating the reasons therefore and citing the relevant code section(s).

**F-103.5.3 Certification of a Fire Inspector.** Application for certification shall be on a form containing such pertinent information as is considered relevant to BORA. To be eligible for appointment as Fire Inspector, such person shall be certified by BORA and shall meet the following qualifications:

**F-103.5.3.1** Be a certified Firefighter as defined by 69A-37 as referred to collectively (parts 1 and 2) as the "Minimum Standards Course" and shall be a state certified Fire Inspector.

**Exception:** At Fire Chief's discretion, a person may be given up to eighteen (18) months to become a Florida Certified Firefighter, from the date of hire.

**F-103.5.3.2** Pass a written competency examination approved by BORA, to be given in May and November (only one (1) required) of each year or the test may be given when requested by at least three (3) applicants.

#### **F-103.5.3.3 Retention;**

Individuals currently certified under this code may, at their separation date from a local fire department as an inspector place their certification in a non-active status for one FFPC

code cycle or a period of four (4) years whichever is longer, by notifying the Board of Rules and Appeals in writing of their selection. During this period the individual shall maintain continuing educational credits in Fire Prevention in the amount of 60 hours as required for renewal. At the conclusion of the code cycle or four (4) year period, as stated above the individual previously holding a certification in a non-active status will become null and void unless the provisions for recertification are met at the conclusion of the code cycle or four (4) year period.

**F-103.6 Certification.** All Fire Service Provider/Fire Department Inspection Personnel shall be certified by BORA.

**F-103.6.1 Certification Fee:** If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to the BORA Fee Schedule for Certification, payable to "Broward County Commissioners."

**F-103.6.2** Broward County Certification is valid for a period of four years and shall expire on the same date as their State of Florida Fire Inspector Certification.

**F-103.6.3** The certification of Fire Service Provider/Fire Department Inspection Personnel may be revoked, for cause, by BORA. BORA may deny, refuse to renew, suspend, or revoke the BORA certificate of a Fire Marshal/Fire Code Official, Fire Plans Examiner, or Fire Inspector if it finds that any of the following grounds exist:

- A)** Any cause for which issuance of a certificate could have been refused had it then existed and been known to BORA.
- B)** Violation of Florida Statutes 633 or any local fire code amendments.
- C)** Falsification of records relating to the certificate.
- D)** Having been found guilty of or having pleaded guilty or nolo contendere to a felony, whether or not a judgment of conviction has been entered.
- E)** Failure to meet any of the renewal requirements.
- F)** Having been convicted of a crime in any jurisdiction which directly relates to the practice of the fire code inspection, plan review, or administration.
- G)** Making or filing a report or record that the certificate holder knows to be false, or knowingly inducing another to file a false report or record, or knowingly failing to file a report or record required by the state or local law, or knowingly impeding or obstructing such filings, or knowingly inducing another person to impede or obstruct such filing.
- H)** Failure to properly enforce applicable fire codes or permit requirements within this state which the certificate holder knows are applicable by committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property.
- I)** Accepting labor, service, or materials at no charge or at a noncompetitive rate from any person who performs work that is under the enforcement authority of the certificate holder and who is not an immediate family member of the certificate



holder. For the purpose of this paragraph, the term "immediate family member" means a spouse, child, parent, sibling, grandparent, aunt, uncle, or first cousin of the person or the person's spouse or any person who resides in the primary residence of the certificate holder. BORA upon verification of the above grounds, shall immediately notify the Fire Marshal, Fire Code Official, Fire Plans Examiner, and/ or Fire Inspector involved, who, upon notification from BORA, shall appear before the Board to explain why ~~his/her~~ their certification should not be revoked.

**F-103.6.4** Personnel assigned to the bureau as Fire Inspectors shall be State of Florida Certified Firefighters (*see 18 month exception*), State of Florida Certified Fire Inspectors. For certification refer to Florida State Statute 633. Individuals being considered for appointment will be required to complete an affidavit of compliance with 71-575 (see Board policy 14-02)

**F-103.7 Recertification.** All Fire Service Provider/Fire Department Inspection Personnel shall be recertified by BORA.

**F-103.7.1** To be recertified all Fire Marshal/Fire Code Officials, Fire Plans Examiners, Fire Inspectors or a combination thereof who are presently certified by BORA, shall meet the following criteria:

**F-103.7.1.1** Be presently employed by a governmental fire entity within Broward County.

**F-103.7.1.2** Recertification shall have the same anniversary date as provided in Florida Statutes, Chapter 633, with the completion of sixty (60) contact hours in continuing education every four (4) consecutive years on Fire Protection and Fire Safety, which are approved by BORA.

**F-103.7.1.3** Personnel assigned to the bureau as Fire Inspectors shall be State of Florida Certified Firefighters, and State of Florida Certified Fire Inspectors. For certification or recertification refer to Florida State Statute 633.

**F-103.7.2** If certification is not renewed and allowed to lapse, application for recertification shall be accompanied with proof that (15) contact hours per year, in the preceding 4 years in continuing education has been met. Attendance at the BORA meetings and/or the BORA committee meetings shall be counted as one (1) hour for a maximum of fifteen (15) county required contact hours within a four (4) year renewal period.

If the certification is not renewed within 8 years, the individual must retake the state fire safety inspectors training and take the local fire exam and shall be on a form containing such pertinent information as is considered relevant to BORA. Individuals being considered for recertification will be required to complete an affidavit of compliance with 71-575 (see Board policy 14-02)

**F-103.7.3 Recertification Fee:** If applicable, each application shall be accompanied by a check in the amount appropriate for each discipline according to the BORA Fee Schedule for Recertification, payable to "Broward County Commissioners."

## SECTION F-104

### Broward County Board of Rules and Appeals

## F-104 Broward County Board of Rules and Appeals.

**F-104.1** The Broward County Board of Rules and Appeals shall maintain a staff position to coordinate the enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes thereto. This person shall be known as the Chief Fire Prevention Code Compliance Officer and shall be certified as Fire Marshal/Fire Code Official. It is recommended that the individual under consideration for Fire Code Compliance Officer have at a minimum four years documented as a Fire Code Official / Fire Marshal.

**F104.2 The Fire Code Compliance Officer** shall have the authority to make inspections in the discipline and shall be responsible to see that the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes are being uniformly enforced by all AHJs (building and Fire Service Provider/Fire Department in Broward County).

## SECTION F-105

### Broward County Fire Code Committee

## F-105 Broward County Fire Code Committee:

**F-105.1** In order to determine the suitability of alternate materials and type of construction, to provide for reasonable interpretations of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, and to assist in the control of the life/safety in buildings and structures, there is hereby created a Broward County Fire Code Committee, to make recommendations to BORA.

**F-105.2 Membership:** The BCFCC shall consist of:

1. One Mechanical Engineer, Florida P.E.
2. One Architect, Florida Registered
3. One Fire Sprinkler Contractor
4. One Representative of Persons with disabilities
5. One Master Electrician
6. Four Fire Service (Florida Certified Fire Inspectors)
7. One Fire Service Member of the Board of Rules and Appeals
8. One Contractor, Certified to Install Fire Alarms
9. One General Contractor
10. One Florida P.E., Electrical Discipline
11. One Mechanical Contractor
12. One Consumer Advocate

13 One Florida P.E., Structural Discipline,

14 One Chief Plumbing Inspector

**F-105.3** Membership, such as membership of the BCFCC, will be for one year (with members being able to succeed themselves through reappointment by BORA Chairperson). The Chairperson of BORA will select all members, including the Chairperson of the BCFCC. The Chairperson of the BCFCC shall be a Fire Service member of BORA.

**F-105.4 Appeals from the Decisions of the Fire Chief and/or Building Official:**

**F-105.4.1** The BCFCC shall review all appeals from the decisions of the Fire Chief and/or Building Official wherein such decision is on matters regulated by the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes. Appeals can be submitted by any person who has reason to believe they have been subjected to unreasonable enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-105.4.2** Procedures for Appeals: The BCFCC shall review the appeal prior to hearing by BORA and shall make recommendations to BORA for resolution of the appeal. BORA shall then hear the appeal and make a final ruling.

**F-105.4.3** Decisions by the BOARD related to an appeal of the FFPC can be challenged by submitting a request for a Declaratory Statement to the State Fire Marshal's Office.

**F-105.5 Procedures in County Court /Code Enforcement Board:**

When charges are filed based upon a violation under this code, such charges, prepared under the direction of the city, state, or county attorney and shall be heard by a county judge or Code Enforcement Board, within the time prescribed under county court procedures or Code Enforcement Board. Such conditions shall constitute an immediate danger to life.

**SECTION F-106**

**Authority Fire Chief, Fire Marshal/Fire Code Official, or his/her duly authorized representative**

**F-106 Authority:**

**F-106.1** The Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall investigate the origin, cause, and circumstances of every fire occurring within their AHJ. Such investigation shall begin immediately upon the occurrence of a fire, and the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall be immediately notified of the facts. The Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall take charge immediately of the physical evidence and shall notify the proper authorities designated by law to pursue the investigation of such matters. The Fire

Chief, Fire Marshal/Fire Code Official, or their duly authorized representative shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case.

**F-106.2 Notices and Orders.** The Fire Chief, Fire Marshal/Fire Code Official or Fire Code Manager/Administrator, or their duly authorized representative shall issue all necessary notices or orders to ensure compliance with the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.2.1** A building, structure, occupancy, premises, or vehicle shall not be used when in violation of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.2.2** Unlawful Continuance of Fire/Life Safety Hazard: Any person or persons operating or maintaining any occupancy, premises or vehicle subject to this Code who shall permit any fire and/or life safety hazard to exist on premises or property under their control, and who shall fail to take immediate action to abate such hazards, when ordered or notified to do so by the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized representative, shall be guilty of a second degree misdemeanor. Criminal enforcement of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes shall remain with local law enforcement departments and officials charged with enforcement of the criminal laws of the State.

**F-106.2.3 Concealed Work:** The Building Official or his/her duly authorized representative and/or Fire Marshal/Fire Code Official or their duly authorized representative may order portions of the structure frame of a building and/or structure to be exposed for inspection when, in his/her opinion, there is a good reason to believe that a building or portion thereof is in an unsafe or dangerous condition or that there is willful or negligent concealment of a violation of this Code, the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes.

**F-106.3 Removal or Destruction of Signs or Tags:**

**F-106.3.1** It shall be unlawful to remove or tamper with any seal, warning tag, or lock placed on an article, appliance, vehicle, meter, tank, or building by the building department or the Fire Service Provider/Fire Department, without first obtaining permission to do so by the AHJ

**F-106.3.2** It shall be unlawful for any person to tamper with or change the position of any utility valve, switch, wiring, piping, meter, or connection, or alter any utility service in any way, unless properly authorized to do so.

**SECTION F-107**

**Standby Fire Watch**

**F-107 Standby Fire Watch:**

**F-107.1** Whenever in the opinion of the Fire Chief, Fire Marshal/Fire Code Official, or their duly authorized

representative, when a potentially hazardous condition or a reduction in life safety features, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the Fire Chief or their duly authorized representative may require the owner, agent or lessee to employ one or more certified Fire Inspectors or Firefighters, as required and approved by the Fire Chief, to be on duty at such place. Said Fire Inspectors/Firefighters shall be subject to the Fire Chief's and/or their duly authorized representative orders at all times, when so employed, and remain on duty during the times such places are open to the public, or when such activity is being conducted. The Fire Chief may allow the use of other trained individuals to serve as an alternative to a Fire inspector / Fire Fighters requirement. Before each performance or the start of such activity, said Fire Inspector/Firefighter or others allowed by the Fire Chief shall inspect all required fire/life safety equipment, to insure that such equipment is in proper working order, and shall keep diligent watch for any emergency that should arise. Should any emergency arise, the Fire Inspector/Firefighter or others allowed by the Fire Chief shall take whatever action necessary to protect the occupants and public from injury or any life-threatening condition.

## **SECTION F-108**

### **Tents, Membrane Structures, Temporary Structures and Uses**

#### **F-108 Tents and Membrane Structures**

**F-108.1** For the purpose of this Section, a place of assembly shall include any circus, sideshow, carnival, tent show, theater, skating rink, dance hall or any other exhibition, production, engagement or offering, or other place of assembly in or under which 50 or more persons may gather for any purpose.

**F-108.1.1 General.** The Building Official or Fire Code Official is authorized to issue a permit for the erection of temporary structures such as seats, canopies, tents and fences used in construction work or for temporary purposes such as reviewing stands. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. Such structures shall be completely removed upon the expiration of permit.

- a) Temporary structures, such as tents with sides, exceeding 100 sq./ft., and canopies without sides exceeding 225 sq./ft., containing occupancy or operations that could present a life safety hazard to occupants and/or the general public based on the opinion of the Fire Code Official, shall be required to have a permit issued in conformance with permitting section of Chapter 1 and this code and be in conformance with the Life Safety provisions of this code and the Florida Building Code.

#### **F-108.1.2 Reserved**

#### **F-108.1.3 Conformance.**

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this Code and the FFPC as necessary to ensure public health, safety and general welfare.

**F-108.2 Parking of Vehicles:** Automotive equipment that is not necessary to the operation of the tent show performance shall not be parked within 20 feet of the tent or membrane structure. No other automotive equipment or internal combustion engines shall be located within 50 feet of the tent except upon a public street.

#### **F-108.3 Smoking and Open Flame:**

**F-108.3.2** An approved receptacle for the disposal of lighted smoking materials shall be provided at all entrances to tents and membrane structures.

**F-108.4 Fire Extinguishers and other Fire-Protection Equipment:** Fire extinguishers and other fire protection equipment shall be provided in every tent or membrane structure as follows:

**F-108.4.1** A minimum of one 4A-10B:C type extinguisher shall be provided in every tent or air supported structure having a floor area less than 2,000 square feet and also one in each additional 2,000 square feet or fraction thereof.

**F-108.4.2** At least one 40-B:C type fire extinguisher shall be provided for each power generator or transformer and at locations where flammable or combustible liquids are used, stored or dispensed.

#### **F-108.5 Storage of Flammable or Combustible Liquids:**

Flammable or combustible liquid shall not be stored in a tent or membrane structure nor less than 50 feet from any tent or membrane structure.

**F-108.6 Housekeeping:** Hay, straw, trash and other flammable material shall not be stored less than 35 feet from any tent or membrane structure, except as authorized by the authority having jurisdiction.

#### **F-108.7 Seating Arrangements:**

**F-108.7.1 Bonding of chairs.** All loose seats, folding chairs or similar seating facilities that are not fixed to the floor shall be bonded together in groups of not less than six. Exceptions:

- (1) When not more than 500 such seats, chairs or facilities are provided, bonding thereof may be deleted.

(2) The bonding of chairs shall not be required when tables are provided, as when the occupancy is used for dining or similar purposes.

**F-108.7.2** Securing of chairs, folding and telescoping seat seating, reviewing stands, grandstands, and bleachers shall be in accordance with NFPA 102.

#### **F-108.8 Awnings, Tents and Canopies:**

**F-108.8.1** Awnings, tents, canopies, and similar products whether attached or detached from a building shall have a flame spread rating of 25 or less.

#### **F-108.9 Vehicular Access:**

**F-108.9.1** Fire access roads shall be surfaced with solid pavement, grass turf reinforced by concrete grids, or by similar type surfaces approved by the authority having jurisdiction, designed to accommodate fire apparatus weighing a minimum of 32 tons.

**F-108.9.2** Buildings having ramps and/or elevated roadways shall have posted weight limit signs showing maximum load capacity.

