

# Broward County Board of Rules and Appeals Meeting Agenda

November 17, 2022

Time: 7:00 PM

## Zoom Meeting Information:

<https://broward-org.zoomgov.com/j/1614212462>

Meeting ID: 161 421 2462

**I. Call Meeting to Order**

**II. Roll Call**

**III. Approval of Agenda**

**IV. Approval of Minutes** – October 13, 2022 Regular Meeting

**V. Public Comment (Except public hearing items on this agenda)**  
Public comments limited to 3-minutes each.

**VI. CONSENT AGENDA**

**1. Certifications** – Staff Recommended

**CITY OF HOLLYWOOD**

Grimsley, Meghan, Fire Plans Examiner  
Quintana, Daniel, Assistant Building Official

**CITY OF MARGATE**

O'Neill, Nicole, Fire Inspector

**CITY OF MIRAMAR**

Gregorisch, Fire Code Official  
Britton, Bruce, Fire Plans Examiner

**CITY OF SUNRISE**

Thomas, Temeka, Fire Inspector

**CITY OF TAMARAC**

Villanueva, Juan, Structural Inspector – Temporary 120-Day

**CITY OF WILTON MANORS**

Cuadra, Eduardo, Structural Inspector – Temporary 120-Day

**COUNTYWIDE**

Davalos, Robert, Electrical Plans Examiner  
Haynes, James L., Structural Plans Examiner  
Karttunen, Vesa, Structural Plans Examiner  
Prelaz, Marino, Plumbing Inspector

**VII. REGULAR AGENDA**

**1. Appeal #22-05 Plantation Inn, recommendation of the Fire Code Committee**

- a. Staff Report
- b. Board Questions
- c. Board Action

**2. Second Reading of proposed revisions to the Broward County Uniform Data Form for Residential and Light Air Conditioning Replacements, Board Policy 19-02**

- a. Staff Report
- b. Board Questions
- c. Board Action

3. **Second Reading of proposed revisions to Broward County Amendments (Chapter 1), Florida Building Code (FBC) 7<sup>th</sup> Edition (2020), Appendix A, Broward County Uniform Building Permit Application**
  - a. Staff Report
  - b. Board Questions
  - c. Board Action
4. **First Reading of proposed amendments to Section F-121, Automatic External Defibrillator (AED) and Stop the Bleed Kit (SBK) of the Florida Fire Prevention Code, 7<sup>th</sup> Edition (2020), recommendation of the Fire Code Committee**
  - a. Staff Report
  - b. Board Questions
  - c. Board Action
5. **First Reading of proposed amendment to FFPC, Section F-112.3, Fire Sprinklers One- and Two-Family Homes and Townhomes, recommendation of the Fire Code Committee**
  - a. Staff Report
  - b. Board Questions
  - c. Board Action
6. **Proposed formal interpretation pertaining to the maximum distance from the source of hot water to the fixture in commercial buildings per Section 607.2 of the FBC Plumbing Code and C404.5 of the FBC Energy Conservation Code**
  - a. Staff Report
  - b. Board Questions
  - c. Board Action
7. **Proposed revisions to the Rooftop Mounted Equipment Affidavit, Board Policy 22-03, recommendation of the Roofing Committee**
  - a. Staff Report
  - b. Board Questions
  - c. Board Action
8. **Request to postpone the implementation of Amendments to Section 104.1.1 "Appointment of a Building Official," also, Section 104.3 "Appointment of Chief Electrical, Mechanical, Plumbing, and Structural Inspector," of Chapter 1, 2020 Florida Building Code, 7<sup>th</sup> Edition**
  - a. Staff Report
  - b. Board Questions
  - c. Board Action
9. **Director's Report**
10. **Attorney's Report**
11. **Committee Reports**
12. **General Board Member Discussion**
13. **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 Dr. Barbosa at 954-931-2393 between 6:00 p.m. and 7:00 p.m.*



October 13, 2022  
Board Meeting Minutes

# Broward County Board of Rules and Appeals Meeting Minutes

October 13, 2022

Time: 7:00 PM

## Zoom Meeting Information:

<https://broward-org.zoomgov.com/j/1611548189>

Meeting ID: 161 154 8189

### I. Call Meeting to Order

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

### II. Roll Call

Danial Lavrich, Chairman  
Ron Burr  
Gregg D'Attile  
Jeff Falkanger (arrived at 7:15 p.m.)  
R. Art Kamm  
David Rice  
Daniel Rourke  
Robert Taylor  
David Tringo  
Dennis Ulmer

### III. Approval of Agenda

Mr. Tringo made a motion and Mr. D'Attile seconded the motion to approve the agenda as posted. The motion carried by unanimous vote of 9-0.

### IV. Approval of Minutes – September 8, 2022 Regular Meeting

Mr. D'Attile made a motion, and Mr. Rice seconded the motion to approve the September 8, 2022, minutes as submitted. The motion was carried out by a unanimous vote of 9-0.

### V. Public Comment (Except public hearing items on this agenda) Public Hearing limited to 3-minutes each - none

### VI. CONSENT AGENDA

#### 1. Certifications – Staff Recommended

##### **BROWARD COUNTY SHERIFF'S OFFICE FIRE RESCUE**

Di Lella, Gary, Fire Inspector  
Goyochea, Danilo, Fire Plans Examiner

##### **BROWARD COUNTY – NORTH LAUDERDALE**

Juarez, Ernesto J., Mechanical Inspector – Provisional

##### **CITY OF CORAL SPRINGS**

Hayes, Thomas, Fire Plans Examiner  
Melo, Vladimir, Structural Inspector – Temporary 120-Day

##### **CITY OF HOLLYWOOD**

Al-Imam, Richard, Chief Structural Inspector  
Douglas, Jason, Fire Inspector  
Gamboa Jr., Freddie, Fire Inspector

##### **TOWN OF LAUDERDALE-BY-THE-SEA**

Mansor, Simo, Structural Inspector – Temporary 120-Day

##### **CITY OF LAUDERHILL**

Marchese, Jacob, Fire Inspector

**CITY OF NORTH LAUDERDALE**

Jokho, Romeshwar, Electrical Inspector – Provisional

**CITY OF PEMBROKE PINES**

Rocco, Anthony, Fire Plans Examiner

**CITY OF POMPANO BEACH**

Cogdill, Danny Lee, Electrical Inspector – Temporary 120-Day

**CITY OF WESTON**

McNulty, Derek, Structural Inspector – Provisional

**COUNTYWIDE**

Carranza, Eduardo V., Structural Inspector

Carranza, Eduardo V., Structural Plans Examiner

Cuadra, Eduardo Inocente, Plumbing Inspector

Nerenberg, Eric Todd, Plumbing Plans Examiner

Thompson, Timothy A., Plumbing Plans Examiner

Mr. Tringo made a motion, and Mr. Taylor seconded the motion approving the certifications as recommended. The motion carried by unanimous vote of 8-0. Mr. Burr abstained from voting due to a conflict of interest. A Memorandum of Voting Conflict was filed by Mr. Burr and is attached to these minutes.

**VII. REGULAR AGENDA**

1. **Second Reading of proposed formal interpretation exempting solar panels from rooftop clearance requirements, Sections 1522.3, 1522.3.1, Chapter 1, Florida Building Code, 7<sup>th</sup> Edition (2020) – Recommendation of the Roofing Committee.**
  - a. Staff Report  
Mr. Jack Morell, Chief Structural Code Compliance Officer, noted the second reading of this item that was recommended by the Roofing Committee. It allows for solar panels to not have to comply with height requirements of rooftop equipment.
  - b. Board Questions – none
  - c. Public Hearing  
Chairman Lavrich opened the floor for a public hearing but there was no one wishing to speak.
  - d. Board Action  
Mr. Kamm made a motion, and Mr. Rice seconded the motion approving the formal interpretation exempting solar panels from rooftop clearance requirements on final reading as recommended. The motion was carried out by a unanimous vote of 9-0.
2. **Second Reading of proposed Rooftop Affidavit to accompany all HVHZ re-roof uniform permit application submittals, Board Policy 22-02 – Recommendation of the Roofing Committee.**
  - a. Staff Report  
Mr. Jack Morell, Chief Structural Code Compliance Officer, advised that this addresses permitting the reinstallation of rooftop equipment removed for re-roofing. The item is recommended by the Roofing Committee.
  - b. Board Questions – none
  - c. Public Hearing  
Chairman Lavrich opened the floor for a public hearing but there were no comments.
  - d. Board Action  
Mr. Tringo made a motion, and Mr. D'Attili seconded the motion approving the Rooftop Affidavit on final reading as recommended. The motion was carried out by a unanimous vote of 9-0.
3. **Second Reading of proposed formal interpretation – Paper Reduction, providing that Roof System Application Notice of Acceptance submittal only includes the product approval documentation that matches the installation criteria, Section 1512.2.1, Chapter 1, Florida Building Code, 7<sup>th</sup> Edition (2020) – Recommendation of the Roofing Committee.**
  - a. Staff Report

Mr. Jack Morell, Chief Structural Code Compliance Officer, advised that this interpretation makes the process less confusing and reduces the amount of product approval documentation required to be submitted. The item is recommended by the Roofing Committee.

b. Board Questions – none

c. Public Hearing

Chairman Lavrich opened the floor for a public hearing but there were no comments.

d. Board Action

Mr. Ulmer made a motion, and Mr. Rourke seconded the motion approving the formal interpretation for rooftop system application product approval documentation submittal on final reading as recommended. The motion was carried out by a unanimous vote of 9-0.

**4. Second Reading of updated Uniform Permit Matrix for Solar Thermal and Solar Electric Installations – Recommendation of the Roofing Committee - Policy 09-02.**

a. Staff Report

Mr. Jack Morell, Chief Structural Code Compliance Officer, explained that each applicable code section was listed in the matrix. Removing the code section references will eliminate the need to revise the matrix with each code cycle. The item is recommended by the Roofing Committee.

b. Board Questions – none

c. Public Hearing

Mr. Falkanger arrived at 7:15 p.m. at this point in the meeting. Chairman Lavrich went on to open the floor for a public hearing but there were no comments.

d. Board Action

Mr. Tringo made a motion, and Mr. D'Attile seconded the motion approving the Uniform Permit Matrix for Solar Thermal and Solar Electric Installations on the final reading as recommended. The motion was carried out by a unanimous vote of 10-0.

**5. Second Reading of staff's proposed revision to Broward County Amendments (Chapter 1), Florida Building Code (FBC) 7<sup>th</sup> Edition (2020), Section 105.18, Demolition, to provide consistency with HB 423 of 2022 that created subsection (25)(a) of Florida Statute 553.79 providing that a local government may not prohibit or restrict demolition permits for single-family residential structures located in flood hazard areas.**

a. Staff Report

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, explained that this second reading is to add the Florida statute reference to the building code.

b. Board Questions

In response to Mr. D'Attile, Mr. Soto advised that the date shown is when the State law was adopted.

c. Public Hearing

Chairman Lavrich opened the floor for a public hearing but there were no comments

d. Board Action

Mr. Rice made a motion, and Mr. Falkanger seconded the motion approving the building code amendment to Section 105.18 on the final reading as recommended. The motion was carried out by a unanimous vote of 10-0.

**6. Second Reading of staff's proposed revision to Broward County Amendments (Chapter 1), Florida Building Code (FBC) 7<sup>th</sup> Edition (2020), Section 111.1.1, Use and Occupancy to provide consistency with HB 423 of 2022 that amended Florida Statute 553.791(13), requiring the local building official to issue a certificate of occupancy or certificate of completion within a certain number of days after receipt of certain information, including the payment of all outstanding fees; providing that a certificate of occupancy or certificate of completion is automatically granted and issued, and the permit application closed, under certain circumstances; requiring the local building official to provide a written certificate of occupancy or certificate of completion within a specified time.**

a. Staff Report

Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, clarified that the July 1<sup>st</sup> date shown in the agenda backup materials is that of the State law effective date.

b. Board Questions – none

- c. Public Hearing  
Chairman Lavrich opened the floor for a public hearing but there were no comments.
- d. Board Action  
Mr. D'Attile made a motion, and Mr. Rice seconded the motion approving the building code amendment to Section 111.1.1 on final reading as recommended. The motion was carried out by a unanimous vote of 10-0.

**7. First Reading of proposed revisions to the Broward County Uniform Data Form for Residential and Light Air Conditioning Replacements, Board Policy 19-02.**

- a. Staff Report  
Mr. Rolando Soto, Chief Mechanical Code Compliance Officer, advised that the Mechanical Committee approved this item. The revisions are minor in addition to new efficiency requirements that will be effective in January. It has been made easier for customer use. Dr. Ana Barbosa, Administrative Director, concurred that this is a cleanup of an existing form and includes the upcoming new efficiency requirements.
- b. Board Questions  
Mr. D'Attile clarified for Mr. Kamm that forms are accepted even though existing equipment data may not be available.
- c. Board Action  
Mr. D'Attile made a motion, and Mr. Falkanger seconded the motion approving revisions to the uniform data form for residential and light air conditioning replacements on the final reading as recommended. The motion was carried out by a unanimous vote of 10-0.

**8. Proposed Voluntary Residential A/C Replacement Inspection Checklist.**

- a. Staff Report  
Dr. Ana Barbosa, Administrative Director, explained that this is an easy voluntary checklist to assist with not missing any parts of the process and cites applicable code sections.
- b. Board Questions  
Dr. Barbosa responded to Mr. D'Attile's question, explaining that while this checklist is voluntary, she felt it appropriate to present to the Board anything that would be going out by the Board of Rules and Appeals to all of the building officials.
- c. Board Action  
Mr. Tringo made a motion, and Mr. Rice seconded the motion with a voluntary residential A/C replacement inspection checklist as recommended. The motion was carried out by a unanimous vote of 10-0.

**9. First Reading of proposed revisions to Broward County Amendments (Chapter 1), Florida Building Code (FBC) 7<sup>th</sup> Edition (2020), Appendix A, Broward County Uniform Building Permit Application.**

- a. Staff Report  
Dr. Ana Barbosa, Administrative Director, listed formatting changes that were made including that the form was expanded to two pages. It now indicates a signature should be provided by the property owner or a qualified contractor. The notary block was improved. Cities were complaining about being rejected because of the electronic notary process that was put into place. For those having electronic applications, this form can be used for the notary.
- b. Board Questions – none
- c. Board Action  
Mr. Falkanger made a motion and Mr. Taylor seconded the motion approving revisions to Appendix A, Broward County Uniform Building Permit Application on the first reading as recommended. The motion was carried out by a unanimous vote of 10-0.

**10. Discussion concerning Board meeting start times – Request of Board Member, Gregg D'Attile.**

- a. Report of Board Member Gregg D'Attile  
Mr. D'Attile indicated that his thinking was that since people no longer have to drive downtown to the meeting, it might be possible to start the meetings at 6 p.m. so that the meeting could adjourn a little earlier. Mr. Ulmer was concerned that there could be a quorum issue if people were stuck in afternoon traffic. Mr. Falkanger commented that if the meeting convened at 6 p.m. and went a little long, it would interrupt dinner. By starting at 7 p.m., it allows for everyone to have dinner before the meeting.

- b. Board Questions - none
- c. Board Action – none

**11. Update Concerning the Building Safety Inspection Program (BSIP) – Summary of Notices Sent and Inspection Reports Received for 2019, 2020 and 2021.**

- a. Report of Administrative Director  
Dr. Ana Barbosa, Administrative Director, advised that the surveys are 100% finished. The next grouping will be forthcoming.
- b. Board Questions - none
- c. Board Action - unnecessary

**12. Director's Report - none**

**13. Attorney's Report**

Office of Inspector General Report

Mr. Charles Kramer, Board Attorney, discussed his response to the Inspector General's questions about three of the Board's investigations (2900 Riomar; 1919 SE 10 St; and 1415 NW 62 St). He clarified that the Board of Rules and Appeals was unaware and had nothing to do with the NW 62 Street case until the OIG inquired. The Riomar and SE 10 Street cases were presented to the Board. No disciplinary action was to be taken. The Board's staff reviewed the OIG report in detail. The OIG thought there were some irregularities with the fire code issues. A phone discussion was held with the chief investigator. It was determined that there was some misunderstanding on permitting and that permits cannot be accepted unless there are complete master plan drawings. The biggest issue the OIG raised was the lack of communication between building and planning departments. In order to come to some finalization, staff will go over and supplement staff's reports on Riomar and SE 10 Street to address fire issues. They will also review NW 62 Street, although this has to do with the Broward Sheriff's Office, which is not in the Board's jurisdiction. Hopefully it will be finalized within the next sixty days.

Virtual Inspections Lawsuit – Inspected.com

With reference to a lawsuit against the Board of Rules and Appeals and the City of Hollywood concerning virtual inspections, Mr. Kramer explained that their claim was that those new statutes enacted this year allowed for virtual inspections in all disciplines by camera. In reality, structural inspections cannot be performed virtually. Further, Broward County has the administrative authority to make its own rules regarding how inspections will be performed. The ruling was successful for the Board of Rules and Appeals. Inspected.com would be required to use the Board's appeal process.