**F-108.9.3** All new and existing automatic entry gates installed in either commercial or multifamily communities shall be provided with a universal access system, approved by the Fire Prevention subcommittee of the Broward County Fire Chief's Association, to allow rapid entry. Existing applications may be provided up to one (1) year to complete as approved by the AHJ.

#### **F-108.10 Vehicles on Display:**

**F-108.10.1** When vehicles are on display ~~or stored~~ inside any occupancy group other than an automobile show room it shall comply with the provisions listed in NFPA 1, 20.1.5.5.4.12

### **SECTION F-109 RESERVED**

### **SECTION F-110 Reserved**

#### **SECTION F-111**

##### **Test Criteria for Mechanical Smoke Control Systems**

##### **F-111 Initial Acceptance Test Criteria and Periodic Testing of Mechanical Smoke Control Systems:**

Test Criteria for Mechanical Smoke Control Systems shall be stated on the mechanical plans.

**F-111.1** The following shall receive notice from the Mechanical Contractor so that they may witness the system's performance test:

**F-111.1.1** Fire Service AHJ.

**F-111.1.2** Building Department (Mechanical) AHJ. .

**F-111.1.3** Periodic Testing:

All smoke control systems shall be retested as per the provisions found in the FFPC by a firm (test and balance) possessing a certificate of competency as a test and balance contractor for smoke control systems as required in Broward County Ordinances, Chapter 9 and Broward Local Administrative Provisions Chapter 1 of the FBC and shall be approved by the local AHJ. The smoke control system shall be retested without smoke, in both the manual and automatic modes per the sequence of operation. The annual periodic testing and balancing results shall be provided in a certified test and balance report to the Fire Service Provider/Fire Department AHJ, who shall consult with the Chief Mechanical Inspector

At a minimum the annual periodic test report shall contain the following information;

- 1) All smoke control system air movement equipment and if operating as intended.
- 2) Retest voltage.
- 3) Retest amperage.
- 4) Retest RPM if applicable.
- 5) All smoke control system control dampers shall be identified and if operating as intended.
- 6) All smoke zone differential pressures at egress exit doors (egress doors shall have no more than 30 lbf on break and 15 lbf on swing.

### **SECTION F-112**

#### **Automatic Sprinklers Required**

##### **F-112 Automatic Sprinklers Required:**

**F-112.1** Fire flow testing of a water supply for an Automatic Fire Protection Systems (AFPS) and/or Standpipe System using water as an extinguishing agent for new and existing buildings and structures shall be in accordance with NFPA 291, Recommended Practice for Fire Flow Testing and Marking of Hydrants, Florida Administrative Code (FAC) 69A-60.

**F-112.2** The following occupancies shall be protected throughout by an approved automatic sprinkler system installed in accordance with NFPA 13.

**F-112.2.1 Storage.**

In existing storage occupancies (other than parking garages and high-piled combustible storage) used for the storage of combustible goods or merchandise and exceeding 20,000 square feet per floor.

**F-112.2.4 Industrial Occupancies:**

All existing industrial occupancies exceeding 15,000 square feet per floor.

**F-112.3 Reserved**

**F-112.4** Where automatic fire sprinkler systems are installed, the location of the Fire Service Provider/Fire Department connection shall be approved by the Fire Service Provider/Fire Department having jurisdiction.

**F-112.5 Limited Access Structures**

**F-112.5.1** Where automatic fire sprinklers are installed in new Mini Storage Buildings, fire department emergency access openings acceptable to the AHJ shall also be provided. The emergency access openings shall not be less than the dimensions referenced in the Life Safety Code for Underground and Limited Access Structures.

**SECTION F-113 Corridors**

**F-113 Corridors.**

Where exterior corridors or exterior balconies serving as a required means of egress are enclosed on both sides and above, and the length of the enclosure along the long axis is twenty-five (25) feet or more, fire-resistivity of walls and the protection of openings therein shall be required as if such corridors or balconies were enclosed interior corridors.

**SECTION F-114 Reserved**

**SECTION F-115 RESERVED**

**SECTION F-116**

**Flammable and Combustible Liquids**

**F-116 Flammable and Combustible Liquids.**

**F-116.1 Underground Storage and Dispensing of Flammable/Combustible Liquids:**

Underground tanks used to store flammable liquids shall bear an Underwriters' label or equivalent testing agency. Tank capacity for underground installations shall be limited to thirty thousand (30,000) gallons or less. Any tank to be installed

shall be jointly approved in writing by the Fire Chief, Building Official, the director of zoning, and/or their duly authorized representative, after an appropriate review has been conducted. Such review includes, but is not limited to, an analysis of the proposed installation, location, distance separations, types of occupancies in the vicinity, tank corrosion protection and construction, and applicable zoning restrictions. The maximum storage capacity in any one location shall not exceed an aggregate total of one hundred thousand (100,000) gallons unless approved by the local Fire Code Official. Any property or facility requesting installation of tanks exceeding an aggregate capacity of sixty thousand (60,000) gallons of flammable liquids shall comply with the following additional requirements:

- 1) The property must be of suitable size, shape and topography to allow for the safe installation of the proposed tanks and be in compliance with location requirements identified in other sections of the NFPA, state and local fire codes; and
- 2) The facility must have an attendant on site during hours of operation; and
- 3) The facility must be continuously monitored, either by an on-site attendant or a third party when the facility is not in operation; and
- 4) The operator must provide evidence of an employee training program for on-site attendants that educates concerning all on-site equipment, including life safety equipment and emergency response procedures; and
- 5) The facility must provide additional emergency shut-off stations for ready accessibility by on-site attendants and the public; and
- 6) Station operator shall submit an emergency response plan for review and approval prior to issuance of permits for operations of the facility. The emergency response plan shall, at a minimum, provide emergency contact information and notification requirements, fire prevention and control equipment employed at the site, monitoring requirements and plans and procedures for mitigating release of hazardous materials, as well as all other information required by applicable governing and permitting agencies.

When flammable liquids are stored in more than one location, tanks shall not be interconnected between locations.

**Exception:** Broward County Office of Transportation's Transit Operations and municipal, county and special districts having underground bulk fuel storage facilities shall comply with the provisions of NFPA 30. Aggregate Limitations of Flammable and Combustible Liquids as per the F- 116.1 shall not apply. Permit shall be reviewed for compliance by the



local Fire Service Provider/Fire Department having Jurisdiction.

**F-116.1.1** Underground tanks out of service for a period of one year shall be removed. Underground tanks may be abandoned in place only if approved by the Fire Service Provider/Fire Department having jurisdiction.

**F-116.2 Storage and Use on Site of Combustible Liquids Used for Fixed Equipment Shall Be Under the Following Requirements:**

**F-116.2.1** Aboveground installation of single-wall tanks shall comply with NFPA 30 and the following additional requirements:

**F-116.2.1.1** Above ground tanks having a capacity in gallons greater than 10,000 shall be approved by zoning and local AHJ.

**Exception:** Municipal, County and Special Districts installing aboveground fuel storage tanks for fixed equipment for providing governmental services. Permit shall be reviewed for compliance by the local Fire Service Provider/Fire Department AHJ .

**F-116.2.1.2** Tanks shall be surrounded with an embankment or impervious dike not less than four feet high and capable of holding not less than one- and one-half times the capacity of the tank surrounded. Embankments or dikes shall be continuous, with no opening for piping or roadways.

**F-116.2.2** All aboveground storage tanks shall be identified by a suitable sign which will state type of fuel and capacity of the tank.

**F-116.2.3** Tanks used for stationary combustion engines and gas turbines shall comply with NFPA 37, as adopted in FAC 69A-60, Standard for the

Installation and Use of Stationary Combustion Engines and Gas Turbines.

**F-116.2.4** Distance separation between aboveground storage tanks and property lines and buildings shall be as specified in Table F-116.2.4 below:

**Table F-116.2.4**

Capacity in Gallons	To line of adjoining unprotected building or property which may be built upon	To line of adjoining protected buildings	To line of existing frame buildings
1,000	12 feet	8 feet	20 feet
2,000	20 feet	15 feet	40 feet

3,000	20 feet	15 feet	40 feet
10,000	30 feet	20 feet	50 feet

**F-116.3 Aboveground Storage for Dispensing of Flammable and Combustible Liquids from UL listed 142 (double wall), 2085 or Equivalent Tanks:**

**F-116.3.1** Aboveground storage of flammable and combustible liquids shall be approved by the Fire Chief, Building Official, and/or their duly authorized representative after an appropriate review has been conducted. Such review includes, but is not limited to, an analysis of the proposed installation, location, distance separations, types of occupancies in the vicinity, tank corrosion protection and construction, and applicable zoning restrictions. The maximum storage capacity in any one location shall not exceed an aggregate total of 12,000 gallons. Aboveground storage of flammable and combustible liquids shall comply with the following regulations:

**Exception:** Municipal, county and special districts having aboveground fuel storage facilities shall comply with the provisions of NFPA 30. Aggregate Limitations of Flammable and Combustible Liquids as per F116.3.1 shall not apply. Permit shall be reviewed for compliance by the local Fire Service Provider/Fire Department AHJ .

**F-116.3.1.1** The provisions in this Section shall not supersede any zoning standard that might regulate or eliminate the use of aboveground storage tanks.

**F-116.3.1.2** Aboveground Tanks containing flammable and combustible liquids shall be in approved fire resistive tank enclosure assemblies.

**F-116.3.1.2.1** A fire resistive tank enclosure assembly storing flammable liquids shall consist of a tank bearing an Underwriters' label 142, 2085 or an equivalent testing criterion by an approved testing agency. A single tank or combination of tanks shall not exceed 12,000 gallons at one site.

**F-116.3.1.3** The tank assembly shall be installed upon a minimum four-inch (4") slab, meeting requirements of the manufacturer's specifications. Each tank assembly shall be anchored to withstand uplifting by flooding or storm surges, including when the tank is empty.

**F-116.3.1.4** Area around tank assembly shall be maintained free of combustible waste, debris and all types of storage. Any tank assembly exposed to vehicular traffic shall have collision barrier posts installed on all corners and sides so exposed and shall not be spaced more than four feet (4') apart, center to center. Fire Marshal/Fire Code Official, or their duly authorized representative, may require the installation of collision barrier posts, even if the clearance guidelines can be achieved.

**F-116.3.1.5** Dispensing devices are allowed to be installed on top of the tank enclosure assembly. Any such device dispensing Class 1 liquids shall have installed on the fill hose, a UL listed emergency breakaway device designed not to lose liquid from either side of the breakaway point. All product piping attached to the tank enclosure assembly shall be double walled, contain a sheer valve or equivalent, and shall be installed by an authorized pollutant storage system specialty contractor. External piping leading away from the tank shall have a valve located within six inches (6") to the shell of the tank. Approved antisiphon devices shall be installed at each connection of piping to a tank when such piping extends below the level of the top of such tanks both internally and externally. All underground pipe work shall be uncovered until inspected by building and Fire Service Provider/Fire Departments, and other regulatory agencies.

**Exception:** Factory installed piping does not have to be installed by an authorized pollutant storage system specialty contractor.

**F-116.3.1.6** Aboveground tank assemblies temporarily out-of-service for a period not exceeding ninety (90) days shall immediately have the fill, gauge openings and pump suction capped and secured against tampering. The vent lines shall be left open. Aboveground tank assemblies out-of-service for a period exceeding ninety (90) days, shall be removed. The property owner or agent shall notify the Fire Service Provider/Fire Department of any tanks out-of-service greater than 90 days.

**F-116.4** Only Labeled and Listed Pumps Shall Be Used; Gravity Flow Pumps Are Prohibited. Fuel shall be drawn from aboveground storage tanks by pumps bearing the label of an Approved Testing Laboratory, such as Underwriters Laboratories, Inc. The use of pressure systems or gravity flow type pump systems is prohibited.

## **SECTION F-117**

### **Dispensing Areas**

**F-117.1** Dispensing areas shall be provided with a vehicular driveway constructed of reinforced concrete. It shall be sloped to allow any accidental discharge from the dispensing of fluid to flow away from the dispenser or any building and shall be subject to the approval of the Fire Marshal/Fire Code Official, or their duly authorized representative. This driveway shall be a minimum of twelve feet (12') wide and twenty feet (20') long, minimum. In every case, this driveway shall be large enough that the fuel hose, when fully extended, does not reach the far edge of the driveway.

**F-117.2** A fire extinguisher with a minimum classification 4A-60BC shall be provided and so located that it will be not more

than one hundred feet (100') from any pump, dispenser, or fill-pipe opening.

## **SECTION F-118**

### **Flammable Liquid Storage at Port Everglades and the Fort Lauderdale-Hollywood International Airport**

**F-118.1** Aboveground storage of flammable liquids shall be permitted at Port Everglades and the Fort Lauderdale-Hollywood International Airport ("Airport"). All tank locations at the Airport shall be approved by the Broward County Fire Marshal/Fire Code Official, or their duly authorized representative, prior to the issuance of a permit to erect or install a tank.

**F-118.2** All flammable liquid storage tanks at Port Everglades shall be constructed, installed and maintained in accordance with the Port Everglades Tariff Number 12 amendments thereto and reissues thereof.

## **SECTION F-119**

### **Liquefied Petroleum Gases**

**F-119.1 Scope.** This Section shall apply to the storage, handling and transportation of liquefied petroleum gas and the installation of all equipment pertinent to systems for such uses in addition to the requirements stated in NFPA-58, Storage and Handling of Liquefied Petroleum Gases.

**F-119.2 Definition.** Distributing Plant: A facility, the primary purpose of which is the distribution of gas, and which receives LP-Gas in tank car, truck transport or truck lots, distributing this gas to the end ~~use~~ user by portable container (packaged) delivery, by tank truck or through gas piping. Such plants have bulk storage (2,000 gallons water capacity or more) and usually have container filing and truck loading facilities on the premises. Bulk plants are considered as being in this category. Normally no person other than plant management or plant employees shall have access to these facilities. Additionally, definitions contained in NFPA 58 shall apply.

### **F-119.4 Location of Containers and Limits:**

**F-119.4.1** All new liquefied petroleum gas storage installation and handling shall be in accordance with NFPA-58, the laws of the State of Florida, and all applicable rules, regulations, and ordinances of the AHJs.

**F-119.4.2** Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested commercial areas, the aggregate capacity of any one installation shall not exceed 2,000 gallons water capacity, except that in particular installations this capacity limit may be altered by the approval of the Fire AHJ after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings,

capacity of proposed tanks, degree of private fire protection to be provided and facilities of the local Fire Department. The storage of liquefied petroleum gas shall conform to the provisions of the local zoning ordinance.

**F-119.4.3** Where a distributing point is allowed, there shall be in attendance a qualified person to make the transfer of liquefied petroleum gas. This person shall have been trained by a licensed gas company and be in possession of documents certifying such training. The owner of the distributing point shall be licensed by Florida Department of Agriculture and Consumer Services – Visions of Consumer Services.

**F-119.4.4** All plans for installations at distributing points shall be submitted to the AHJs for permits and approval. In addition, plans for locations at distributing points for fixed (stationary) installations of

- 1) 2,000 gallons individual water capacity, or
- 2) with the aggregate water capacity exceeding 4,000 gallons, or
- 3) Any installation, regardless of size, which will be used for resale to the public, shall be submitted to the Florida Department of Agriculture and Consumer Services – Visions of Consumer Services for approval and proper licensing, and be approved before the installation is started. Other safety precautions shall be adhered to as designated by the Fire Code Official/Fire Marshal, or their duly authorized representative.

**F-119.4.5** An LP Gas storage tank shall not be installed on the same island used for gasoline or diesel fuel dispensing. A minimum distance of 25 feet shall be maintained between the LP gas storage tank and the flammable liquid dispensing devices.

**F-119.4.6** A distributing plant, as defined in F-119.2, shall be prohibited unless approved by the Fire Code Official/Fire Marshal or their duly authorized representative, of the jurisdiction.

**F-119.4.7** Multiple container installations with a total storage water capacity of more than 180,000 gallons (150,000 gallons LP-gas capacity) shall be subdivided into groups containing not more than 180,000 gallons in each group. Such groups shall be separated by a distance of not less than 50 feet, unless the tanks are:

- 1) buried or mounted in an approved manner, or
- 2) protected with approved insulation on such areas that may be subject to impingement of ignited gas from pipelines or other leakage, or
- 3) protected by firewalls of approved construction, or

4) protected by an approved system for application of water, or

5) protected by other approved means, where one of these forms of protection is provided, the separation shall not be less than 25 feet between such container groups.

**F-119.4.8** The storage and transportation of liquefied petroleum gas and the installation of all pertinent equipment shall be installed and maintained in accordance with NFPA-58, and subject to the approval of the Fire Chief, or their duly authorized representative; These orders shall apply to all persons and places within the jurisdiction except as herein provided.

**F-119.5 Parking and Garaging:** Vehicles containing cylinders of liquefied petroleum gases 20 lbs or greater in size are prohibited in public parking garages, this includes LP gas delivery vehicles. Vehicles that are powered by LP gas and meet NFPA 54 for fuel systems are permitted.

#### **F-119.6 Prohibited Use of Liquefied Petroleum Gas:**

**F-119.6.1** Liquefied petroleum gas shall not be used for the purpose of operating any device or equipment unless such equipment or device is approved for use with a liquefied petroleum gas.

**F-119.6.2** Liquefied petroleum gas shall not be released to the atmosphere except through an approved liquid level gauge or other approved device.

#### **F-119.7 Dispensing and Overfilling.**

**F-119.7.1** The dispensing of liquefied petroleum gases shall be performed by a qualified attendant.

(a) It shall be illegal for any person, firm, corporation, association, club or organization to operate a self-service liquefied petroleum gas dispensing operation which is open to the public.

**F-119.7.2** A person shall not fill or maintain a liquefied petroleum gas container with liquefied petroleum gas in excess of the fixed outage gauge installed by the manufacturer or the weight stamped on the tank.

#### **F-119.8 Safety Devices.**

**F-119.8.1** A person shall not tamper with or make ineffective the safety devices of any liquefied petroleum gas container.

**F-119.9** Abandonment of Liquefied Petroleum Gas Equipment:

**F-119.9.1** At the discretion of the Authority Having Jurisdiction, whenever the use of liquefied petroleum gas equipment has been discontinued, it may be abandoned in an approved manner within a period of 30 days. However, after 90 days, F-119.9.4 applies.

**F-119.9.2** The following procedures may be used when approved by the Fire Chief or their duly authorized representative.

**F-119.9.2.1** Removal of all liquefied petroleum equipment.

**F-119.9.2.2** Burn-off content of container.

**F-119.9.3** All service openings shall be capped or plugged after contents have been removed from container.

**F-119.9.4** All LP tanks, abandoned or out of service in excess of ninety (90) days, shall be removed and properly disposed of.

**F-119.9.5** Combustible Gas Detection; In all facilities where combustible gases are piped to an appliance, a combustible gas detection system with an external notification device shall be installed in accordance with NFPA 72. The external notification device shall provide audio and visual notification and have a sign not less than 14" x 14" stating "combustible gas detected, call 911".

#### **F-119.10 Hydrogen Fuel for Emergency Power Systems.**

Hydrogen stationary fuel cell power systems shall be installed in accordance with NFPA 853 of the current edition. Storage shall be in compliance with NFPA 55 (Storage, Use and Handling of Compressed Gases Cryogenic Fluids in Portable or Stationary Containers, Cylinders and Tanks) for installation.

### **SECTION F-120**

#### **Fireworks and Sparkler/Novelty Items**

##### **F-120.1 General Requirements.**

**F-120.1.1** The manufacturing of fireworks, sparklers and pyrotechnic materials is prohibited.

**F-120.1.2** The storage of fireworks and pyrotechnic materials is prohibited except as permitted in NFPA 1, Section 65.

**F-120.1.3** Except as hereafter provided, it shall be unlawful for any person, firm, co-partnership or corporation to store, to offer for sale, expose to store, expose for sale, sell at retail, or use or explode any fireworks and/or pyrotechnic materials.

**F-120.1.3.1** Consumer fireworks can be utilized as per FS 791 on specified holidays.

**F-120.1.4** Approved sparklers per F. S. 791.013 and any wholesaler registered in accordance with Florida Statute 791.015 as of July 1, 1996, who has obtained all applicable governmental licenses and permits to operate from a permanent structure within Broward County as of July 1, 1996, are exempt from this subsection.

**F-120.1.5** Wholesale exemption sales of fireworks pursuant to F.S.791.04 shall be prohibited at temporary or seasonal sales sites, and sales sites located in tents, canopies and stands.

##### **F-120.1.6 Permit Requirements and Operator Qualifications.**

**F-120.1.6.1.** Application for permit to operate a display of fireworks or use of pyrotechnics before a proximate audience shall be made in writing on forms provided by the Authority Having Jurisdiction to the Fire Chief, or their duly authorized representative, at least 15 days in advance of the date of the display. Except as specifically modified within this Code, outdoor display of fireworks shall be as specified in NFPA 1123. See Section F 120.2 for additional requirements for Outdoor Display of Fireworks on Private Residential Property. See Section F- 120.3 for additional requirements for Offshore and Barge Fireworks Displays. Except as specifically modified within provisions of the Fire Protection Provisions of this Code, the FFPC, and all Fire Codes, use of pyrotechnics before a proximate audience shall be as specified in NFPA 1126.

**F-120.1.6.1.1** Before any permit for a pyrotechnic display shall be issued, the person or organization making application shall furnish proof of financial responsibility to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of such person or any agent or employee thereof, in such amount, character, and form as the Fire Chief, or his/her duly authorized representative, determines to be necessary for the protection of the public.

**F-120.1.6.1.1.1** A copy of the certificate of insurance naming the permitting agency as additional insured is required.

**F-120.1.6.1.1.2** Minimum required amount of certificates of insurance for permit issuance is as follows: \$1,000,000 for bodily injury, and \$50,000 for property damage, per occurrence.

**F-120.1.6.2** Permit application shall be set forth and contain the following:

**F-120.1.6.2.1** The name, address and telephone number of the organization sponsoring the display, the supplier of the fireworks, the operator (pyrotechnician) and all assistants.

**F-120.1.6.2.2** Application shall be signed by the sponsoring organization representative, and the operator (pyrotechnician) and approved by Fire Chief or his/her designee.

**F-120.1.6.2.3** References for the most recent three firework displays supervised and discharged by the designated operator shall be required for review by the AHJ. Said referenced displays shall be similar in size and complexity and will provide contact persons and telephone numbers.

**F-120.1.6.2.4** The date and time of day at which the display is to be held and the duration time for said display. Permits shall not be issued for displays between the hours of 11:00 pm and 7:30 am.

**F-120.1.6.2.4.1** Time restrictions stated above may not be applicable on January 1, July 4, and December 31, or any other date where specific permission to operate a display of fireworks is granted by the AHJ.

**F-120.1.6.2.5** The exact location address for the display, event or production.

**F-120.1.6.2.6** A copy of a location site plan with dimensions indicating the exact location planned for the display site and all grounds and facilities at which the event will be held. This plan shall include the location of all structures, audience viewing areas, roads, trees and utilities.

**F-120.1.6.2.7** Operator and assistant qualifications shall comply with the provisions of NFPA 1123 and NFPA 1126.

**F-120.1.6.2.7.1** The operator shall be responsible for ensuring that a sufficient number of assistants are available on site for the safe storage and conduct of the fireworks display.

**F-120.1.6.2.7.2** Operators shall be at least 21 years of age and all assistants shall be at least 18 years of age. A copy of a valid driver's license or other valid picture I.D. acceptable to the AHJ shall be provided for all operators and assistants.

**F-120.1.6.2.8** The type and number of fireworks to be discharged.

**F-120.1.6.2.8.1** Aerial displays: Size and number of each type of burst (single, multiple, etc.)

**F-120.1.6.2.8.1.1** All aerial shells, regardless of size, shall be fired using approved electrical ignition unless alternate method of ignition is approval by the AHJ.

**F-120.1.6.2.8.1.2** All electrically fired displays shall provide a solid barrier located at least 100 feet from the mortar location from which all operators (pyrotechnicians) shall control the display with the exception of displays on barges.

**F-120.1.6.2.8.2 Fixed displays. Size, type and description of displays.**

**F-120.1.6.2.8.3** The manner and place of storage of fireworks prior to display. The date, time and travel route from the point the fireworks enter Broward County.

**F-120.1.6.2.9 Standby Firewatch Requirements.**

**F-120.1.6.2.9.1** The Fire Chief, or his/her duly authorized representative, shall require one or more standby firewatch personnel employed by the Fire Service Provider/Fire Department, to be on-duty for each display or performance. When deemed necessary the Fire Chief, or their duly authorized representative, additional fire rescue apparatus may be required for the display or performance. The expense of such personnel services and apparatus shall be borne by the permit holder and shall be paid prior to issuance of the permit.

**F-120.1.6.2.9.2** The standby firewatch personnel shall be on duty from the time of display set up, during the display, and until termination of the display and removal of all fireworks, debris, pyrotechnical materials and devices from the site.

**F-120.1.6.2.9.3** In the case of indoor displays or performances, standby firewatch personnel shall be maintained until total restoration of normal function of the fire safety systems has been verified.

**F-120.1.6.2.9.4** At a minimum, at least one of the assigned standby firewatch personnel shall be a BORA Certified Fire Inspector.

**F-120.2** Additional Requirements for Outdoor Display of Fireworks on Private Residential Property:

**F-120.2.1** Written approval from the property owners located adjacent the proposed display site property is required prior to approval of a permit for outdoor fireworks display.

**F-120.2.2** The display site shall have at least a 100 foot per inch radius of internal mortar diameter of the largest shell to be fired.

**F-120.2.3** Minimum distance separation shall be no less than 300 feet from the nearest dwelling, building, or structure. This includes canopies, chickee huts, or similar structures, bulk storage areas, public highways, railroads or other means of travel.

**F-120.2.4** Not within 1,000 feet of a school, theater, church, hospital, nursing home, assisted living facility, livestock/animal storage site, or similar structures or institutions.



**F-120.2.5** No less than 50-foot radius from the nearest aboveground utility, telephone or telegraph line, tree, or other overhead obstruction.

**F-120.2.6** The audience shall be restricted behind an approved barrier, location no less than 200 feet from the outside of the required display site distance separations.

**F-120.2.7 Reserved**

**F-120.3 Offshore and Barge Fireworks Displays.**

**F-120.3.1** Firework displays shall only be permitted on approved barges. Barge means a non-self-propelled vessel and shall meet the requirements of NFPA 1123 for construction and sizing requirements of the discharge site.

**F-120.3.2** A valid copy of a current U.S. Coast Guard permit of operation shall be provided for each barge display, if required by the U.S. Coast Guard.

**F-120.3.3** At least two chase boats shall be provided to maintain a clear separation distance of at least 1,000 feet radius around the barge from other vessels, structures and the beach. Chase boats shall also provide transportation of fire rescue personnel when required.

**F-120.3.4** Two-way compatible communication shall be provided for use by fire rescue and law enforcement personnel, chase boats and barge crew.

**F-120.3.5** Ladder access shall be provided to allow immediate access for inspection and emergency response.

**F-120.3.5.1** Stabilization shall be provided to secure the barge and prevent rotation from wind, water current and firing angle.

**F-120.3.5.2** Inspection of the barge by the Fire Service Provider/Fire Department shall occur at least one to two hours prior to the scheduled departure for sea.

**F-120.4 Safety Precautions for Outdoor fireworks.**

**F-120.4.1** If in the opinion of the Fire Chief, or his/her duly authorized representative, any unsafe or hazardous condition exists, the fireworks display shall be postponed until such time as said conditions are corrected.

**F-120.4.2** If high winds, precipitation or other adverse weather conditions prevail, such that in the opinion of the Fire Chief, or his/her duly authorized representative, a significant hazard exists, the fireworks display shall be postponed until weather conditions improve to an acceptable level to allow discharge.

**F-120.4.2.1** No discharge of a fireworks display shall be permitted to take place when the wind velocity is 17 knots (20 mph) or greater.

**F-120.4.3** Immediately upon delivery to the display site, all fireworks shall be properly secured and shall not be left unattended at any time. When deemed necessary, the Fire Chief, or their duly authorized representative, may require the operator or employ special security measures to ensure the proper security of the stored fireworks.

**F-120.4.4** A minimum of two, two and one-half gallon pressurized water fire extinguishers shall be available in the discharge area. Additional extinguishers or equipment may be required if conditions warrant. In addition, adequate water supply for fire protection shall be available at the discharge site.

**F-120.5** Requirements for the Sale, Display, Merchandising, Storage and Handling of Approved Sparklers and Novelty Items within buildings, Structures, Canopies and Outdoor Sites.

**F-120.5.1** No person shall be in possession of a lighted cigarette, cigar, or pipe, or any open flame, within 50 feet of any sales, display, merchandising, storage, or handling area. Proper receptacles for disposal of smoking materials shall be provided at all entrances to such areas (i.e. water filled or sand filled buckets).

**F-120.5.2** A minimum of two approved two and one-half gallon pressurized water fire extinguishers shall be available within the sales, display, and handling areas; additional fire extinguishers or fire protection equipment may be required by the authority having jurisdiction.

**F-120.5.3** Precautions shall be taken to protect against fire or spread of fire in all sites located within fields or lots with ground cover such as brush, grass or other overgrowth of vegetation.

**F-120.5.4** Durable and readily visible signs to read "Caution Sparklers—No Smoking" shall be posted on the exterior of each entrance way into and throughout all sparkler sales, storage, and handling areas within the interior of any building, structure, canopy, or outdoor site. These signs shall be readily visible in all directions.

**F-120.5.5** The use, ignition or discharge of any approved sparklers or novelty items is prohibited within buildings or structures where sparklers or novelty items are offered for sale, displayed, or stored, and within 100 feet of any outdoor sales storage or handling sites.

**F-120.5.6** Buildings or structures used in whole or in part for sales (retail or wholesale), display, merchandising, handling, or storage of sparklers and/or novelty items shall be fully protected throughout with an automatic sprinklers system in

accordance with NFPA 13, the edition in 69A-60, Florida Administrative Code.

**F-120.5.7** No storage of sparklers or novelty items shall be permitted in vehicles.

**Exception:** Transportation purposes only, to and from the site or at a permitted site, if approved by the authority having jurisdiction.

**F-120.5.8** Sales, display and merchandising shall be conducted in an approved and safe manner in order to control handling by the general public.

**F-120.5.9** Amounts of sparklers and related novelty items displayed within the sales area shall not exceed those amounts approved by the Fire Chief, or their duly authorized representative. Note: Where the primary business of the occupancy is not sale of sparklers, the sale areas of sparklers or novelty items shall not exceed two percent of the net floor space of the building or structure.

**F-120.5.10** Storage of approved sparklers and novelty items shall comply with the following.

**F-120.5.10.1** Sparklers shall not be stored or kept in any area

**F-120.5.10.1.1** In which paints, oils, or varnishes are manufactured or kept for use or sale, unless the paints, oils or varnishes are in unbroken (sealed) containers.