**14. Committee Reports - none**

**15. General Board Member Discussion**

Chairman Lavrich announced the upcoming Open Discussion on Tuesday, October 18<sup>th</sup>.

**16. Adjournment – The meeting adjourned at 7:55 p.m.**



# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Burr, Ronald		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Broward County Board of Rules and Appeals	
MAILING ADDRESS 616 NW 30 Court		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Wilton Manors	COUNTY Broward	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED October 13, 2022		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)



### APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Ron Burr, hereby disclose that on October 13, 2022, 20 22 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, Former Business relationship ;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- ☐ inured to the special gain or loss of \_\_\_\_\_, by  
whom I am retained; or
- ☐ inured to the special gain or loss of \_\_\_\_\_, which  
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Agenda Item VI, 1 Certifications

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

10/17/2022

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



# Consent Agenda

# Section 1

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

### **CITY OF HOLLYWOOD**

Grimsley, Meghan, Fire Plans Examiner  
Quintana, Daniel, Assistant Building Official

### **CITY OF MARGATE**

O'Neill, Nicole, Fire Inspector

### **CITY OF MIRAMAR**

Gregorisch, Fire Code Official  
Britton, Bruce, Fire Plans Examiner

### **CITY OF SUNRISE**

Thomas, Temeka, Fire Inspector

### **CITY OF TAMARAC**

Villanueva, Juan, Structural Inspector – Temporary 120-Day

### **CITY OF WILTON MANORS**

Cuadra, Eduardo, Structural Inspector – Temporary 120-Day

### **COUNTYWIDE**

Davalos, Robert, Electrical Plans Examiner  
Haynes, James L., Structural Plans Examiner  
Karttunen, Vesa, Structural Plans Examiner  
Prelaz, Marino, Plumbing Inspector

# Regular Agenda

# Section 1



## Broward County Board of Rules and Appeals

1 N. University Drive Suite, 3500B, Plantation, FL 33324  
Phone: 954-765-4500 | Fax: 954-765-4504  
[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

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**TO:** Members of the Board of Rules and Appeals

**FROM:** Chief Fire Code Compliance Officer

**DATE:** November 10, 2022

**RE:** Appeal #22-05 Staff Review

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The Board of Rules and Appeals on August 24, 2022, received an appeal from Mr. Richard Coker PA representing Plantation Hospitality Group LLC (Plantation Inn).

The Board of Rules and Appeals, Fire Code Committee on October 20, 2022, heard the appeal. The Fire Code Committee voted 9 to 2 to reject the appeal.

### **Staff Review of Appeal**

Mr. Coker is appealing a Notice of Violation (NOV) issued by the Plantation Fire Marshal, Chief Tony Martins as it relates to a violation of NFPA 1, Section 18.2.3.5.4. (Attachment Appeal).

#### ***NFPA 1, 2018***

***18.2.3.5.4 Dead Ends. Dead-end fire department access roads in excess of 150 ft (46m) in length shall be provided with approved provisions for the fire apparatus to turn around.***

Staff on September 15, 2022 visited the Plantation Inn area and took photos of NW 3<sup>rd</sup> Court (East / West road) and noted the located of two fire hydrants along NW 3 Court (one just off of SR 7 on NW 3<sup>rd</sup> Court and one located at the west end of building 4100 further west of the property in question) as it relates to this property and of the private roadways in front of the three story motel and the back side of the three (3) story motel building. It is staff believe that there is a dead-end issue on the west side of the Motel Building and the violation issued by the city is correct.

Staff printed out an overhead view of the area around Plantation Inn including the private roadways located on the east and west of the three (3) story motel building from the Broward property appraisers web site and used the distance scale provided to determine the distance from the street (NW 3<sup>rd</sup> Court) to the end of the private roadways. (See staff attachment 1).

Staff also noted that the roads at the back (west) of motel is a dead-end road. The roadway located on the west side of the motel rooms have no egress and is a dead end.

The west roadway is over 150 feet in length as illustrated on staff arial (See Staff Attachment 2).

In the appellants attached materials Mr. Coker references and provides 1.3.2.4 (NFPA 1) Retroactivity of Referenced Standards to Existing Conditions.

*Unless otherwise specified by [1.3.2.4.1](#) through [1.3.2.4.3](#), the current provisions of the referenced [standards](#) shall not apply to [facilities](#), equipment, structures, or installations that existed or were [approved](#) for construction or installation prior to the effective date of this [Code](#).*

Mr. Coker failed to provide the complete section as indicated in sections 1.3.2.4.1 through 1.3.2.4.3 provided below:

**1.3.2.4.1**

*Where specified by a reference standard for existing occupancies, conditions, or systems, the provisions of the referenced standards shall be retroactive.*

**1.3.2.4.2**

*Facilities, equipment, structures, and installations, installed in accordance with a reference standard, shall be maintained in accordance with the edition of the standard in effect at the time of installation.*

**1.3.2.4.3**

*In those cases where the AHJ determines that the existing situation constitutes an imminent danger, the AHJ shall be permitted to apply retroactively any portions of the current referenced standards deemed appropriate.*

The appellant believes that a fence erected by an adjacent property owner Mr. Ricketts (4050 NW 3<sup>rd</sup> Court) on his property, which was permitted in 2019 by the city and approved in 2020 by the city should not have been allowed because they had always used Mr. Ricketts alley as alleged in the appellants submittals. Mr. Ricketts alley is not located beyond the 150 feet but a fence on the property directly west (Medical 1) is over the 150-foot requirement.

Staff reach out to the property owner of 4050 and 4100 NW 3<sup>rd</sup> Court. Only Mr. Mark Ricketts who owns the property on the north side of the Plantation Inn motel building responded and agreed to provide information as it pertained to any agreements, he had with the Plantation Inn to use the alley between the two building which is located on his property. Mr. Ricketts property owner (4050 NW 3<sup>rd</sup> Court) provided a written statement (Attachment)

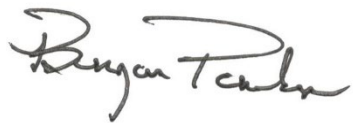
It is staff's opinion that Mr. Ricketts fence along with the 4100 Medical 1 building and those allegations provided by Mr. Coker are not subject to review by the Fire Code Committee or the Board and are of a civil matter not a fire code issue as it relates to the fence located on Mr. Ricketts property and Medical 1 and should be address to the civil court system for a resolution.

Staff on September 26, 2022, meet with Plantation Fire Marshal, Tony Martins to discuss the appeal and to see if there could be a resolution to the Notice of Violation. Chief Martins indicated that he would accept an alternative as allowed in NFPA 1, 1.4, he also stated that discussions had taken place between Plantation Inn and himself regarding alternatives, but Plantation Inn had not moved forward with the proposal.

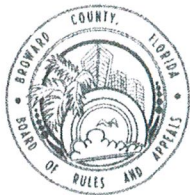
**Staff Conclusion**

It is my opinion that the violation issued by the Plantation Fire Department is correct and recommend that appeal 22-05 be denied.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Bryan Parks", written in a cursive style.

Bryan Parks



# Broward County Board of Rules & Appeals

1 N. University Drive, Suite 3500B

Plantation, FL 33324

Phone 954-765- 4500

Fax 954-765- 4504

http://www.broward.org/codeappeals

2022 AUG 24 PM 1:42

RECEIVED BY  
BROWARD CO.  
BOARD OF RULES & APPEALS

## Appeal Application

Please Type or Print Information

### Appellant Representative Information:

Name Richard Coker  
Address 1404 S. Andrews Avenue  
City/State Fort Lauderdale FL 33316  
Business/Profession Attorney  
Phone 954-761-3636 Fax 954-761-1818  
E-mail Address rgcoker@coker-feiner.com

### Office Use Only

Date of Receipt: \_\_\_\_\_  
Appeal # 22-05  
Hearing Date NONE  
Notice Mailed \_\_\_\_\_  
Code in Effect \_\_\_\_\_  
Electrical \_\_\_\_\_  
Fire Code \_\_\_\_\_  
Mechanical \_\_\_\_\_  
Plumbing \_\_\_\_\_  
Structural \_\_\_\_\_  
Alternate Material \_\_\_\_\_  
Alternate Method \_\_\_\_\_

### Project Information:

Address 375 N. State Road 7, Plantation, FL 33317  
Type of Construction CBS  
Height of Building \_\_\_\_\_  
Square Footage per Floor \_\_\_\_\_  
Permit Number n/a  
Permit Application Date n/a  
Group of Occupancy Motel  
Number of Stories 3

We, the undersigned, appeal the decision of the Building/Fire Code Official of Plantation as it pertains to Chapter \_\_\_\_\_, Section \_\_\_\_\_, of the (check one) ☐ South Florida Building Code / ☐ Florida Building Code / ☒ Florida Fire Prevention Code, / ☐ Other See attached NOV, as applicable to Broward County. (Attach copy of relevant Code sections). **NFPA 1, Section 18.2.3.5.4**

**Note:** The Board shall base their decision upon the section(s) of the Code you have indicated above. If these are in error, you will be required to re-submit your appeal.