**F-120.5.10.1.2** In which resin, turpentine gasoline or flammable substances which may generate vapors are used, stored, or offered for sale unless the resin, turpentine, gasoline, or substance is in unbroken (sealed) containers.

**F-120.5.10.1.3** In which there is not at least one 2A10BC fire extinguisher available in the area used for storage.

**F-120.5.10.2** Storage of sparklers shall be in an approved manner, remote from the public, and separated from all other merchandise by at least one hour fire protection and an approved automatic sprinkler system.

**Exception:** Canopies and approved steel storage vaults or containers when used outdoors.

**F-120.5.10.3** Approved storage facilities shall be labeled with an approved Explosion placard complying with the Department of Transportation (DOT) Standard.

**F-120.5.11** Outdoor sites for sale, storage, and/or handling of approved sparklers shall comply with the following distance requirements: The minimum distance between a storage site and any building or structure shall be 50 feet.

## **F-120.6 Separation.**

**F-120.6.1** The minimum distance required between a site and any fuel storage/dispensing area or device shall be 50 feet.

**F-120.6.2** Storage areas shall be separated from sales and handling areas by a minimum of 25 feet.

**F-120.6.3** Any building or structure used as storage facilities for sparklers and novelty items in conjunction with outdoor sites shall comply with the one-hour protection separation and automatic sprinkler system requirements as required for storage areas within building and structures.

**Exception:** Canopies and approved steel storage vaults or containers.

**F-120.6.4** When a canopy can be used in conjunction with an outdoor site operation, the following shall apply:

**F-120.6.4.1** No sides of any kind are permitted on the canopy at any time. Provide copy of Building Permit for canopy.

**F-120.6.4.2** The canopy shall comply with the flame-retardant requirement. Proper flame retardant certificate required.

**F-120.6.4.3** Proper exit and exit access shall be maintained at all times within the interior of the canopy. No obstruction to egress from any portion of the canopy is permitted.

**F-120.6.4.4** Provide and maintain a minimum of one 2A40BC dry chemical fire extinguisher, with properly updated service tag for each 2,500 sq. ft. of canopy area. Not less than one fire extinguisher for each canopy.

**F-120.6.5** If the site is to operate after daylight hours, the site shall be properly illuminated. If electricity powered and/or electrical equipment is used, the following shall apply:

**F-120.6.5.1** All electrical equipment and associated wiring shall comply with NFPA 70, the National Electrical Code, edition as adopted in 69A-60, Florida Administrative Code. Provide copy of permit for electrical service and equipment.

**F-120.6.5.2 If fuel powered generator is to be used to supply power for the site, the following shall apply.**

**F-120.6.5.2.1** Generator shall be kept a minimum distance of twenty feet (20') from sales, storage, or handling area.

**F-120.6.5.2.2** Precautions against fire or fire spread shall be taken when generator sites are located within fields or grassed lots.

**F-120.6.5.2.3** Only an approved metal five-gallon safety container shall be used to store fuel for the generator. Fuel containers shall be properly stored with a maximum of ten gallons per site.

**F-120.6.5.2.4** Approved fuel containers shall not be stored in sales, storage, handling areas or vehicles.

**F-120.6.5.3** Durable sign to read “NO SMOKING” shall be posted at the generator site.

#### **F-120.7 Pyrotechnics Before Proximate Audience**

**F-120.7** The requirements for the use of pyrotechnics before a proximate audience shall be in accordance with the standards as set forth in the FFPC. In addition, the following local amendments shall apply:

**F-120.7.1** Application for permit to operate a display of pyrotechnics before a proximate audience shall be made in writing on forms provided by the Authority Having Jurisdiction to the Fire Chief, or their duly authorized representative, at least 15 days in advance of the date of the display.

**F-120.7.2** The local Fire Marshal/Fire Code Official, or their duly authorized representative at their discretion, shall require standby fire watch personnel employed by the AHJ of the Fire Service Provider/Fire Department, to be on duty for each display or performance. When deemed necessary by the local Fire Marshal/Fire Code Official, or his/her duly authorized representative, additional fire and rescue apparatus may be required for the display or performance. Any and all expense(s) of standby personnel services and apparatus shall be borne by the permit holder.

**F-120.7.2.1** Standby fire watch personnel shall be on duty from the time of display setup, during the display, and until termination of the display and removal of all pyrotechnic materials, debris, and devices from the site.

**F-120.7.2.2** In the case of indoor displays or performances, standby fire watch personnel shall be maintained until total restoration of normal functioning of the fire safety systems has been verified.

**F-120.7.2.3** At a minimum, at least one of the assigned standby fire watch personnel shall be a BORA Certified Fire Inspector.

**F-120.7.3** Any indoor use of pyrotechnics shall not be permitted in buildings or any portion thereof unless protected by an approved automatic sprinkler system.

**F-120.7.3.1** Indoor use of pyrotechnics shall be prohibited in temporary structures such as tents, canopies,

**F-120.8 Rooftop Pyrotechnics:** In addition to the aforementioned code requirements, the following shall apply to rooftop pyrotechnic displays:

**F-120.8.1** Only NFPA 1126 approved pyrotechnics shall be permitted for all rooftop displays.

**F-120.8.1.1** If a rooftop display is being proposed, the pyrotechnician shall identify a debris fallout area on the submitted plan.

**F-120.8.1.2** The pyrotechnician shall provide the local Fire Marshal/Fire Code Official, or their duly authorized representative with an approved, written notice from the FAA acknowledging receipt of the time frame of the display, the pyrotechnic material used, and approval from the FAA representative to proceed with the event.

**F-120.8.1.3** Such an approved written notice shall be a part of the permit application submitted at least 15 working days prior to the event.

**F-120.8.1.4** Failure to provide approved, written notice from the FAA to the local Fire Marshal/Fire Code Official, or their duly authorized representative, shall be cause for denial to display rooftop pyrotechnics.

**F-120.8.1.5** At the discretion of the local Fire Marshal/Fire Code Official, or their duly authorized representative, the pyrotechnician may be required to post all, or part of the following:

**F-120.8.1.5.1** Additional insurance policy in the amount of one million dollars indemnifying the local AHJ.

**F-120.8.1.5.2** Post a refundable clean-up bond with the local AHJ holding the pyrotechnician responsible for post-event clean up from pyrotechnic debris fallout.

**F-120.8.1.5.3** If the pyrotechnician is not directly responsible for post event cleanup of debris, the pyrotechnician shall furnish written proof from the party responsible for post event cleanup of pyrotechnic debris.

**F-120.8.1.6** The pyrotechnician shall be held responsible for the cleanup of any NFPA 1126 pyrotechnic material fallout on any structure, vehicles, and/or part thereof in the fallout area unless otherwise advised in writing, to the fire code official, as to the contracted party responsible for such cleanup.

#### **F-121 Automatic External Defibrillator (AED) and Stop the Bleed Kit (SBK)**

**F-121.1.1** All new and existing buildings needing to comply with the following sections, shall be provided a maximum of eighteen (18) months from the date approved by the Broward County Board of Rules and Appeals to comply.

**F-121.2** AED(S) and SBK(S) shall be installed in the following occupancies as defined in NFPA 101, Life Safety Code.

F-121.2.1 *Assembly occupancy:*

a. Fitness centers, gymnasiums, and indoor recreational centers in excess of one thousand five hundred (1,500) square feet.

b. Theaters, restaurants, drinking establishments, with a capacity of one hundred (100) or greater.

c. Places of worship with a capacity of one hundred (100) or greater.

F-121.2.2 *Business occupancy:*

a. Office buildings/business occupancies with a square footage greater than twenty thousand (20,000) square feet.

b. All Dental offices in accordance with Florida Administrative Code 64B5-17.015.

F-121.2.3 *Day Care occupancy:*

a. All adult day care facilities

F-121.2.4 *Educational occupancy:*

a. All Charter and Private Schools.

F-121.2.5 *Healthcare occupancy:*

a. Assisted living facilities as defined by section 429.021(5) Florida Statute as amended from time to time.

b. Ambulatory surgical centers as defined by section 395.002 (3) Florida Statute as amended from time to time.

c. Walk in medical care facilities.

d. Hospitals providing emergency services, including freestanding facilities, shall be excluded.

F-121.2.6 *Mercantile occupancy:*

a. Commercial and retail spaces with a square footage greater than thirty-five thousand (35,000) square feet.

F-121.2.7 *Residential occupancy:*

a. All hotels and motels.

b. Multi-story residential/dormitory buildings five (5) floors or more

F-121.2.7.1 Multi story occupancies listed above shall place an AED and SBK on every other floor beginning on the first floor. The AED and SBK shall be placed near the elevator(s) beginning in the first-floor lobby (first floor, third floor, fifth floor etc.)

F-121.3 *Installation and Operation.*

F-121.3.1 The Authority Having Jurisdiction (AHJ) shall verify all AED devices and SBK's for operation prior to being placed in service or available for use, and on an annual basis.

F-121.3.2 AED(S) devices and SBK(S) shall be:

a. Conspicuously located in plain view of the primary public entrance or by the elevator lobby with unobstructed access.

b. Readily accessible and immediately available when needed for on-site employees and the general public, including disabled persons.

c. The AED(S) and SBK(S) shall be 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 to prevent tampering, theft, or damage.

d. The AED shall be located below a sign having a minimum area of seventy (70) square inches and containing the letters "AED" and the universally recognizable symbol, which should be placed no more than sixty (60) inches, on center, above the floor.

e. The SBK shall be located below a SBK sticker. The SBK sticker may also be placed on the cabinet containing the SBK.

F-121.3.3 AED devices shall contain adult pads and pediatric pads as required by the AHJ.

F-121.3.4 SBK(S) with the exception of large occupancy SBK(S), shall minimally contain:

a. Eight commercially manufactured tourniquets; and

b. Eight gloves; and

c. One scissor; and

d. Two 3-inch gauze rolls; and

e. Two gauze combine pads.

F-121.3.5 Places of occupancy that hold 500 or more persons, regardless of occupancy classification, shall have a large occupancy SBK, which minimally contain:

a. Eight commercially manufactured tourniquets; and

b. Eight gloves; and

c. Two scissors; and

d. Eight 3-inch gauze rolls; and

e. Eight gauze combine pads.

F-121.3.6 The AED(S) devices and SBK(S) shall be used in accordance with the manufacturer's guidelines.

F-121.3.7 It shall be the responsibility of the owner/occupant to:

a. Install the AED device and SBK;

b. Provide all necessary training and appropriate use; and

c. Maintain AED devices and SBK in accordance with manufacture recommended maintenance requirements and as required herein.

F-121.3.8 If an AED device or SBK is removed for repair, a replacement shall be provided by the owner/occupant or by the manufacturer.

F-121.3.9 *Requirements and procedures.* The following shall be the requirements and procedures for use, training, and data collection of the AED and SBK program:

F-121.3.9.1 The implementation of an AED and/or SBK shall occur only after a written notification is made to the Fire Chief or designee by the individual, entity, organization, or company acquiring an AED. The written notification must contain the facility or business name, street address, specific location of the AED and/or SBK, the number employees at the facility or business, the total number of persons trained or to be trained in the use of the AED and SBK, and name of manufacturer and model number of each AED.

F-121.3.9.2 Prior to implementation of an AED or SBK, the individual, organization or company will obtain and send to the AHJ, proof of standardized training for all intended users of the AED and SBK. The training shall consist of a class provided by a nationally recognized organization, or locally approved by the AHJ, including, but not limited to, the American Heart Association, the American Red Cross, and the National Safety Council, and shall follow a standardized curriculum. The standardized curriculum shall include, at a minimum:

a. Signs and symptoms of sudden cardiac arrest.

b. Cardiopulmonary resuscitation (CPR); and

c. Proper use, maintenance, and inspection of AED's.

F-121.3.9.3 The training for the SBK shall consist of a class provided by a nationally recognized organization or locally approved by the AHJ. The standardized curriculum shall include, at a minimum:

a. Tourniquet application and use

F-121.3.9.4 The owner of the AED will ensure that the use of the AED follows the policies and procedures developed and authorized by the AHJ, and the provision of F.S. § 401.2915, as may be amended.

F-121.3.9.5 Recertification of users, maintenance, and inspection of the AED and SBK is the responsibility of the owner/occupant and shall be done on a periodic basis, as prescribed by the manufacturer and/or certifying agency. Recertification of users will consist of a class, which will review the techniques for using the AED and SBK and follow a standardized curriculum. Recertification training shall be provided as in section F-121.2 and F-121.3 above. Maintenance of the AED device and SBK shall be in accordance with the manufacturer's recommendations.

F-121.3.9.6 The AHJ may conduct a quality assurance review after the use of an AED or SBK that includes gathering clinical data and information from the person that used the AED or SBK and from the AED itself.

F-121.3.9.7 Any person who uses an AED is required to contact the AHJ by calling 9-1-1 immediately prior to, or immediately upon use of the AED (F.S. § 401.2915 (c)).

F-121.3.9.8 The owner and user of the AED or SBK will not withhold consent for a quality assurance review by the AHJ after the use of an AED or to the retrieval of clinical data from the device itself.

F-121.3.9.9 The AHJ shall verify the presence of the AED device and/or SBK and may inspect any maintenance records and documentation of training to ensure compliance with the community AED and stop the bleed program.

F-121.3.9.10 The AHJ is not liable for any damages experienced by the AED and by the SBK, or any person or entity arising as a result of

a) business's use or misuse of the equipment or supplies.

b) business's failure to provide services pertaining to the equipment supplies

c) any defects in the equipment or supplies.

Immunity from civil liability provisions. The provisions of F.S.768.1325, and specifically the immunity from civil liability for any harm resulting from the use or attempted use of an automated external defibrillator (AED) device as found in F.S. 768.1325(3) as may be amended from time to time are hereby adopted and incorporated into the ordinance.

## **F-122 Mobile and Temporary Cooking Operations**



**F-122.1** The following section shall be a minimum life safety requirement but can be modified if deemed necessary by the local AHJ.

**F-122.1.1** Mobile or Temporary Cooking. Any cooking facility, apparatus or equipment, being operated on a one time or interim basis, or for less than 90 days in the same location, other than at a fixed location, building or structure which has been inspected and permitted under another section of this code, regulation or statute, inclusive of self-propelled trucks and vehicle, trailered units, push carts, equipment located under cover of awnings, canopies or pop-up tents, or other structures for which a building permit has not been issued.

**F-122.1.2** All current licensing, semiannual / annual fire suppression system inspections reports and a cleaning report with related documents shall be placed in a binder and accessible to the AHJ at all times.

**F-122.1.3** Prior to operating within Broward County, each Mobile Food Dispensing Vehicle shall be inspected and approved.

a. Inspection and approval by the AHJ shall not relieve the mobile food vendor's owner of the responsibility of compliance with the design, construction, installation, alteration, repairs, equipment maintenance, process and relocation of the mobile food truck.

b. Inspection and approval shall not hold the AHJ responsible for the enforcement of regulations of such other regulatory agencies unless specifically mandated to enforce those agencies regulations.

**F-122.1.54** Cooking equipment that produces grease-laden vapors shall be protected by a fire-extinguishing system. Automatic fire-extinguishing systems shall comply with ANSI/UL300 or other equivalent standards and shall be installed in accordance with the terms of their listing, the manufacturer's instructions, and NFPA 17A.