The Board is not authorized to grant variances from the Code.

Summary of appeal (attach additional sheets as necessary):

Please see attached materials

Results desired (attach additional sheets as necessary):

Please see attached materials

**Note:** Exhibits intended for distribution to the Board, supporting the appeal, must be submitted with the appeal. No additional material shall be passed out at the appeal hearing. A letter from the Building Official rejecting the applicant's appeal must be included in the appeal packet submitted to the Board of Rules and Appeals

Appellant Name (Please print) Plantation Hospitality Group LLC

Appellant Signature [Signature] Rafiqul Haque, authorized agent



## **PLANTATION HOSPITALITY GROUP, LLC**

### **APPEAL OF DECISION OF CITY PLANTATION FIRE CHIEF**

#### **Description of Property:**

Plantation Hospitality Group, LLC is the owner of the Plantation Inn motel located at 375 N. State Road 7 in the City of Plantation. The Folio number for the property is 5041 011 60 020. The property is developed with a 3-story motel building with 76 rooms and with an accessory building and swimming pool. An aerial of the property is attached as **Exhibit 1**. The property is located south of NW 3<sup>rd</sup> Court and is abutting commercial uses to the north and west.

The City records show that the motel building was built in approximately 1968. Access to the property from NW 3<sup>rd</sup> Court has for decades been through the commercial properties to the north and the access alley on the west side of the property. Access to the rear of the building for fire protection purposes has been by way of the access drive on the west side of the property as shown on the aerial. In addition, for decades a driveway was open between the Plantation Inn property and the commercial building to the north that provided vehicular access including access for fire protection services. **Exhibit 2** is an aerial that shows the fire lane driveway with a red arrow.

#### **Installation of Fence Across Fire Lane.**

At some point in 2019 the property owner to the north that owns the driveway directly north of the property obtain a permit to install a fence across the driveway. A copy of the permit application with department signoffs (including Fire) is attached as **Exhibit 3**. As the signoff sheet shows the permit was closed in 2020 when the fence was completed. The location of the fence is shown on Exhibit 2. A photograph of the fence and the fire lane is attached **Exhibit 4**.

The fire department signed off on the permit and allowed the fence to be constructed without consideration for fire safety. The fire department did not require the property owner to install a gate in the fence with the lock box so that the fire department could use the fire lane if needed in the future.

#### **Notice of Violation from Fire Marshall.**

On March 23, 2022, the City of Plantation, through its Fire Marshall, issued a notice of violation to Plantation Hospitality Group for a violation of FFPC NFPA-Fire Code 18.2.3.5.4. A copy of the NOV is attached as **Exhibit 5**. The Fire Marshall confirmed that the NOV was issued solely because the fence that was approved by the Fire Department was blocking the fire lane. Sec. 18.2.3.5.4 reads as follows:

##### **18.2.3.5.4 Dead Ends**

Dead-end [fire department access roads](#) in excess of 150 ft (46 m) in length shall be provided with [approved](#) provisions for the fire apparatus to turn around.

The owner's counsel discussed this matter with the Fire Marshall and requested that the City require the installation of a gate with a lock box to allow access across the driveway for fire protection purposes only but the Fire Marshall and the City declined.

The owner presented to the Fire Marshall the following argument in a series of emails:

As you know, I represent Plantation Hospitality Group LLC, the Respondent in the above referenced case. I have now had the opportunity to review the City files and the historical record of the Plantation Inn and the surrounding properties. Based on the information that I have reviewed I do not believe that the Fire Department should have signed off on the 2019 fence permit which allowed the installation of a fence blocking a long-standing designated fire lane. What I have seen dozens of times in the past, is that a fence can be allowed in a similar situation with at gate and either a code or a lockbox with the Fire Department given the code. This is a normal solution to a controlled access situation.

As I discussed with Chief Martins, the access drive/fire lane has been in existence and used in this manner for decades until the property owner was allowed to construct a fence in 2019 to block fire access through the fire lane. Plantation Inn did nothing to alter the existing fire access. Attached is a photograph of the fence called "Fence and Fire Lane" showing how the fire lane is blocked. There are "No Parking Fire Lane" signs required the Fire Department on the wall of the building as shown on the attached photographs.

The City records indicate that the building was built in 1968. The County aerials on the Property Appraiser's website go back to 1998. The aerials of the site from 1998, 2007 and 2022 are attached with the Fire Lane shown. Since this is an existing condition and the property owner being cited did nothing to alter the existing condition, it is my understanding that the current NFPA standards do not apply under the following provisions.

#### **1.3.2.4 Retroactivity of Referenced Standards to Existing Conditions**

Unless otherwise specified by [1.3.2.4.1](#) through [1.3.2.4.3](#), the current provisions of the referenced [standards](#) shall not apply to [facilities](#), equipment, structures, or installations that existed or were [approved](#) for construction or installation prior to the effective date of this *Code*.

#### **3.3.103\* Existing**

That which is already in existence on the date this edition of the *Code* goes into effect. [101, 2018]

#### **3.3.104 Existing Condition**

Any situation, circumstance, or physical makeup of any structure, premise, or process that was ongoing or in effect prior to the adoption of this *Code*.

The 1998 aerial referenced above is attached as **Exhibit 6** and the 2007 aerial referenced is attached as **Exhibit 7**. A photograph of the fire lane sign referenced above is attached as **Exhibit 8**. Based on the facts set forth above, the NOV is not appropriate in the property is not in violation of the cited section of the Fire Code.

In addition to the arguments above, an approved turnaround driveway is available abutting the property. Directly on the west property line of the property is a medical office complex. **Exhibit 2** shows the drive isle and the location of the designated fire exit on the SW corner of the property. This designated fire lane has a locked gate with a lock that the fire department certainly has access to. **Exhibit 9** is a photograph of the fire exit with the locked gate. This fire access lane provides the appropriate turn around area for the entire medical complex and the Plantation Inn. Based on the availability of this fire access lane alone, the property is not in violation of the cited section of the Fire Code.

**Fire Chief's Denial of Appeal.**

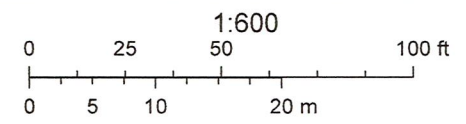


Property Id: 504101160020

\*\*Please see map disclaimer



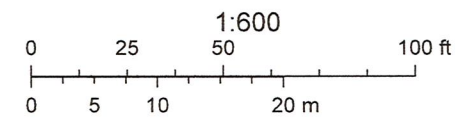
August 22, 2022







arch 29, 2022





B19-63777

**PROJECT: FENCE AT 4050 NW 3<sup>RD</sup> CT, PLANTATION, FL.33317**

**USEAGE/REASON OF FENCE**

1. Bordering property line
2. Reduce loitering and trespassing
3. Reduce illegal activities from neighboring establishment

**COLOR OF FENCE**

1. Prime and paint all metal, follow paint manufacturer recommendations for appropriate application.
2. Grey paint finish to match existing fence color.