## **F-122.2 Cleaning**

**F-122.2.1** The entire exhaust system, appliances, floor underneath and wall behind appliances, shall be inspected and cleaned for grease buildup by a properly trained, qualified, and certified person(s) acceptable to the AHJ and in accordance with Table 11.4 in NFPA 96 and in accordance with

## **F-122.3 Fire Extinguishers**

**F-122.7.1** There shall be a quarter-turn valve installed within the LP- gas piping for emergency shut-off use, shall be installed on the exterior of the vehicle and readily assessable.

**F-122.7.2** A "PROPANE EMERGENCY SHUT-OFF" sign and a "NO SMOKING" sign shall be installed directly next to or above the gas cylinder and shall be a highly visible, permanent weatherproof sign with a minimum of 2" lettering.

**F-122.7.3** Cylinders shall be retested every 5-12 years in accordance with the manufacturer's recommendations and 49 CFR 180.205.

a. No letter after the requalification date means the cylinder must be retested within 12 years.

b. An "S" after the requalification date means the cylinder must be retested within 7 years.

c. An "E" after the requalification date means the cylinder must be retested within 5 years.

## **F-122.8 Leak Detection**

**F-122.8.1** A test gauge shall be installed at or before the regulator for means of leak detection. Pressure shall be observed for a minimum of 3 minutes with no drop in pressure. Propane tanks, hoses and fittings shall be free of leaks. Documentation that the system is free of leaks shall be kept in a binder and readily assessable for the AHJ upon request.

## **F-123 Permanently Installed Cooking Exhaust Systems**

**F-123.1** Cooking Exhaust Systems: Cleaning of Cooking Exhaust Systems shall be in compliance with NFPA 96 and the following.

**F-123.2** Cooking ventilation systems shall be inspected for grease buildup by a person meeting the training requirements as set forth by International Kitchen Exhaust Cleaning Association (IKECA) or other nationally recognized exhaust system cleaning association acceptable to the AHJ in accordance with NFPA 96, Section 11.6.1.

**F-123.3** Certification of training shall be submitted to the Local AHJ prior to cleaning operations taking place.

**F-123.4** The completed inspection or cleaning report as found in NFPA 96, 11.6.14 shall be provided to the owner and a copy along with photos taken prior to cleaning and after cleaning shall be submitted to the local AHJ.

## **F-124 Uniform Generator Code**

**F-124.1 Scope** The purpose of this document is to provide uniform procedures for the AHJs' in Broward County as it pertains to secondary power sources. Any Board and Care occupancy as defined by the provisions of this code that is required to receive an inspection from an AHJ as per Florida State Statute or the Florida Administrative Code, shall comply with the provisions of this code.

**F-124.2 Referenced Publications:**

NFPA 1, *Fire Code*

NFPA 30, *Flammable and Combustible Liquids Code*

NFPA 37, *Standard for the Installation of and Use of Stationary Combustion Engines and Gas Turbines*

NFPA 54, *National Fuel Gas Code*

NFPA 58, *Liquefied Petroleum Gas Code*

NFPA 70, *National Electrical Code*

NFPA 72, *National Fire Alarm and Signaling Code*

NFPA 110, *Standard for Emergency and Standby Power Systems*

NFPA 111, *Standard on Stored Electrical Energy Emergency and Standby Power Systems*

NFPA 720, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment*

Florida Administrative Code 58A-5.036 for Assisted Living Facilities

Florida Administrative Code 59A-4.1265 for Nursing Homes

Florida Building Code

**F-124.3 General:**

F-124.3.1 Existing approved, non-conforming installations shall be deemed compliant with this code unless the AHJ determines that non conformity presents a distinct hazard to life.

F-124.3.2 All facilities shall store a minimum of seventy-two (72) hours of fuel onsite and be able to show proof (such as a fuel service contract) of a reliable method to obtain the additional twenty-four (24) hours of fuel within forty-eight (48) hours of a declared State of Emergency. Piped natural gas is an allowable fuel source.

F-124.3.3 If local ordinances or other regulations limit the amount of onsite fuel storage at the location of the facility, then the owner/operator shall develop a plan that includes

maximum onsite fuel storage allowable by the ordinance or regulation and a reliable method to obtain the maximum additional fuel at least 24 hours prior to the depletion of the onsite fuel.

F-124.3.4 Storage of any fuels shall be compliant with the applicable National Fire Protection Association's (NFPA) codes and standards.

**F-124.3.5 Other fuel sources shall be permitted in conformance with the NFPA 54 and 58 as currently adopted.**

**F-124.4 Minimum Permit Submittal Requirements:**

F-124.4.1 The following is a list of the minimum required information that shall be submitted to the AHJ for review:

- A) Plans shall be submitted for permitting, with details and manufacturer specifications that demonstrate compliance with all applicable NFPA codes and standards. The submittal shall be made by a qualified and licensed contractor.
- B) All generators shall be NFPA 110 compliant.
- C) Plans shall clearly identify the class, type, and level of the generator.
- D) A site plan shall be provided indicating the location of the emergency generator in relation to the building openings as well as adjacent building openings, exit discharges, the fuel source type, and the automatic transfer switch.
- E) The location of the manual emergency shut off shall be clearly identified on the plans. The emergency shut off shall be readily accessible at all times, identified with permanent weatherproof signage, shall be readily visible to emergency responders, and the location shall be approved by the AHJ.
- F) Plans shall demonstrate that the fuel supply can accommodate the specific EPS class and time duration identified on the plans.
- G) Physical protection of the fuel source and generator when located in areas subject to vehicular traffic shall be clearly identified.
- H) A remote generator annunciator shall be installed at a continuously attended location and indicated on the plans, approved by the AHJ.
- I) A signed generator maintenance contract shall be submitted, maintained, and made available to the AHJ upon request.
- J) Carbon monoxide protection shall be installed in accordance with NFPA 720. The location(s) of Carbon Monoxide Alarms shall be indicated on the plans.

**F-124.5 Inspection and Testing**

- A) Emergency Power Supply Systems' (EPSS), including all appurtenant components, shall be

inspected weekly and exercised under load at least monthly.

- B) The facility owner shall ensure that the EPSS is properly maintained and serviced not less than annually by a qualified person or contractor in accordance with the manufacturer's specifications.

**F-124.6** Records Retention

- A) Each facility shall provide a binder which contains a log of weekly inspections and monthly load exercise. The owner or their agent is responsible for the proper recording of this information.
- B) The binder shall also include a copy of the annual service agreement as well as the most current annual service report.
- C) This binder shall be made readily accessible to the AHJ upon request.

# Section 7



BROWARD COUNTY

# Board of Rules & Appeals

1 North University Drive, Suite 3500B, Plantation, Florida 33324

**To:** Members of the Broward County Board of Rules and Appeals

**From:** Administrative Director

**Date:** April 14, 2022

**Re:** Request of Administrative Director to Ratify Appointment of New Chief Plumbing Code Compliance Officer

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## **RECOMMENDATION**

It is recommended that the Board of Rules and Appeals approve, by motion, the appointment of Mr. Jose Cruz-Vellon as the Board of Rules and Appeals new Chief Plumbing Code Compliance Officer, pursuant to the terms and conditions of the attached letter dated March 29, 2022.

## **REASONS**

The Chief Plumbing Code Compliance Officer position was advertised initially in the Sun-Sentinel and Miami Herald in October 2021, in print and for a month online. This position was also posted on governmentjobs.com and the BORA website for one month. In addition, the job advertisement was mailed to all plumbing chiefs and plans examiners within Broward County. Five applicants resulted from this search, however, no final candidate was selected when the lead candidate withdrew his application over the advertised pay limit. The second round of advertisements with a higher rate of pay took place with posts in the Miami Herald and Sun-Sentinel on Sunday, January 16, 2022, as well as being posted for one month on the governmentjobs and BORA websites. Additionally, emails recruiting the position were sent again to the plumbing chiefs and plans examiners in Broward County. Five candidates submitted their resumes; Mr. Cruz-Vellon applied in both rounds for the position; interviews were conducted by the Screening Committee and Mr. Jose Cruz-Vellon was one of two recommended finalists chosen independently by the Committee. Both finalists were subsequently interviewed by me and from this process, Mr. Cruz-Vellon was selected.

In my view, Mr. Cruz-Vellon has the professional background, experience and temperament to be an asset to the Board of Rules and Appeals team and has the ability to work well with building code professionals, contractors, industry personnel and the public. The BORA staff approved him as a plumbing inspector for North Lauderdale/Broward County on 9/10/18 and the Board voted to approve him on 1/10/19. He was then certified as a plumbing plans examiner for Broward County by the BORA staff on 9/18/19 and by Board vote on 10/10/19.

Mr. Cruz-Vellon has provided classes on how-to inspect, and has written guidelines on inspections and plan review. He has been a plumbing instructor with Local Union 719 since February of 2017. His teachings include plumbing code, water supply and welding pipefitting.



Mr. Cruz-Vellon was a foreman with McGilvray Mechanical LLC in Pompano Beach from January 2017 to March 2018, where he supervised workers, scheduled inspections, instructed apprentices and monitored safety practices. Previously, he was a supervisor and Journeyman Plumber for Kirlin, Healey and Kunes Plumbing in 2015 and 2016. From 1997 to 2010 Mr. Cruz-Vellon was with The Poole and Kent Company of Miami, Florida as a general and mechanical contractor, supervisor and Journeyman. He was also a plumber in Puerto Rico for approximately three years. Mr. Cruz-Vellon is State approved as eligible to take the exam for Building Code Administrator.

Mr. Cruz-Vellon attained a Bachelor of Arts degree in Psychology from Trinity International University in Davie, Florida in 2010.

**ADDITIONAL INFORMATION**

The Screening Committee members included: James Terry, BORA member and the Committee Chair, Eduardo Gonzalez, Building Code Specialist for Miami-Dade County, Rolando Soto, Chief Mechanical Code Compliance Officer and Timothy DeCarion, Chief Energy Code Compliance Officer.

Mr. Cruz-Vellon will receive an annual salary of \$93,600 and, following 26 weeks of service, a merit review which may result up to a \$1,545 or 1.65% increase. He will also receive a merit review evaluation of at least a 3% cost of living adjustment of \$2,890, which may then result in a \$98,035 annual salary. Following these actions his next scheduled review would be in October of 2023 performed in similar fashion as occurs for all BORA code compliance officers.

Respectfully Submitted,



James DiPietro





# BROWARD COUNTY BOARD OF RULES AND APPEALS

ONE NORTH UNIVERSITY DRIVE  
SUITE 3500-B  
PLANTATION, FLORIDA 33324

PHONE: 954-765-4500  
FAX: 954-765-4504

[www.broward.org/codeappeals](http://www.broward.org/codeappeals)

## 2022 Voting Members

### **Chair**

Mr. Daniel Lavrich,  
P.E., S.I., SECB, F.ASCE, F.SEI  
Structural Engineer

### **Vice-Chair**

Mr. Stephen E. Bailey, P.E.  
Electrical Engineer

Mr. Sergio Pellecer  
Fire Service Professional  
Mr. Gregg D'Attilio,  
Air Conditioning Contractor  
Mr. John Famularo,  
Roofing Contractor  
Mrs. Shalanda Giles Nelson,  
General Contractor  
Mr. Daniel Rourke,  
Master Plumber  
Ms. Lynn E. Wolfson,  
Representative Disabled Community  
Mr. Dennis A. Ulmer,  
Consumer Advocate  
Mr. John Sims,  
Master Electrician  
Mr. Ron Burr  
Swimming Pool Contractor  
Mr. Abbas H. Zackria, CSI  
Architect  
Mr. Robert A. Kamm, P.E.  
Mechanical Engineer

## 2022 Alternate Board Members

Mr. Steven Feller, P.E.,  
Mechanical Engineer  
Mr. Alberto Fernandez,  
General Contractor  
Mr. William Flett,  
Roofing Contractor  
**Vacant,**  
Structural Engineer  
Mr. Robert Taylor,  
Fire Service  
Mr. David Rice, P.E.,  
Electrical Engineer  
Mr. James Terry,  
Master Plumber  
Mr. David Tringo,  
Master Electrician  
Mr. Jeff Falkanger,  
Architect

**Board Attorney**  
Charles M. Kramer, Esq.

**Board Administrative Director**  
James DiPietro

—ESTABLISHED 1971—

March 29, 2022

*Sent via Email and US Mail*

Jose M. Cruz-Vellon  
5631 SW 2 Street  
Plantation, FL 33317

Dear Mr. Cruz-Vellon:

I am pleased to offer you the position of Plumbing Chief Code Compliance Officer for the Broward County Board of Rules and Appeals. The appointment is subject to ratification by the Board of Rules and Appeals at its regular meeting of April 14, 2022, to be held at 7:00 PM virtually. Employment is also contingent upon application information verification, criminal background screening, and pre-employment physical examination.

Your starting salary will be \$93,600 per year, with a starting date to be determined but no later than May 29, 2022, at the beginning of any Broward County pay period that you select. Six months after your initial hire date, you will receive a performance evaluation review which may warrant up to \$1,545 (1.65%) merit increase, and a merit evaluation of at least a 3% cost of living pay increase in the amount of \$2,890, resulting in a \$98,035 annual salary. For administrative purposes, all our employees' anniversary dates are set for a first payroll day of the fiscal year in the month of October, with your next pay change anticipated for October 2023. All pay changes are subject to a merit review. You will receive the customary benefits afforded by Broward County to all employees in your classification. All positions at the Board of Rules and Appeals are considered "at will" and your employment would continue as authorized by the Administrative Director. If you are a Broward County resident, you will have the option of a take-home vehicle, which is subject to BORA and Broward County policies, at a cost of \$30 per week (\$1,560 per year). Should you select this option, your take home pay would be decreased accordingly. Your usual work hours are 8:00 AM to 4:30 PM.

If you accept of this position, please sign below in the space provided and return a copy of this letter to me. You can also contact me should additional information is desired. My cellphone is 954-931-2393.

We look forward to you joining our staff and to the contributions you will be making to this organization and to the community. Thank you.

Sincerely,

James DiPietro  
Administrative Director

Applicant's acceptance signature \_\_\_\_\_



**BROWARD COUNTY**

# **Board of Rules & Appeals**

ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B, PLANTATION, FLORIDA 33324

PHONE (954) 765-4500 FAX: (954) 765-4504

<http://www.broward.org/codeappeals>

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**TO:** James DiPietro, Administrative Director  
**FROM:** James Terry, Chair of the selection committee  
**DATE:** March 11, 2022  
**SUBJECT:** Interview and selection of the Chief Code Compliance Officer- Plumbing applicants

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On this date, the selection committee met to interview 5 candidates to fill the above open position within the Board of Rules and Appeals.

Four panelists participated in the selection committee Mr. Eduardo Gonzalez, Miami Dade County – Senior Code Officer Plumbing, Rolando Soto, BORA Chief Code Compliance Officer – Mechanical, Tim De Carion, BORA Chief Code Compliance Officer- Energy, and me, James Terry, Master Plumber, member of the Board of Rules and Appeals.

After five (5) formal interviews of the referenced candidates, it was the decision of the committee to select two (2) to move forward to a second interview, the top candidates are [redacted] and Mr. Jose Cruz-Vellon.

Respectfully submitted.

A handwritten signature in black ink, appearing to be "JT", written over a horizontal line.