**RECEIVED**  
**DEC 05 2019**  
**BUILDING DEPT.**

**BUILDING DEPT:**  
**PLEASE RETAIN**  
**A COPY OF THIS DOCUMENT**  
**IN MICROFILMED RECORDS**

**CITY OF PLANTATION**  
**ZONING PLAN REVIEW**

**DEC 10 2019**

**A NEW FENCE**

**ISLAND PREMIER BLD**

**4050 NW 3<sup>RD</sup> CT (S. HOSPITAL DRIVE), PLANTATION FLORIDA**

NOC-  
NIA

3 Sets 1pg

DC

CITY OF PLANTATION  
BUILDING DEPT

BROWARD COUNTY UNIFORM BUILDING PERMIT APPLICATION

Select One Trade: ☐ Building ☐ Electrical ☐ Plumbing ☐ Mechanical ☒ Other

PCT 11 2019

Application Number:

Application Date: RECEIVED

1	Job Address: 4050 HWY 31 CT	Unit:	City: PLANTATION
	Tax Folio No.: 584101160030 Flood Zn:	BFE:	Floor Area:
	Building Use: MEDIA CENTER	Construction Type: FENCE	Occupancy Group:
	Present Use: COM	Proposed Used:	
	Description of Work: 72' linear ft 5'-6" high fence metal		
	<input checked="" type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Repair <input type="checkbox"/> Alteration <input type="checkbox"/> Demolition <input type="checkbox"/> Revision <input type="checkbox"/> Other:		
	Legal Description:		<input type="checkbox"/> Attachment
2	Property Owner: MARK RICKETTS	Phone: (954) 588-6088	Email: MARK@ISLANDP.COM
	Owner's Address: 4050 HWY 31 CT	City: PLANTATION	State: FL Zip: 33317
3	Contracting Co.:	Phone:	Email:
	Company Address:	City:	State: Zip:
	Qualifier's Name:	Owner-Builder: <input type="checkbox"/>	License Number:
4	Architect/Engineer's Name:	Phone:	Email:
	Architect/Engineer's Address:	City:	State: Zip:
	Bonding Company:		
	Bonding Company Address:	City:	State: Zip:
	Fee Simple Titleholder's name (if other than owner):		
	Fee Simple Titleholder's Address (if other than owner):	City:	State: Zip:
	Mortgage Lender's Name:		
	Mortgage Lender's Address:	City:	State: Zip:

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.**

X Mark Ricketts  
Signature of Property Owner or Agent

X \_\_\_\_\_  
Signature of Qualifier

STATE OF FLORIDA  
COUNTY OF BROWARD

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 11 day of October, 2019 by

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_

Mark Ricketts  
(Type / Print Property Owner or Agent Name)

(Type / Print Qualifier's Name)

NOTARY'S SIGNATURE as to Owner or Agent's Signature

NOTARY'S SIGNATURE as to Qualifier's Signature

Notary Name

Notary Name

(Print, Type or Stamp Notary's Name)

(Print, Type or Stamp Notary's Name)

Personally Known \_\_\_\_\_ or Produced Identification \_\_\_\_\_

Personally Known \_\_\_\_\_ or Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

Permit Officer

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

Code in Effect: \_\_\_\_\_

A jurisdiction may use a supplemental page requesting additional information and citing other conditions, please inquire.

Note: If any development work as described in FS 380.04 Sec. 2 a-g is to be performed, a development permit must be obtained prior to the issuance of a building permit.

Fence

B19-03777

1.56

10



**CITY OF PLANTATION**  
**BUILDING DEPARTMENT**  
**PERMIT APPLICATION ADDENDUM**

**PERMIT NO.: B19-03777**

**MASTER/RELATED PERMIT NO.: N/A**

**TYPE: Building Permit: Fence**

**JOB ADDRESS: 4050 NW 3 CT, PL 33317**

**Tenant: \_\_\_\_\_**

**D.E.R.D. #: \_\_\_\_\_**

**Created By: DCARRASCO**

CITY OF PLANTATION  
BUILDING DEPT.  
OCT 11 2019  
RECEIVED

**Permit(s) Included in Review:**

RECORD ID	RECORD TYPE	PERMIT FEE
B19-03777	Building Permit: Fence	\$ 710.35

12/10/19

**Plan Review Summary:**

TASK	APPROVED BY	DATE	NOTES
Electrical Review			
Engineering Review			
Fire Review		10/17/19	
Landscape Review			
Mechanical Review			
Plumbing Review			
Structural Review		10/17/19	
Utilities Review		10/17/19	
Zoning Review		12/10/19	SPI-2

**B19-03777**





**CITY OF PLANTATION**  
**BUILDING DEPARTMENT**  
**PERMIT CLOSEOUT SUMMARY**

**RECORD NO: B19-03777**

**PERMIT STATUS: Closed**

**RECORD TYPE: Building Permit - Fence**

**STATUS DATE: 02/27/2020**

**FOLIO: 504101160030**

**DEVELOPMENT:**

**JOB ADDRESS: 4050 NW 3 CT**

**LEGAL DESC: PLANTATION PROFESSIONAL PROPERTIES PLAT NO 3 65-30 B TRACT 2**

**OWNER: RICKETTS, MARK**

**TENANT:**

**CONTRACTOR: OWNER/DEVELOPER - 99999**

**DESCRIPTION OF WORK: Install 72'LF 5'-6" High Metal Fence**

**STATUS HISTORY**

**APPLIED: 10/11/2019**

**ISSUED: 12/23/2019**

**FINALED: 02/26/2020**

**CLOSED: 02/27/2020**

**CERTIFICATE OF OCCUPANCY ISSUED: N**

**C/O DATE:**

**AUDIT NO:**

**Fees Paid: \$230.35**

**RELATED PERMITS**

<b><u>Permit No.</u></b>	<b><u>Status</u></b>	<b><u>Status Date</u></b>	<b><u>Fees Paid</u></b>
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# CITY OF PLANTATION NOTICE OF VIOLATION/NOTICE OF HEARING

Date: March 23, 2022

To: PLANTATION HOSPITALITY GROUP LLC  
375 N STATE ROAD 7  
PLANTATION, FL 33317

Case Number: CE22-00756

Address of Violation: 375 N STATE ROAD 7, Plantation, Florida

Property ID #: 504101160020

Legal Description: PLANTATION PROFESSIONAL PROPERTIES PLAT NO 3 65-30 B TRACT 1 S 20,3,4,5

**You are notified that the following violation(s) exist(s) on the property identified above:**

**Florida Fire Prevention Code 7<sup>th</sup> Edition**

**Violation Numeric(s) and Titles and required corrective action(s) is (are) as follows:**

CHAPTER	SECTION	CORRECTIVE ACTION
FFPC NFPA 1 - Fire Code	18.2.3.5.4 Dead Ends	Provide approved provisions for the fire apparatus to turn around or provide approved automatic fire sprinkler protection to all structures within premises.

**The violation(s) is (are) described as follows:**

Dead-end fire department access road on west side of 3-story building is in excess of 150 ft in length and shall be provided with approved provisions for the fire apparatus to turn around.

**Violation must be corrected by: 04/14/2022**  
**Please call for a re-inspection to avoid a hearing being conducted.**

Failure to correct the Violation(s) by that date will result in presentation of this (these) matter(s) to the City of Plantation Special Magistrate at a Hearing to be held on:

**04/21/2022 at 1:00 PM**

at **City Hall Council Chambers, City of Plantation, 400 NW 73 Avenue, Plantation, Florida 33317**. If the Special Magistrate determines at the Hearing that a violation exists, fines may be imposed for each day the violation continues, and costs may be assessed, pursuant to Chapter 162, Florida Statutes. Please bring documentation that shows compliance or attempts at compliance (contacts, cancelled checks, etc.).

A case may be presented to the Special Magistrate even if the violation has been corrected prior to the hearing, and fines may be assessed up to \$250.00 a day, for each violation. In the case of a repeat violation, fines up to \$500.00 a day, for each violation, may be assessed as of the date of the Notice of Violation. If the code inspector has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the City may request to enter the property and make all reasonable repairs which are required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed pursuant to this section. Failure to timely remedy the violation may result in a lien being recorded against the property.

Personal Service

Tony Martins, Fire Marshal

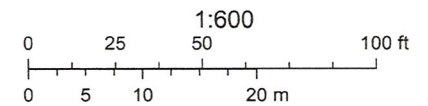


Property Id: 504101160020

\*\*Please see map disclaimer



April 15, 2022



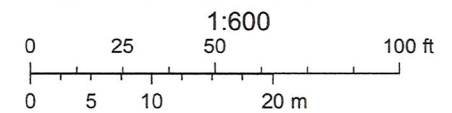
Flight Date : Jan. 28, 1998

Broward County Property Appraiser





April 15, 2022













## Richard Coker

---

**From:** Martins, Tony <TMartins@psd.plantation.org>  
**Sent:** Thursday, July 7, 2022 10:24 AM  
**To:** Richard Coker  
**Cc:** 'Brian J. Sherman'; .City Attorney; Nunemaker, Jason; Todd, Don  
**Subject:** RE: [EXTERNAL SENDER] - RE: Plantation Hospitality Group, 375 N. State Road 7, Case CE22-00756

Good morning Mr. Coker!

City of Plantation Fire Chief Don Todd and myself have reviewed the information provided, as it pertains to Plantation Inn Hotel & Lounge, 375 N State Road 7, violation cited in the interim inspection of March 10<sup>th</sup>, 2020.

Florida Fire Prevention Code 7th Edition

Effective December 31, 2020

NFPA 1 - Fire Code - 2018 Edition

Chapter 18 Fire Department Access and Water Supply

18.2 Fire Department Access.

18.2.3 Fire Department Access Roads

18.2.3.4 Specifications

18.2.3.4.4 Dead Ends. Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around.

With the totality of the circumstances provide by the conditions of the site and the information within this correspondence thread, Plantation Hospitality Group appeal request to the code violation stated above is denied.

### Tony Martins

Battalion Chief

Fire Marshal / Fire Code Official



### City of Plantation Fire Department

550 NW 65<sup>th</sup> Avenue  
Plantation, FL 33317-1702  
(954) 797-2150 work  
(954) 553-9092 mobile

---

**From:** Richard Coker <rgcoker@coker-feiner.com>  
**Sent:** Friday, April 15, 2022 3:33 PM  
**To:** Martins, Tony <TMartins@psd.plantation.org>; Todd, Don <DTodd@psd.plantation.org>  
**Cc:** kezrol@cityatty.com; Holmes, Dan <DHolmes@plantation.org>; Plantation Inn <plantationinnhotel@gmail.com>; Kathryn Coker <krcoker@coker-feiner.com>  
**Subject:** [EXTERNAL SENDER] - RE: Plantation Hospitality Group, 375 N. State Road 7, Case CE22-00756



I am attaching for your information the 2019 fence permit documents and drawings that I obtained from the City records. I will be getting site plans from 2005 and 2008 for the Plantation Inn from the planning department by PDF probably on Monday which show the access drive/fire lane as part of the site plan. Also attached is a photograph of the designated fire lane at the SW corner of the Plantation Inn property that goes through the medical office complex to the west. Although the sign says "Fire Exit Do not Block" there was a chain and lock on the gate when I took this picture. This fire exit is available to provide a turn around area for the Plantation Inn as it does (or supposed to do) for the medical complex.

Thank you again for your consideration of these matters.

***Richard G. Coker Jr.***

COKER & FEINER

1404 South Andrews Avenue

Fort Lauderdale, FL 33316

Tel: 954-761-3636

Email: [rgcoker@coker-feiner.com](mailto:rgcoker@coker-feiner.com)

**From:** Richard Coker

**Sent:** Friday, April 15, 2022 3:11 PM

**To:** [tmartins@psd.plantation.org](mailto:tmartins@psd.plantation.org); Todd, Don <[DTodd@psd.plantation.org](mailto:DTodd@psd.plantation.org)>

**Cc:** [kezrol@cityatty.com](mailto:kezrol@cityatty.com); [dholmes@plantation.org](mailto:dholmes@plantation.org); Plantation Inn <[plantationinnhotel@gmail.com](mailto:plantationinnhotel@gmail.com)>; Kathryn Coker <[krcoker@coker-feiner.com](mailto:krcoker@coker-feiner.com)>

**Subject:** RE: Plantation Hospitality Group, 375 N. State Road 7, Case CE22-00756

Good Afternoon Chief Martin and Chief Dodd:

As you know, I represent Plantation Hospitality Group LLC, the Respondent in the above referenced case. I have now had the opportunity to review the City files and the historical record of the Plantation Inn and the surrounding properties. Based on the information that I have reviewed I do not believe that the Fire Department should have signed off on the 2019 fence permit which allowed the installation of a fence blocking a long-standing designated fire lane. What I have seen dozens of times in the past, is that a fence can be allowed in a similar situation with at gate and either a code or a lockbox with the Fire Department given the code. This is a normal solution to a controlled access situation.

As I discussed with Chief Martins, the access drive/fire lane has been in existence and used in this manner for decades until the property owner was allowed to construct a fence in 2019 to block fire access through the fire lane. Plantation Inn did nothing to alter the existing fire access. Attached is a photograph of the fence called "Fence and Fire Lane" showing how the fire lane is blocked. There are "No Parking Fire Lane" signs required the Fire Department on the wall of the building as shown on the attached photographs.

The City records indicate that the building was built in 1968. The County aerals on the Property Appraiser's website go back to 1998. The aerals of the site from 1998, 2007 and 2022 are attached with the Fire Lane shown. Since this is an existing condition and the property owner being cited did nothing to alter the existing condition, it is my understanding that the current NFPA standards do not apply under the following provisions.

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We will be requesting a continuance at the hearing on April 20<sup>th</sup> so that this matter can be more fully discussed with the hope of finding a solution that is reasonable for everyone. Please advise if you will agree to the continuance. I would like to avoid a protracted hearing if I can until we have had a chance to discuss this matter. Please let me know. Thank you for your consideration of these comments.

***Richard G. Coker Jr.***

COKER & FEINER

1404 South Andrews Avenue

Fort Lauderdale, FL 33316

Tel: 954-761-3636

Email: [rgcoker@coker-feiner.com](mailto:rgcoker@coker-feiner.com)

**From:** Richard Coker

**Sent:** Thursday, April 7, 2022 3:03 PM

**To:** [tmartins@psd.plantation.org](mailto:tmartins@psd.plantation.org)

**Cc:** [kezrol@cityatty.com](mailto:kezrol@cityatty.com); [dholmes@plantation.org](mailto:dholmes@plantation.org); Plantation Inn <[plantationinnhotel@gmail.com](mailto:plantationinnhotel@gmail.com)>; Kathryn Coker <[krccoker@coker-feiner.com](mailto:krccoker@coker-feiner.com)>

**Subject:** RE: Plantation Hospitality Group, 375 N. State Road 7, Case CE22-00756

Good Afternoon Chief Martins

Thank you for taking my call a few days ago. Apparently I dropped the "s" on your name on the original email and it did not get to you. You did receive it during our phone call. You have set the compliance date for April 14 so I would appreciate your response to the email as soon as possible either by email or a phone call. As you know, the property there has been no change in the property for decades except for the installation of a fence by the neighbor to the north. Thank you again for your consideration of this matter.

***Richard G. Coker Jr.***

COKER & FEINER

1404 South Andrews Avenue

Fort Lauderdale, FL 33316

Tel: 954-761-3636

Email: [rgcoker@coker-feiner.com](mailto:rgcoker@coker-feiner.com)

**From:** Richard Coker  
**Sent:** Wednesday, March 30, 2022 11:11 AM  
**To:** [tmartin@psd.plantation.org](mailto:tmartin@psd.plantation.org)  
**Cc:** [kezrol@cityatty.com](mailto:kezrol@cityatty.com); [dholmes@plantation.org](mailto:dholmes@plantation.org); Plantation Inn <[plantationinnhotel@gmail.com](mailto:plantationinnhotel@gmail.com)>; Kathryn Coker <[krcoker@coker-feiner.com](mailto:krcoker@coker-feiner.com)>  
**Subject:** Plantation Hospitality Group, 375 N. State Road 7, Case CE22-00756

Good Morning Inspector Martin:

I represent Plantation Hospitality Group in the above referenced matter. The property, as you know, houses the Plantation Inn motel. The attachments labeled CCF 000176 and 178 are the NOV notices that were issued on the property.

You have cited the property for not having the proper fire access. As you know, this this entire strip commercial development has existing without substantial change of decades. You can look at the historical aerials on the Property Appraiser's website that go back to 1998 and I am sure the City has access to aerials and documents that go back even further in time. The fire access to the rear of the Plantation Inn has always been, since the development of the commercial buildings, from the access drive in the rear of the property (west side) along with the access drive directly to the north of the Plantation Inn building. There is also fire access and turnaround space from the medical office complex directly to the west.

In either 2017 or 2019 the property owner to the north, Mark Ricketts (Folio 5041 01 16 0030), was allowed to build a fence over the access drive on his property that provided fire access to the Plantation Inn property and Mr. Ricketts' property. Attached are the printouts from the City webpage on the two fence permits issued in 2017 and 2019. Mr. Ricketts has owned the property since 1999 according to the public records. The aerials indicate that the access drive has been in place since well before Mr. Ricketts owned the property. Attached as (2)Aerial Plantation is a BCPA arial of the Plantation Hospitality Group property outlined in Red with an arrow depicting the location of the access drive and the fence. Attached as Fence Over Access Drive is a photograph of the fence. It seems to serve no purpose other than to cut off access from the front to the back.

It is my understanding that the existence of this newly constructed fence is the reason for the NOV. I do not know the motive of the property owner to build this fence at this time but this fence should not have been permitted. It alters the traffic flow of the shopping center substantially and would at least require an amendment to the original site plan. By copy of the email to Danny Holmes I am respectfully requesting that his department review the issuance of this fence permit in the context of the original site plan and the City ordinances. Although I do not believe the permit should have been issued at all, it certainly would have been prudent to require a gate to be installed giving the fire department and the City access through a lockbox or code. This is a normal requirement that I have seen. I do not believe the City reviewer understood that this fence would alter the fire access for the entire commercial center. The appropriate action in my view is for the City to further review the permits that were issued and contact the property owner, Mr. Ricketts, to determine how the fire access issue created by the issuance of the permit and the construction of the fence can be resolved.