G:\SHARED\2021 BR&A\HIRING CCCO Plumbing\CCCOP-JTerry Memo.docx

<b>NAME: Jose Cruz-Vellon</b>	<b>Jurisdiction</b>	<b>Staff Approval</b>	<b>Board Approval</b>
INSPECTOR CERTIFIED	Broward County	9/10/2018	1/10/2019
PLANS EXAMINER CERTIFIED	Broward County	9/18/2019	10/10/2019
CHIEF CERTIFIED - N/A			
CERTIFIABLE AS A CHIEF - YES			

License Type	Name	Name Type	License Number/ Rank	Status/Expires
Standard Plans Examiner	CRUZ VELLON, JOSE MANUEL	Primary	PX4234 Plans Examiner	Current, Active 11/30/2023
Main Address*: Private				
Standard Inspector	CRUZ VELLON, JOSE MANUEL	Primary	BN7525 Inspector	Current, Active 11/30/2023
Main Address*: Private				
Registered Plumbing Contractor	CRUZ VELLON, JOSE MANUEL	Primary	RF11067803 Reg Plumbing	Current, Inactive 08/31/2023
Main Address*: 5631 SW 2 ST PLANTATION, FL 33317				
Provisional Plumbing Inspector	CRUZ VELLON, JOSE MANUEL	Primary	PPI715 Prov. Plumb Ins	Null and Void, 08/28/2019
Main Address*: Private				
Provisional Plumbing Plans Examiner	CRUZ VELLON, JOSE MANUEL	Primary	PPP399 Prov. Plumb Pla	Null and Void, 08/28/2019
Main Address*: Private				
Building Code Administrator	CRUZ VELLON, JOSE MANUEL	Primary		Application in Progress
Main Address*: Private				
Building Code Administrator	CRUZ VELLON, JOSE MANUEL	Primary	Building Code A	Eligible for Exam
Main Address*: Private				

PRINTED  
4/1/22



# Contractor License

## License Information

Expiration Date: 08/31/2022  
CC Number: 18-CMP-21195-X  
License Issued: 06/29/2018  
License Category: Master Plumber  
License Status: Licensed

## Contractor Information

Contractor Name: CRUZ-VELLON, JOSE M.

Email Address: [REDACTED]

Contracting Firm:

Contracting Firm Phone:

Contracting Firm Address:

## Temporary License

Temporary License ☐

Expiration Date:

## Restrictions

Restrictions:

JOSE M. CRUZ-VELLON

2022 FEB 11 AM 10:48  
RECEIVED BY  
BROWARD CO  
BOARD OF RULES & APPEALS

## PROFESSIONAL SUMMARY

An accomplished, self-motivated leader with extensive experience in various fields including; Plumbing Plans examiner, inspector, investigator for Broward County's contractor license enforcement, foreman, inside salesman, journeyman and plumbing instructor (night school). Experienced portfolio manager with excellent client and project management skills. Worked as a supervisor for both general contractor and mechanical contractor. Experienced in all aspect of construction, structural, mechanical, electrical and plumbing. Action oriented with strong ability to communicate effectively with all business audiences. In 2005 while working at the Fort Lauderdale airport's consolidated car rental facility as a supervisor. The Construction Association of South Florida awarded me with Craftsmanship for exceptional Mechanical/Plumbing Piping.

## SKILLS

- Top-rated sales performance
- Account management
- Customer service
- Strong interpersonal skills
- Exceptional time management skills
- Fluent in English and Spanish
- Motivating, training and supervision
- Microsoft Excel, Word, PowerPoint
- Committed to excellence and integrity

## WORK HISTORY

### **Broward County Building Code Service Division-03/2018 to present**

- Performing inspection
- Plans Examiner
- Limited Plumbing Chief's duties at times
- Performing investigation for Contractor license enforcement division
- Doing outreach work for the county

### **Supervisor for Megilvray-01/2017 to 03/2018.**

- Specialist in the fields of plumbing, mechanical, low voltage and refrigeration
- Mechanical contractor foreman managed subcontractors and personnel at work sites
- Managed projects to ensure plumbing code, quality, increase productivity and cost reduction.
- Responsible for planning, lay-outs, order material, dealing with subcontractors.

### **Supervisor & Journeyman Plumber for, Kirlin, Healey and Kunes Plumbing- 2015 to 2016**

- Did residential plumbing and refrigeration. Ground rough to final inspection.
- Did gas installation for new houses.
- Managed projects to ensure quality, increased productivity and cost reduction.
- Responsible for planning, lay-outs, training of apprentices on job site, drawing reviewing.
- Placed and Processed work orders, also responsible for plumbing inspections.
- I worked on ductile Iron, for sewer and water plants, heat pumps, A/C

**Account Sales Officer, 10/2011 to 03/2014**

**Premisco USA – Miramar, FL**

- Negotiated prices, terms of sale and service agreements.
- Created sales contacts with on- and off-premise accounts.
- Consistently exceeded monthly sales quotas by pursuing leads and expanding the prospect list.
- Built client relationships by acting as the liaison between the customer service and sales teams.
- Contacted regular and prospective customers to explain product features and solicit orders.
- Consulted with clients after sales and contract signings to resolve problems and provide ongoing support.

**General, Plumbing and Mechanical contractor as Supervisor & Journeyman 1997 to 2010**

**The Poole and Kent Company – Ft Lauderdale FL**

- 2005 Craftsmanship Award for mechanical/plumbing industry as a foreman from 2004 to 2010
- Also worked supervising the building of concrete structures for sewer treatment plants.
- Specialist as a Mechanical engineer in the fields of plumbing and refrigeration.
- Mechanical contractor and plumbing foreman, managed subcontractors and personnel at work sites
- Managed projects to ensure quality, increased productivity and cost reduction.
- Responsible for planning, lay-outs, training of contractors, drawing reviewing
- Placed and Processed work orders, also responsible for plumbing inspections.
- Extensive Experience with Reverse Osmosis, Sewer and water plants, heat pumps, A/C
- Also worked in hospital on medical gas systems, schools, pharmaceutical plants

**Started my plumbing career in a vocational high school in Puerto Rico, and was licensed there. Worked as a plumber for around 3 years with various local companies before moving to Florida.**

## **EDUCATION**

**Bachelor of Arts: Psychology, 2010**

**Trinity International University - Davie FL**

**Certification: Medical Gas and Plumbing License, 1996 to 2001**

**United Association of Plumbing and Pipefitters Local Union 719- Ft Lauderdale, FL**

- Standard Plans Examiner PX4234
- Standard Inspector BN7525
- Master Plumber CC# 18-CMP-21195-X
- Journeyman Plumber 00-CJP-2003-X
- Certificate of Medical Gas Qualification
- ASME IX BRAZER
- ASSE 6010 Installer
- Associates on construction management
- DBPR approved for Building officials examination

**Associate of Arts: Auto CAD, Graphic Design, 1994**

**Huertas Junior College - Caguas, PR**

**Certification:** Real Estate, 1997

**Gold Coast - Ft Lauderdale, FL**

## **AFFILIATIONS**

Local Union 719 Fort Lauderdale



Board of County Commissioners, Broward County,  
Florida  
"An Equal Opportunity Employer"

HUMAN RESOURCES USE ONLY			
Entered Reg.			
Rating	E.P.	V.P.	Total Score
		Dis.	

 **Broward County**  
**Board of Rules & Appeals**  
ONE NORTH UNIVERSITY DRIVE, SUITE 3500-B  
PLANTATION, FLORIDA 33324  
PHONE: 954-765-4500  
FAX: 954-765-4504  
WWW.BROWARD.ORG/CODEAPPEALS

Division of Human Resources  
Human Resources Staffing Center  
115 S. Andrews Avenue  
Ft. Lauderdale, FL 33301  
(954) 357-8444

## APPLICATION FOR EMPLOYMENT

POSITION APPLYING FOR

*Chief Code Compliance Officer Plumbing*

JOB ANNOUNCEMENT NUMBER

**INSTRUCTIONS:** Please print or type all information. The application must be filled out completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (not applicable). If you need additional space to answer a question fully, you may use full sheets of paper that are the same size as this page. On each additional page, be sure to include your name, the position title, and the announcement number. You may also attach copies of documents or certificates which support your application. All materials submitted become the property of the County and will not be returned. Nothing can be added to your application after the announcement period has closed. All statements made on the application are subject to verification. Exaggerated, false, or misleading statements may be cause for rejection and/or termination of employment. **THIS APPLICATION MUST BE SIGNED ON THE LAST PAGE OR IT WILL BE VOIDED.**

### 1. PRESENT LEGAL NAME

Last Name

*Cruz-Vallon*

First Name

*Jose*

M.I.

*M*

### 2. SOCIAL SECURITY NO.

[REDACTED]

### 3. WHEN AVAILABLE

If you require assistance with testing due to a disability, please notify our staff.

### 4. APPLYING FOR - (Check all responses that apply)



Full time



Part time (19 Hours - No Benefits)



20+ (Benefits)



Will Call (No Set Hours/No Benefits)

### 5. HOME PHONE NUMBER

Area Code

Number

### OTHER TELEPHONE NUMBER

Area Code

Number

### 6. DRIVERS LICENSE

Do you have a valid license?



Yes



No

License Type:



Operator



CDL



Class

Endorsement Code

License #

State

Exp. Date

### 7. PRESENT ADDRESS

Street Address

Apt #

City

State

Zip Code

How long have you lived at present address?

Years

Months

*10*

### 8. PREVIOUS ADDRESS

Street Address

Apt #

City

State

Zip Code

How long did you live at this address?

Years

Months

*7*



9. EDUCATION AND SPECIAL TRAINING												
Check Highest grade completed: 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12 <input checked="" type="checkbox"/>												
High School Diploma? (X) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, date received: <u>6/1/1992</u>												
Equivalency - GED (X) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, date received: _____												
Name and location of last HIGH SCHOOL ATTENDED: <u>Ana Roque</u> <u>Humacao</u> <u>Puerto Rico</u>												
List Special Training (Business, Trade, Vocational, Armed Forces Schools, etc.) Below												
Name and Location	Dates Attended				Total Months Completed	Courses or Subject Taken	Certificates Given or Other Pertinent Information					
	From		To									
	Mo	Yr	Mo	Yr								
<u>Ana Roque Vocational</u>	<u>8</u>	<u>89</u>	<u>10</u>	<u>92</u>	<u>3-4 mos</u>	<u>H Diploma</u>	<u>Puerto Rico's Plumbing License</u>					
<u>Lincoln's College</u>		<u>92</u>		<u>94</u>	<u>24 m</u>	<u>Associates</u>	<u>Auto Cad - Graphic Design</u>					
<u>Local Union 719</u>		<u>97</u>		<u>2002</u>	<u>5-1/2 mos</u>	<u>Plumbing</u>	<u>Trainer License / Mech GNS</u>					
List Colleges and Universities Attended Below:												
Name and Location	Dates Attended				Credit Hours		Grade Point Average	Major/Minor Degree Field or Program of Study	Degree Received			
	From		To		Received							
	Mo	Yr	Mo	Yr	Sem	Ctr						
<u>Taddei Technical University PC</u>		<u>2008</u>		<u>2010</u>				<u>Bachelor Psychology</u>	<u>Self Attachment</u>			
<u>Huerta Junior College</u>		<u>92</u>		<u>94</u>				<u>Auto Cad - Associates</u>	<u>Graphic design</u>			
10. EMPLOYMENT RECORD - List all jobs in the last TEN years and any other jobs relevant to the position for which you are applying. Major changes in duties or job titles with the same employer should be listed as separate jobs. Start with your PRESENT or MOST RECENT position and work back. BE SPECIFIC - all or part of your rating may depend on the information you provide. If additional space is needed, please use continuation sheet. You may submit a resume in lieu of completing this section, providing it contains all the information requested. Periods of unemployment should be listed separately in Section 11. NOTE: We may contact previous employers to verify your descriptions of past duties.												
May we contact your present employer regarding your record of employment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>												
(Job 1) Present or Most Recent Job						Employer <u>Broward County, Building Code Services</u>						
From To Total Time						Address <u>2307.42 Broward Blvd 300 Ft Lauderdale 33312</u>						
Mo	Yr	Mo	Yr	Yrs	Mths	Telephone <u>954-765-4400</u>						
<u>3</u>	<u>18</u>	<u>3</u>	<u>22</u>	<u>4</u>		Your Job Title <u>Plumbing Plans Examiner/Inspector</u>						
Hours per week <u>40</u>						Supervisor's Name and Title <u>William Thompson / Chief</u>						
Starting Salary \$ <u>21.00</u> Per <u>Hour</u>						Reason for Leaving Position <u>Professional Advancement / Job opportunity</u>						
Last Salary \$ <u>36.90</u> Per <u>Hour</u>												
Specific Duties												
<u>Permit Application processing / Plans examination /</u>												
<u>Inspection at various cities throughout the County</u>												
<u>Meeting with contractors &amp; Professional designers / Home owners</u>												
<u>* Plumbing Instructor For Local Union 719 Ft Lauderdale</u>												
Number of employees supervised (if applicable) _____												

(Job 2) Previous Job						Employer		Local Union 719	
From		To		Total Time		Address		2502 S Andrews Ave Ft Lauderdale FL 33316	
Mo	Yr	Mo	Yr	Yrs	Mths	Telephone		954-572-2537 / 954-298-6609	
2017	3	22				Your Job Title		Plumbing Inspector	
Hours per week						Supervisor's Name and Title		Mike Telford / Coordinator	
Starting Salary \$ 31. Per Hour						Reason for Leaving Position		Currently Active	
Last Salary \$ 31. Per Hour									
Specific Duties									
I am currently teaching Plumbing code, water supply and Soldering pipe fitting									
Number of employees supervised (if applicable)									
(Job 3) Previous Job						Employer		Fred Mcgilvary (Local Union 719)	
From		To		Total Time		Address			
Mo	Yr	Mo	Yr	Yrs	Mths	Telephone			
1	17	3	18			Your Job Title		Foreman	
Hours per week						Supervisor's Name and Title		Tony Desimone	
Starting Salary \$ 31. Per Hour						Reason for Leaving Position		Job opportunity with the County as an Inspector	
Last Salary \$ Per									
Specific Duties									
Monitor project, order material, Supervise workers, interacting with project manager. Instruct apprentices. Monitor safety practices. Schedule Inspections.									
Number of employees supervised (if applicable)									
12									
(Job 4) Previous Job						Employer		Peter Herby (Local Union 719)	
From		To		Total Time		Address			
Mo	Yr	Mo	Yr	Yrs	Mths	Telephone Number			
	15		16			Your Job Title		Foreman	
Hours per week						Supervisor's Name and Title		Mike Brown	
Starting Salary \$ Per						Reason for Leaving Position		has left.	
Last Salary \$ Per						work was completed			
Specific Duties									
Same duties as with Mcgilvary									
Number of employees supervised (if applicable)									
5									

11. LIST ANY RELEVANT VOLUNTEER WORK AND ALL PERIODS OF UNEMPLOYMENT DURING THE PAST 10 YEARS

From		To		Description of Activity or Volunteer Work
Mo	Yr	Mo	Yr	
7	2004	7	2008	Christian Life Center (I volunteer to go into Broward County's Jail for counseling youth. Also volunteer in Sugar Road Drive's to the neighborhood.

12. SPECIFIC SKILLS — List below the Job Number from your Employment Record (Section 19) and total number of months of experience in skillfully operating the equipment and/or total number of months of substantial experience in craft(s), or technical profession(s).