In addition to access the fire access from the access drive discussed above, there also seems to be legal and sufficient fire access through the drive isle in the rear (west) with a turnaround though the medical office complex to the west.

Thank you for your consideration of this information. I will follow up this email with a phone call .

***Richard G. Coker Jr.***  
COKER & FEINER  
1404 South Andrews Avenue  
Fort Lauderdale, FL 33316

Tel: 954-761-3636

Email: [rgcoker@coker-feiner.com](mailto:rgcoker@coker-feiner.com)

The City of Plantation is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. Under Florida law, most e-mail messages to or from City of Plantation employees or officials are public records, available to any person upon request, absent an exemption. All e-mail messages sent or received are captured by our server and retained as public records. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to the City of Plantation.

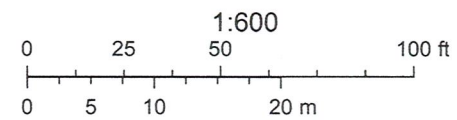
# 4050 NW 3 Court







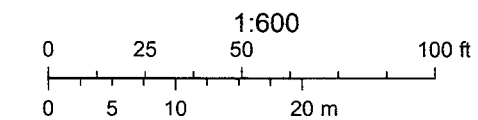
September 19, 2022







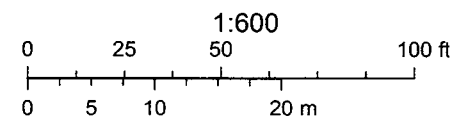
September 19, 2022







September 19, 2022































NW 3rd CT


















**TOW-AWAY**  
24 HRS **ZONE** 7 DAYS  
UNAUTHORIZED VEHICLES OR  
VESSELS WILL BE TOWED AWAY  
AT OWNERS RISK & EXPENSE  
**ALL COUNTY TOWING**  
**954-564-0486**































September 23, 2022

Brian Parks, Chief Fire Code Official  
City of Plantation  
Plantation, Florida

To Whom It May Concern:

My name is Mark Ricketts and I'm the owner of the property located at 4050 NW 3<sup>rd</sup> Court, Plantation, Florida, since 1999. In 2008 Mr. Davis, then owner of Plantation Inn contacted me to inquire about the sale of my property. At the time I informed him that if he made the right offer, I would be interested in selling. He eventually insisted on me giving him a price, and when I did, he didn't pursue it.

A few years later, around 2010-2011, I noticed that modifications were being done to Plantation Inn, and in the process, Mr. Davis paved my property, removed all the shrub hedges from where my property borders his, and widened the pathway that separated our property. He also striped my property for his fire lane, and this was placed in the spot where I frequently parked my delivery truck, which was on my property. I contacted Mr. Davis to inquire why he was modifying my property, and he informed me that he received a permit from the city that approved the work he did. He told me to take it up with the city. I contacted the city to inquire why a permit was approved for someone else to do work on my property. Each person in the city that I spoke with kept telling me that I must have been mistaken and that they would get back to me, but never did.

This inquiry with the city continued for a few years to no avail, until a city representative informed me that I should submit a permit to do work on my property, and the city would need to give me justification why I cannot. I submitted a permit request to the city and as a result, I now garnered the attention of all the permit departments to hold a meeting to review the survey for my property and the survey that was submitted by Mr. Davis for Plantation Inn. During this meeting it was verified that my claim was correct and that Mr. Davis had submitted a permit with fraudulent surveys showing part of my property as his (Permit numbers EN09.00056 and EN13.00099), which was somehow approved by the city.

I thought the city would have held Mr. Davis and his architect liable for submitting fraudulent documents, however, the city informed me that I would need to take the necessary steps to compel any corrective action from Mr. Davis. The city also informed me that the other pending permits that Mr. Davis submitted would not be approved.

After the meeting with the city, I submitted a Demand Letter to Mr. David in 2017 requesting that he restored my property to its original state. Mr. Davis then came to me asking if I would be willing to sell or lease the strip of property that he modified so it could be used as an easement. I told him no since that's the only space I had for a dumpster, and without that space, my property would be rendered virtually useless. Additionally, his patrons used my property for criminal activities, some of which were captured on camera. Shortly thereafter, I was informed that Mr. Davis sold Plantation Inn to Mr. Arif.



In September 2019, my attorney informed Michael Rich, the attorney for Mr. Arif, the new owner of Plantation Inn, of the property infringement and the Demand Letter that was sent to Mr. Davis, and that I would be closing off my property. A copy of the Demand Letter was sent to Michael Rich in September 2019. The new owner and his attorney ignored the information from my attorney for a few months. My lawyer reached out to Michael Rich again in February 2020 to inform them that the permit for the fence was approved and would be erected in a few days. Michael Rich responded to my attorney that he would discuss it with Mr. Arif and get back to us.

I was then contacted by Mr. Arif in February 2020, who told me he was not informed by the former owner, Mr. Davis, of the property infringement and the Demand Letter prior to purchasing Plantation Inn. He asked if my property was for sale, and I answered in the affirmative. He asked that I give him the opportunity to purchase it before I put it on the market. I told him to make me an offer, but he did not. Later that same month, Mr. Arif's attorney contacted my attorney to inquire if we had any offer in mind. Prior to erecting the fence at the border of my property, I reached out again to Mr. Arif to discuss his interest in purchasing 4050 NW 3<sup>rd</sup> Court. We had a meeting scheduled at Plantation Inn, and when I arrived for the meeting, Mr. Arif was a no show. No agreement was made, and the fence was erected.

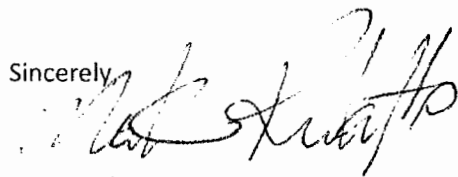
On the day the fence was being erected, the Plantation Inn Manager came and tried to prevent us from erecting the fence. He then called the police, who came and was given a copy of the permit, and after reviewing, they informed us that the work can proceed. After Mr. Arif was a no show for our scheduled meeting, he did not make any attempts to contact me until the morning when the fence construction began.

At no time was any agreement made for the property to be used as an easement, or to be used by anyone other than for my purposes. Furthermore, from the time of the fraudulent modification, I was against it, and had been fighting to resolve it with the city and Plantation Inn.

The modifications that Mr. Davis made to my property negatively impacted me in several ways. I was no longer able to park my delivery truck in the usual spot on my property, because it was now designated as the fire lane for Plantation Inn. There was no longer any privacy because there was no longer any demarcation between my property and Plantation Inn, since my hedges were removed and the whole strip of land paved. The crime also increased as patrons from Plantation Inn were using my property as if it's an extension of Plantation Inn. Stolen properties were found on my property, drug paraphernalia, attempted break-ins, robberies etc. The camera showed the perpetrators heading to or coming from Plantation Inn in all cases.

If you have any further questions, please do not hesitate to contact me at 954-588-6088. Thanks in advance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Ricketts', with a stylized flourish at the end.

Mark Ricketts,  
Owner of 4050 NW 3<sup>rd</sup> Court, Plantation, FL



Mark Ricketts  
4050 NW 3<sup>rd</sup> Court  
Plantation, FL 33317  
Phone: (954) 588-6088

January 10, 2018

S & D MOTELS CORP  
375 N. State Road 7  
Plantation, Florida 33317

Dear Sir/ Madam

The undersigned hereby demand that you restore all infringements and modifications made to 4050 NW 3<sup>rd</sup> Court, Plantation, FL 33317 as per Plantation building permits EN09.00056 and EN13.00099 and any other permits that infringed on 4050 NW 3<sup>rd</sup> Court. The misrepresentation of property line was addressed and acknowledged by the Plantation Building, Engineering and Code Enforcement departments and I would like the corrections to be made within 30 days of this letter before seeking legal action. These infringements and modifications include but not limited to asphalt pavement, which was widened from a one way to a two way with fire lane added and pavement water run-off sloped unto 4050 NW 3<sup>rd</sup> Court, fire lane striping, stop and no parking sign postings, building water drainage, and overhanging building moldings.

Please note that if I have to commence legal proceedings in order to require your performance of the restoration, this letter will be tendered in court as evidence of your failure to attempt to resolve this matter. Further, you may be liable for any court costs, attorney fees and damages, including punitive damages.

Yours sincerely,

Mark Ricketts



**From:** [Martins, Tony](#)  
**To:** [Parks, Bryan](#)  
**Cc:** [Curry, Brianna](#)  
**Subject:** Response to BORA Appeal 22-05  
**Date:** Monday, October 10, 2022 8:08:26 AM  
**Attachments:** [2022-02-10 Email to Arif Ahmed.pdf](#)

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### 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 ETS Security by selecting the Phish Alert Report button.