No. of Mths.	Job No.	List of Office & Related Equipment Operated	No. of Mths.	Job No.	List of All Other Equipment Operated	No. of Mths.	Job No.	List of Crafts, Trades & Technical Professions
12		General Operated Business			Restaurant Business			

13. List membership(s) in professional

Local Union 719

14. List any active professional, technical, occupational licenses or certificates and registrations

PR 4234, BW 7525 18-CMP-21145-X, ASSE LOW Dist to Low, ASSE/LO  
PL Broward, RP 11067803

15. List awards, commendations, or other recognition received for outstanding achievement in school, military service, your work, or civic

South Florida Construction Association / 2005 Awarded  
Craftsmanship For Mechanical/Plumbing

16. Have you ever used a legal name other than the one indicated on Page 1

☐ Yes ☒ No

If Yes indicate name(s) and dates used

17. Veteran Preferences: In keeping with Florida State Law and Broward County Civil Service rules, one point for each year of County service, to a maximum of five points, may be added to the numerical score of eligible applicants who are County employees; and honorably discharged wartime veterans, service connected disabled veterans presently receiving disability benefits, and disabled veteran or MIA person spouses, who are Florida residents, may be eligible for 6 or 10 points preference. Veterans who have been employed by the State of Florida or one of its Counties, Cities, etc., are excluded from these Statutes. POINTS WILL BE AWARDED ONLY IF SUPPORTING DOCUMENTATION IS SUBMITTED AT THE TIME OF APPLICATION. Acceptable documentation is a copy of a DD-214 and/or proof of receipt of disability benefits dated within six months of the date of application. Materials supplied with the application become the property of the County. Do not submit original/sole copies of documents.

Did you serve in the Armed Services?

☐

No

☒

Is your discharge honorable?

☐

No

☒

Are you claiming Veteran's Points?

☐

No

☒

Are you retired from the military?

☐

No

☒

Are you or have you ever been employed by the State of Florida or one of its Counties, Cities, etc.?

☒

No

☐

18. Have you ever worked for the Broward County Board of County Commissioners?

☒

No

☐

If yes, give date(s) of

3/2015

Employing Division(s)

Building Code Services

19. Are you related to a county employee or is any member of your Household employed by the Broward County of County

Commissioners?

☐

No

☒

If yes, give the person's:

Name

Relationship to you

Employing Division(s)

20. Since your 18<sup>th</sup> birthday, have you been CONVICTED of ANY violation of the law, other than minor traffic offenses, or pleaded NOLO CONTENDERE to criminal charges, even if adjudication was withheld? ☒ No ☐ If yes, please give:

Name of offense \_\_\_\_\_

Name of and location of court \_\_\_\_\_

Deposition of case \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: A conviction does not automatically mean you cannot be employed by the County. The nature of the offense, how long ago it occurred, relationship to this job, etc. are given consideration.

21. How did you learn of the position for which you are applying? - Check the response that applies.

☐ Newspaper ad

☐ Visit to Division of Human

☐ Florida State Employment Agency

☒ County Employee

☐ Human Resources Analyst

☐ Recruiting Program - Career Day

☐ High School

☐ College Counselor (Please \_\_\_\_\_)

☐ Other Source (please specify) \_\_\_\_\_

☐ Professional Journal

22. REFERENCES: List three (3) personal references who are not relatives or former employers.

Name and Occupation	Address	Telephone No.	Years Known
Miriam Cardero (Psychologist)	9760 NW 58 <sup>th</sup> CT Parkland FL 33076	954- 350-0621	11
Daniela Hernandez (Business owner)	4513 Briarcliff Ln. Coconut Creek FL 33066	954- 802-4434	18
Moises Del Valle Financial Planner	3401 Greenview Trl W. Margate FL 33063	954- 464-8208	17

IMPORTANT: Employment is subject to verification of an applicant's background and conviction record. Persons selected for employment must (1) present a valid social security card, (2) take a Loyalty Oath, as per Florida Statute Section 876.05 and, (3) subsequent to an offer of employment, pass a medical examination by a County physician. The medical examination may include testing for current use of drugs and/or controlled substances. If traces of drugs or controlled substances are present in a candidate's blood or urine and have NOT been obtained and taken as directed by a valid prescription, the candidate WILL NOT be given further consideration under the present announcement for this classification. Additionally, Broward County is required by federal law to verify having seen documents, which the applicant must provide as part of employment processing, that show the applicant's identity and right to work in the United States.

**(APPLICATION MUST BE SIGNED)**

APPLICANT: PLEASE READ THIS STATEMENT CAREFULLY BEFORE SIGNING BELOW. UNSIGNED APPLICATIONS WILL BE VOIDED.

I hereby certify that each response on the application and all other information I have furnished in applying for employment with Broward County Board of County Commissioners is true and correct. I understand that any incorrect, incomplete, or false statement or information I have furnished may subject me to disqualification in an examination or to discharge at any time. Subsequent to an offer of employment, I give my voluntary consent to be medically examined and to provide a sample of my blood or urine which may be tested for recent use of drugs and/or controlled substances. Further, I release Broward County, its officers, agents, and employees from any liability whatsoever in connection with such a medical examination or the use of the test results therefrom.

Signature \_\_\_\_\_

Date \_\_\_\_\_

3/18/2022

## Equal Employment Opportunity Information Form

The following is requested on a voluntary basis. The information you provide will not be sent to the program unit you are referred to for employment consideration. We need the information in order to evaluate the effectiveness of our equal employment opportunity affirmative action plan and it will be used only for research and analysis purposes. Information provided on this form will not aid or hinder your chances of being employed.

Date: 3/18/2022  
Social Security No.: [REDACTED]  
Name: José Manuel Cruz-Velázquez  
Job/Position Applied for: Chief Code Compliance Officer Analyst  
Date of Birth: [REDACTED]  
Sex: ☐ Female ☒ Male

### Race/Ethnic Categories (check one)

- ☐ **WHITE** (not Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- ☐ **BLACK** (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.
- ☒ **HISPANIC**: All persons of Mexican, Puerto Rican, Cuban, Central or South America, or other Spanish culture or origin, regardless of race.
- ☐ **ASIAN OR PACIFIC ISLAND**: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.
- ☐ **AMERICAN INDIAN OR ALASKAN NATIVE**: All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community Recognition.

(OPTIONAL) If you are handicapped or disabled, please specify:

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**Trinity International University**  
**Florida Regional Center**  
**8190 West State Road 84**  
**Davie, Florida 33324 USA**

Name: Jose Cruz  
 Student ID: 550815

Major1: Psychology  
 Major2:  
 Minor1:  
 Minor2:

Date of Birth: [REDACTED]  
 Degree: Bachelor of Arts  
 Degree Date: 05/08/10

Page Number: 1 of 2

**Transfer Work 1992**

Transfer work from Huertas Junior Coll

	attempt	earn	pass	quality	points	gpa
COM1111L Intro to Comp Sci & Basic Lab	1.00	A				
COM1111 Intro to Comp Sci & Basic	3.00	C				
DIB1991 Basic Technical Drafting	3.00	B				

	attempt	earn	pass	quality	points	gpa
ses	7.00	7.00	7.00	0.00	0.00	0.000
cum	7.00	7.00	7.00	0.00	0.00	0.000

**Transfer Work 1993**

Transfer work from Huertas Junior Coll

	attempt	earn	pass	quality	points	gpa
DIB1192 Technical Drafting II	3.00	A				
DIB1193 Introduction to Auto CAD	4.00	A				
DIB1194 Use of Plan Academic Symbols	3.00	A				
DIB1195 Intermediate Auto CAD	3.00	A				
DIB1195L Intermediate Auto CAD Lab	3.00	A				
DIB1196 Construction Plan Preparation	3.00	A				
DIB1993 Advanced Drafting	3.00	A				
DIB2191 Adv Cmpter-aided Graphic Plan Dr	3.00	C				
DIB2191L Adv Cmpter-aided GraphPlanDr Lab	3.00	A				
MAT1041 General Mathematics	3.00	C				
MAT1044 Geometry & Trigonometry	3.00	C				
SOC1013 Human Relations	3.00	C				

	attempt	earn	pass	quality	points	gpa
ses	37.00	37.00	37.00	0.00	0.00	0.000
cum	44.00	44.00	44.00	0.00	0.00	0.000

**Non-Trad Fall Session 2007**

SOC330E Race & Ethnic Relations	3.00	B+				
---------------------------------	------	----	--	--	--	--

	attempt	earn	pass	quality	points	gpa
ses	3.00	3.00	0.00	3.00	9.90	3.300
cum	47.00	47.00	44.00	3.00	9.90	3.300

**Transfer Work 2008**

Transfer work from College Board, The

SPN Beginning Spanish: CLEP	8.00	P				
SPN Intermediate Spanish: CLEP	6.00	P				

To be continued

**Transfer Work 2008 (cont.)**

	attempt	earn	pass	quality	points	gpa
ses	14.00	14.00	14.00	0.00	0.00	0.000
cum	61.00	61.00	58.00	3.00	9.90	3.300

**Non-Trad Spring Session 2008**

ENG111E Critical Thinking and Writing	3.00	B				
IDS105E Foundations for the Adult Learner	3.00	A-				
PSY315E Life Assessment	3.00	A				
PSY335E Human Development: Childhood	3.00	B				

	attempt	earn	pass	quality	points	gpa
ses	12.00	12.00	0.00	12.00	40.20	3.350
cum	73.00	73.00	58.00	15.00	50.10	3.340

**Non-Trad Fall Session 2008**

PSY220E Interpersonal Skills Training	3.00	A				
PSY300E Personality Theories	3.00	A				
PSY321E Psychology of Learning	3.00	A				
PSY337E The Psychology of Adolescence	3.00	C				

	attempt	earn	pass	quality	points	gpa
ses	12.00	12.00	0.00	12.00	42.00	3.500
cum	85.00	85.00	58.00	27.00	92.10	3.410

**Non-Trad Spring Session 2009**

PSY240E Human Sexuality	3.00	A				
PSY255E The Psychology of Addiction	3.00	A				
PSY285E Statistics	4.00	A				
PSY310E Abnormal Psychology	3.00	B+				

	attempt	earn	pass	quality	points	gpa
ses	13.00	13.00	0.00	13.00	49.00	3.770
cum	98.00	98.00	58.00	40.00	141.10	3.530

**Non-Trad Fall Session 2009**

BI 120E Understanding the New Testament	3.00	B+				
BI 305E Prophetic Voice	3.00	A				
PSY340E Experimental Psychology	3.00	B-				
PSY440E Integration of Psychology and the Christian Faith	3.00	A-				

To be continued

10/31/2016

**Trinity International University**  
**Florida Regional Center**  
**8190 West State Road 84**  
**Davie, Florida 33324 USA**

Name: Jose Cruz

Student ID: 550815

Page Number: 2 of 2

----- Non-Trad Fall Session 2009 (cont.) -----

	attempt	earn	pass	quality	points	gpa
ses	12.00	12.00	0.00	12.00	40.20	3.350
cum	110.00	110.00	58.00	52.00	181.30	3.490

----- Transfer Work 2010 -----

Transfer work from The College Board/CLEP Exam Prog

LIT Analyzing & Interpreting Lit 6.00 P

	attempt	earn	pass	quality	points	gpa
ses	6.00	6.00	0.00	0.00	0.00	0.000
cum	116.00	116.00	64.00	52.00	181.30	3.490

----- Non-Trad Spring Session 2010 -----

ENG115E	Writing and Research	3.00	A
MUH231E	Music Appreciation	3.00	A
PS 101E	Earth Science	4.00	A
PSY140E	Introduction to Psychology	3.00	A

	attempt	earn	pass	quality	points	gpa
ses	13.00	13.00	0.00	13.00	49.00	3.770
cum	129.00	129.00	64.00	65.00	230.30	3.540

Degree Date: May 8, 2010

Degree: Bachelor of Arts

Major: Psychology

10/31/2016





# BROWARD COUNTY BOARD OF RULES AND APPEALS

March 14, 2022.

*USPS and E-mail*

Mr. Jose Cruz-Vellon  
5631 SW 2 Street  
Plantation FL 33317

Dear Mr. Cruz-Vellon:

Congratulations, you are one of the 2 finalists for the Chief Code Compliance Officer – Plumbing position selected by the screening committee for further consideration.

I will be calling you soon to schedule a meeting at a time convenient for you. In the meantime, please complete the attached Broward County application of employment form, which is a county requirement and, email it to [rboselli@broward.org](mailto:rboselli@broward.org) by Friday, March 18, and bring the original to our meeting since we need to submit a paper copy. Also, include in your response the best phone number to reach you to schedule our upcoming meeting.

As you know the Broward County Board of Rules and Appeals has strict ethics requirements, please review the following statement that helps explain what involves being a part of our Code Compliance staff.

## BROWARD COUNTY ETHICS STANDARDS

Inspectors, plans examiners, chief inspectors and building officials certified by Broward BORA and charged with enforcing or otherwise supervising or inspecting any work covered under any section of the Florida Building Code as applicable to Broward County pursuant to Chapter 71-575, Laws of Florida, and who is required to hold or who otherwise holds a Certificate of Competency (Florida DBPR or local county licenses) or engineer or architect license in any area of construction shall not use his/her Certificate of Competency to engage in free enterprise thereby, competing against persons or firms that may do business within Broward County whose work he/she may also inspect, nor may he/she allow his/her Certificate of Competency to be used by another person or firm. This includes any activity, such as, but not limited to bidding, contracting, subcontracting, code consulting, design, employment, plan review, special building inspections, sales of construction supplies, advertising in any media offering these services, etc., regardless of compensation.

I look forward to meeting with you.  
Sincerely,

James DiPietro  
Administrative Director

ONE NORTHEAST UNIVERSITY DRIVE  
SUITE 3000  
PLANTATION, FLORIDA 33324  
PHONE 954-765-4500  
FAX 954-765-4501  
WWW.BROWARDFLA.GOV/USPS/BOARDS

### 2022 Advisory Members

#### Chair

Mr. Daniel W. Vellon  
P.E., S.E., S.D., F.A.S.E., F.A.S.H.  
Structural Engineer

#### Vice Chair

Mr. Joseph A. Bailey  
Electrical Engineer

Mr. Sam Boselli  
Fire Service Professional  
Mr. George D'Amico  
Air Conditioning Contractor  
Mr. John D'Amico  
Roofing Contractor  
Mrs. Shalanda Gilchrist  
General Contractor  
Mr. Daniel Houten  
Master Plumber  
Ms. Lynne Watson  
Representative, Disabled Community  
Mr. Dennis Palmer  
Consumer Advocate  
Mr. John Sims  
Master Electrician  
Mr. Ron Sims  
Swimming Pool Contractor  
Mr. Albert Zaccaria, C.S.  
Architect  
Mr. Robert Williams, P.E.  
Mechanical Engineer

### 2022 Advisory Board Members

Mr. Steven D. BHA  
Mechanical Engineer  
Mr. Alberto Gonzalez  
General Contractor  
Mr. William Lee  
Roofing Contractor  
Vacant  
Structural Engineer  
Mr. Robert Taylor  
Fire Service  
Mr. David Rice, P.E.  
Electrical Engineer  
Mr. James Perry  
Master Plumber  
Mr. David Lingo  
Master Electrician  
Mr. Jeff Falkinger  
Architect

Board Attorney  
Charles McKinnon, Esq.

Board Administrative Director  
James DiPietro

ESTABLISHED 1971

BROWARD COUNTY BOARD OF  
RULES AND APPEALS - EOE

Chief Code Compliance Officer- Plumbing

Initial Salary range depending on qualifications, \$87,651 to \$113,771

Standard salary ranges from \$87,651 to \$139,891

Professional position to assist in the consistent  
enforcement of the Florida Building Code throughout

Broward County. Must be eligible for certification as Chief Plumbing

Inspector by BORA, in accordance with the

Broward County Administrative Chapter I, Section 104.7. To view the application,  
visit <http://www.broward.org/CodeAppeals/Pages/JobAnnouncements.aspx>,

Florida experience necessary.

Résumé including salary history and all licenses must be delivered or postmarked  
no later than February 14, 2022, to:

BC BORA Plumbing CCCO Screening Comm.

1 North University Dr. Suite 3500B

Plantation FL, 33324

Broward County Benefits Information

G:\SHARED\2022 BR&A\HIRING CCCOP\1. Sun Sentinel - Herald Ad.docx

# BROWARD COUNTY BOARD OF RULES AND APPEALS

## 2022 - 2023 RECERTIFICATION APPLICATION

The following is for both full and part time Building Officials, Examiners, and Inspectors. Please complete this form and **2021**. Twenty eight (28) educational contact hours need recertification in the two (2) year renewal period for 2021 current requirements for initial certification. Lack of the rec denial of recertification. Please complete the attached **AFFID** provide a DBPR print out and return the signed affidavit with all

### Broward County Board of Rules & Appeals



Hereby certifies  
**Jose Cruz-Vellon**  
is competent as

**Plumbing Plans Examiner/Inspector**

License Numbers: Building Official, please see reverse side.  
**18-CMP-21195-X PX4234 BN7525**

Recertification

Authorized  
signature:

*[Signature]*

Expiration Date: 2023 12/31

MUNICIPALITY **Broward County**

Last Name: **Cruz-Vellon**

First Name: **Jose**

Middle Name: **Manuel**

Work Phone: **954-214-2164**

Optional Cell Phone No: **954-529-9862**

Mandatory

Work E-mail: **jcruzvellon @ broward.org**

INCLUDE A COPY OF ALL THE APPLICANT'S CURRENT STATE OF FLORIDA (BAID, BCAIB, CILB, ECLB, AND FBPE) AND COUNTY LICENSES OR CERTIFICATES. (REFER TO B.C.A.P. RECERTIFICATION SECTION 104.18)

PLEASE RECERTIFY ME FOR THE FOLLOWING DISCIPLINE(S) FOR WHICH I AM NOW CERTIFIED

<input type="checkbox"/> Building Official <input type="checkbox"/> Structural Chief Inspector <input type="checkbox"/> Electrical Chief Inspector <input type="checkbox"/> Plumbing Chief Inspector <input type="checkbox"/> Mechanical Chief Inspector	<input type="checkbox"/> Assistant Building Official <input type="checkbox"/> Structural Plans Examiner <input type="checkbox"/> Electrical Plans Examiner <input checked="" type="checkbox"/> Plumbing Plans Examiner <input type="checkbox"/> Mechanical Plans Examiner	<input type="checkbox"/> Roofing Inspector <input type="checkbox"/> Structural Inspector <input type="checkbox"/> Electrical Inspector <input checked="" type="checkbox"/> Plumbing Inspector <input type="checkbox"/> Mechanical Inspector
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Signature of Certified Applicant

**8/25/2021**

Date

Signature of Building Official

Date

This area below is for Broward County Board of Rules and Appeals office use only.

Date: <b>12/2/2021</b>	CCCO: <b>Timothy deCarion</b>
Discipline: <b>PLUMBING</b>	Please check one: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied
Signature: <i>[Signature]</i>	
Comment(s):	



Broward County Board of Rules and Appeals  
LICENSE NUMBERS FORM

**APPLIES TO ALL POSITIONS**

Applicant Name: Jose M Cruz-Vellon

Municipality: Broward County

Position: Plumbing Plans Examiner/Inspector

List all License numbers. Check those to appear on recertification cards.

<input type="checkbox"/>	CGC	
<input type="checkbox"/>	CBC	
<input type="checkbox"/>	CRC	
<input type="checkbox"/>	CCC	
<input type="checkbox"/>	EC	
<input type="checkbox"/>	ER	
<input type="checkbox"/>	CMC	
<input type="checkbox"/>	CAC	
<input type="checkbox"/>	CFC	
<input type="checkbox"/>	FBPE	(Engineer)
<input type="checkbox"/>	FBAID	(Architect)
<input checked="" type="checkbox"/>	Broward County License <u>18-CMP-21195-X</u>	
<input type="checkbox"/>	BU	
<input checked="" type="checkbox"/>	BN	<u>7525</u>
<input checked="" type="checkbox"/>	PX	<u>4234</u>
<input type="checkbox"/>	SRI	
<input type="checkbox"/>	Other	
<input type="checkbox"/>	Other	

**For BORA Staff Use Only**

Approved by

Chief Code Compliance Officer: 

Date: 12/2/2021

Data Contained In Search Results Is Current As Of 11/21/2021 11:31 PM.

## Search Results

Please see our [glossary of terms](#) for an explanation of the license status shown in these search results.

For additional information, including any complaints or discipline, click on the name.

License Type	Name	Name Type	License Number/ Rank	Status/Expires
Standard Plans Examiner	<b><u>CRUZ VELLON, JOSE MANUEL</u></b>	Primary	PX4234 Plans Examiner	Current, Active 11/30/2023 ✓
Main Address*: Private				
Standard Inspector	<b><u>CRUZ VELLON, JOSE MANUEL</u></b>	Primary	BN7525 Inspector	Current, Active 11/30/2023 ✓
Main Address*: Private				
Registered Plumbing Contractor	<b><u>CRUZ VELLON, JOSE MANUEL</u></b>	Primary	RF11067803 Reg Plumbing	Current, Inactive 08/31/2023 ✓
Main Address*: 5631 SW 2 ST PLANTATION, FL 33317				
Provisional Plumbing Inspector	<b><u>CRUZ VELLON, JOSE MANUEL</u></b>	Primary	PPI715 Prov. Plumb Ins	Null and Void, 08/28/2019
Main Address*: Private				
Provisional Plumbing Plans Examiner	<b><u>CRUZ VELLON, JOSE MANUEL</u></b>	Primary	PPP399 Prov. Plumb Pla	Null and Void, 08/28/2019
Main Address*: Private				
Building Code Administrator	<b><u>CRUZ VELLON, JOSE MANUEL</u></b>	Primary		Application in Progress
Main Address*: Private				
Building Code Administrator	<b><u>CRUZ VELLON, JOSE MANUEL</u></b>	Primary	Building Code A	Eligible for Exam
Main Address*: Private				

[Back](#)
[New Search](#)

### \* denotes

Main Address - This address is the Primary Address on file.

Mailing Address - This is the address where the mail associated with a particular license will be sent (if different from the

Subject: Policy/Affidavit to ensure compliance with Chapter 71-575, paragraph 4(b), Laws of Florida

### POLICY/AFFIDAVIT

The requirements below have been adopted by vote of the Broward County Board of Rules and Appeals on April 10, 2014, to help ensure compliance with Chapter 71-575, paragraph 4(b), Laws of Florida.

#### NOTICE

All applicants for certification or re-certification are required to execute the following statement and to have same notarized by a duly authorized Notary. Failure to execute and have this statement notarized will prevent the certification / re-certification process from proceeding to completion.

#### THE UNDERSIGNED HEREBY VOLUNTARILY AND KNOWINGLY STATES AS FOLLOWS:

The undersigned has read Chapter 71-575, paragraph 4(b), Laws of Florida and has had the opportunity to have same reviewed and explained by legal counsel. Undersigned understands the terms of same and that any Inspector (such as and including but not limited to structural, engineering, plumbing, mechanical, or electrical) or other building official charged with enforcing or otherwise supervising or inspecting any work covered under any section of the Florida Building Code as applicable to Broward County pursuant to Chapter 71-575, Laws of Florida, and who is required to hold or who otherwise holds a Certificate of Competency in any area of construction shall not use his/her Certificate of Competency to engage in free enterprise thereby, competing against persons or firms that may do business within Broward County whose work he/she may also inspect, nor may he/she allow his/her Certificate of Competency to be used by another person or firm. This includes any activity, such as, but not limited to bidding, contracting, code consulting, design, employment, plan review, special building inspections, etc., regardless of compensation. The undersigned makes application for certification or re-certification, affirms compliance with aforementioned Code Section, and vouches for the truth and accuracy of all statements and answers herein contained by affixing his/her signature below. The undersigned agrees that failure to comply with the requirements of chapter 71-575 shall be considered a material breach of the terms of certification and may result in decertification/ denial of certification.

A copy of a legal opinion with respect to Chapter 71-575 is available upon request.

Jose Luis Velez

Printed Name and Signature of Applicant.

State of Florida

SS |

County of Broward

On the 22 day of NOVEMBER, 2021, personally appeared before me the above named individual who signed the foregoing instrument declaring same to be true to his knowledge and belief.

Notary-Public:

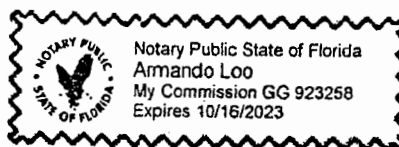
Armando Loo ARMANDO LOO

(Printed name and Signature of Notary Public, State of Florida)

(NOTARY SEAL)

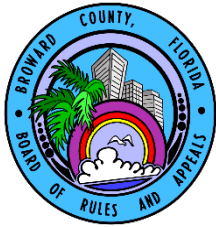
Personally Known X OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



Editor's Note: Affidavit Authorized by BORA vote on May 8, 2014, and issued by Chair on May 9, 2014.

# Section 8



# BROWARD COUNTY BOARD OF RULES AND APPEALS

ONE NORTH UNIVERSITY DRIVE  
SUITE 3500-B  
PLANTATION, FLORIDA 33324

PHONE: 954-765-4500  
FAX: 954-765-4504  
[www.broward.org/codeappeals](http://www.broward.org/codeappeals)

## **2022 Voting Members**

### **Chair**

Mr. Daniel Lavrich,  
P.E., S.I., SECB, F.ASCE, F.SEI  
Structural Engineer

### **Vice-Chair**

Mr. Stephen E. Bailey, P.E.  
Electrical Engineer

Mr. Sergio Pellecer  
Fire Service Professional  
Mr. Gregg D'Attile,  
Air Conditioning Contractor  
Mr. John Famularo,  
Roofing Contractor  
Mrs. Shalanda Giles Nelson,  
General Contractor  
Mr. Daniel Rourke,  
Master Plumber  
Ms. Lynn E. Wolfson,  
Representative Disabled Community  
Mr. Dennis A. Ulmer,  
Consumer Advocate  
Mr. John Sims,  
Master Electrician  
Mr. Ron Burr  
Swimming Pool Contractor  
Mr. Abbas H. Zackria, CSI  
Architect  
Mr. Robert A. Kamm, P.E.  
Mechanical Engineer

## **2022 Alternate Board Members**

Mr. Steven Feller, P.E.,  
Mechanical Engineer  
Mr. Alberto Fernandez,  
General Contractor  
Mr. William Flett,  
Roofing Contractor  
**Vacant,**  
Structural Engineer  
Mr. Robert Taylor,  
Fire Service  
Mr. David Rice, P.E.,  
Electrical Engineer  
Mr. James Terry,  
Master Plumber  
Mr. David Tringo,  
Master Electrician  
Mr. Jeff Falkanger,  
Architect

### **Board Attorney**

Charles M. Kramer, Esq.

### **Board Administrative Director**

James DiPietro

—ESTABLISHED 1971—

**Date:** March 28, 2022

**To:** Broward County Building Officials

**From:** Kenneth Castronovo, Chief Electrical Code Compliance Officer

**Subject:** 40 Year Building Safety Inspection Survey Audit

Hello,

We would like to thank all of you for your hard work and time with providing us with the 40-year survey information that was requested by the Board. We are in the process of auditing the attached survey. This audit is being requested for two reasons. The first reason is that the BORA staff needs to understand your process of gathering information. The second reason is that we would like to make our program as efficient as possible for us and for future gatekeepers of this policy. This information will also eventually be forwarded to the Board of Rules and Appeals for their use.

In the upcoming days we will be working with each city individually. Staff will start by reviewing and adding the number of letters that should have been sent to the required buildings from our lists. The total count of letters sent out from our information should be close to the number you totaled for each of the years of 2019, 2020 and 2021. We will then be comparing our numbers of letters that have been sent out to the amounts that you recorded on the survey. If there are any deficiencies on any of these numbers, we will help each other to close the gap.

The Board of Rules and Appeals hopes that the program will be better served in the future by working together now.

I have attached the most up to date survey for your convenience.

Sincerely,

A handwritten signature in blue ink that reads "Kenneth Castronovo".

Kenneth Castronovo

Chief Electrical Code Compliance Officer  
Broward County Board of Rules and Appeals



## Building Safety Inspection Program: Summary of Notices Sent and Inspection Reports Received for 2019, 2020 and 2021

MUNICIPALITY	Total notices sent by your department for 2019, 2020 and 2021?	Date range that the notices were sent?	How many inspection reports were returned to your department for 2019, 2020 and 2021?	Sent to Magistrate or Code Enforcement/ Extensions	AUDITED (AFTER 03-25-22)	NOTES
Broward County	47	July 2019 - August 2021	34	13		• 100% Complete
Coconut Creek	68	June 2019 - June 2021	68			• 100% Complete
Cooper City	14	12/04/2020 - 11/29/2021	13	1	YES	• 100% Complete
Coral Springs	318	June - August	273	45	YES	• 100% Complete
Dania Beach	68	June 2019 - June 2021	55			
Davie	115	07/26/2019 - 07/12/2021	94	19	YES	• 1 property was sold after 1st letter sent. Sent request to new owner; 1 in contact with engineer, reports are done, waiting on submittal. 100% Complete
Deerfield Beach	249	06/20/19 - 06/11/2021	198	51		• 100% Complete
Fort Lauderdale	7,969	08/20/2019 - 10/31/2021	6,253	1,716		
Hallandale Beach	126	06/30/2021 - 07/22/2021	80			
Hillsboro Beach	6	Summer	5			• 1 complete; 4 repairs/reports in progress.
Hollywood	2,027	June 2019 - December 2021	1,309			
Lauderdale-by-the-Sea	54	07/02/2021 - 08/16/2021	49	4	YES	• 1 removed administratively. 100% Complete
Lauderdale Lakes	110	08/26/2019 - 06/28/2021	56			
Lauderhill	108	July - August 2021	95	13	YES	• 100% Complete
Lazy Lake	NO INSPECTIONS REQUIRED					
Lighthouse Point	32	07/16/2019 - 08/13/2021	25			
Margate	128	09/11/2019 - 08/19/2021	119	10	YES	• 1 Additional Voluntary Report Received. 100% Complete
Miramar	67	08/05/2019 - 07/13/2021	56	6		
North Lauderdale	87	September 2019 - August 2021	70			
Oakland Park	390	08/29/2019 - 07/14/2021	263	127	YES	• 100% Complete
Parkland	NO INSPECTIONS REQUIRED					
Pembroke Park	27	07/10/2019 - 06/15/2021	23	4		• 100% Complete
Pembroke Pines	89	June 2019 - June 2022	37			
Plantation	983	08/12/2019 - 11/19/2021	815	168	YES	• 129 Special Magistrate; 39 extensions. 100% Complete
Pompano Beach	757	04/20/2021 - 08/10-2021	415	342	YES	• 100% Complete
Sea Ranch Lakes	NO INSPECTIONS REQUIRED					
Southwest Ranches	NO INSPECTIONS REQUIRED					
Sunrise	159	August 2019 - September 2021	147	12	YES	• 100% Complete
Tamarac	81	May 2020 - November 2021	65			
West Park	50	June-21	25			
Weston	164	02/06/2020 - 06/28/2021	110	54	YES	• 100% Complete
Wilton Manors	79	07/14/2021 - 08/26/2021	57	22		• 100% Complete

TOTAL	14,372	13,416
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