Good morning Chief Parks!

In response to the Broward County Board of Rules and Appeals Appeal 22-05, I would like to provide the following information:

- Referenced violation, originally cited on March 10m, 2020, reflects only the condition of the fire department access roadway adjacent to the west side of the three-story structure/building.
- Customer was afforded the alternate of protecting the structure/building with an automatic fire sprinkler system.
- As requested by Mr. Arif Ahmed, Plantation Hospitality Group representative, I sent him, on February 10, 2022, the minimum requirements for the installation of an automatic fire sprinkler system, as seen on the attached email.
- In April of 2022, I was contacted by two entities in reference to installing a fire sprinkler system: Mr. Christopher Haywood of Plantation Hospitality Group and Mr. Chris Johnson of Southern Fire Control.

Feel free to contact me at any time.

Thank you very much,

**Tony Martins**

Battalion Chief

Fire Marshal / Fire Code Official



### City of Plantation Fire Department

550 NW 65<sup>th</sup> Avenue  
Plantation, FL 33317-1702  
(954) 797-2150 work  
(954) 553-9092 mobile



## Martins, Tony

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**From:** Martins, Tony  
**Sent:** Thursday, February 10, 2022 4:39 PM  
**To:** 'arif@muntrading.com'  
**Cc:** Nunemaker, Jason; Todd, Don; 'plantationinnhotel@gmail.com'; Harrison, W. Howard  
**Subject:** Plantation Inn Hotel & Lounge - Fire Sprinkler System requirements

Good afternoon Mr. Ahmed!

Thank you for contacting me to obtain minimum requirements for the installation of a Fire Sprinkler System in your property.

Please provide the following items to the fire sprinkler contractor:

- Provide proper fire sprinkler protection in all areas of both buildings.
- Fire sprinkler system shall be FFPC NFPA-101 29.3.5.3 and FFPC NFPA-13R compliant.
- Fire sprinkler system shall be hydraulically calculated to City of Plantation drought standard of 50-PSI static, 45-PSI residual at 1100-GPM flow, with a minimum 10% safety margin.
- Fire sprinkler system underground supply line shall have its own dedicated tap directly from water main, not shared; as such, the point of service shall be the valve at the water main tap.
- Fire sprinkler riser shall be in an area that provides an unobstructed 3' access to the front and to the sides of the appliances.
- Provide floor/zone control valves and drain valves no higher than 6' from floor.
- Fire Department Connection shall comply with following: free standing, single 4" screened Storz coupling on a 30-degree bend, intake between 24" to 36" above grade, no obstructions within 3' of sides, unobstructed 6' wide area from FDC to curb front, posted "NO PARKING - FIRE DEPARTMENT CONNECTION" sign behind it, compliant FFPC NFPA-1 and current City of Plantation Engineering Department Fire Lane Signing and Marking Standard.
- Fire department connection and its adjacent fire hydrant shall face main roadway, shall be located on same side of roadway, between 6' to 25' of each other, and within 6' of curb front.
- The same Florida Fire Protection Contractor I, II or V shall be responsible for the installation of the fire sprinkler system underground supply line from valve at water main up to the 12" above grade stub outside of building, the double detector check valve backflow (DDCV), and the FDC (if connected to supply line prior to the 12" above grade stub).
- Provide fire sprinkler plans that the system will be built from, with specification/component cut sheets and hydraulic calculations, for review/approval.
- Provide fire sprinkler monitor alarm plans that the system will be built from, with specifications and component cut sheets, for review/approval and submit permit application before building permit can be issued.
- Fire sprinkler monitoring alarm control panel shall be located in a properly conditioned room that provides an unobstructed 3' access to the front and to the sides of the cabinet.
- Fire sprinkler flow and tamper switches shall be supervised by a control panel with non-latching functions, such as a dialer. It shall not require acknowledgement, silencing, and resetting. The installation of a fire alarm control panel will not require the whole building to comply with NFPA-72, and is not necessary.
- Provide separate permits for fire sprinkler system underground supply line and backflow preventer; the fire sprinkler system underground supply line, from valve at water main up to the 12" above grade stub outside of building, including the DDCV and the FDC, shall be installed by the same fire protection contractor which holds a Category I, II or V license.
- Additional conditions may arise upon review of all required permitting plans.

If I may be of further service, please feel free to contact me at any time.



# Section 2





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

1 N. University Drive Suite, 3500B, Plantation, FL 33324

Phone: 954-765-4500 | Fax: 954-765-4504

[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

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**TO:** Members of the Board of Rules and Appeals

**FROM:** Administrative Director

**DATE:** November 10, 2022

**RE:** 2<sup>nd</sup> Reading of proposed revisions to Broward County Uniform Data Form for Residential and Light Commercial Air Conditioning Replacements, Board Policy 19-02

---

This form was approved on 1<sup>st</sup> Reading on October 13, 2022. It is now scheduled for 2<sup>nd</sup> Reading and public hearing.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "A Barbosa", written over a light blue rectangular background.

Dr. Ana Barbosa





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

1 N. University Drive Suite, 3500B, Plantation, FL 33324

Phone: 954-765-4500 | Fax: 954-765-4504

[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

---

**TO:** Members of the Board of Rules and Appeals

**FROM:** Mechanical Chief Code Compliance Officer

**DATE:** November 10, 2022

**RE:** Proposed revisions to the Broward County Uniform Data Form for Residential and Light Commercial Air Conditioning Replacements, Board Policy 19-02

---

### **Recommendation**

That BORA adopt by vote, on first reading the proposed revisions to Broward County Uniform Data Form for Residential and Light Commercial Air Conditioning Replacements.

### **Reasons**

The Mechanical and Smoke Control Advisory Committee unanimously approved the revisions to the Broward County Uniform Data Form for Residential and Light Commercial Air Conditioning Replacements. The form was first approved by the Board in 2019.

There are two proposed revisions:

1. Add SEER2 and EER2 to the line item showing the equipment efficiency.
2. Delete a line item that showed "Model #", which is considered repetitive.

### **Additional Information**

1. Edited Broward County Uniform Data Form for Residential and Light Commercial Air Conditioning Replacements.
2. Board of Rules & Appeals Policy 19-02 and clean Broward County Uniform Data Form for Residential and Light Commercial Air Conditioning Replacements.
3. Mechanical and Smoke Control Committee 9/14/2022 meeting minutes.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "R. Soto".

Rolando Soto



**Subject:** "Broward County Uniform Data Form for Residential and Light Commercial Air Conditioning Replacements"

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## **POLICY**

Each permit application for a residential and light commercial air conditioning replacements, shall be submitted to all jurisdictions in Broward County using the attached "*Broward County Uniform Data Form for Residential and Light Commercial Air Conditioning Replacements*".

This form does not relieve the permit holder, building owner or contractor from complying with all and any applicable local regulations or ordinances related to zoning, flood prevention, fire prevention, etc.; or prohibits a Broward County jurisdiction from requiring additional information to be provided in relation to applicable local regulations or ordinances related to zoning, flood prevention, fire prevention, etc.

Use of the "*Broward County Uniform Data Form for Residential and Light Commercial Air Conditioning Replacements*" is mandatory countywide starting October 1, 2019.

See attached form.

Editor's note: This form remains mandatory county-wide and was updated by vote of the Board of Rules and Appeals on:

November 14, 2019;  
\_\_\_\_\_, 2022;



**Broward County Uniform Data Form for Residential and Light Commercial Air Conditioning Replacements**

All others, including cooling towers, chillers, refrigeration units, etc., must provide plans.  
Each system requires a form.

Job Name:	
Address:	

Unit #:		City:		FL Zip Code:	
---------	--	-------	--	--------------	--

Fill in applicable information

Data	Existing Unit (*)	New Unit
Manufacturer		
Size (Tons) SEER/SEER/EER **		
Package/Heat Pump Model #		
Condensing Unit Model #		
AHU Model #		
KW Strip Heat		
Minimum Circuit Amps	c/u                      ahu/pkg	c/u                      ahu/pkg
Maximum Overcurrent Protection	c/u                      ahu/pkg	c/u                      ahu/pkg
Size of Disconnect	c/u                      ahu/pkg	c/u                      ahu/pkg

(\*) Provide equipment sizing calculation if existing unit data is not available (ACCA Manual N, J, etc.)

(\*\*) Provide AHRI Certificate

Will a new stand, curb or curb adapter be installed?		Yes
Will a duct smoke detector be installed or reconnected?		Yes
Is the duct s/d connected to a Fire Alarm Panel?		Yes
Will the A/C location be the same?		Yes

	No
	No
	No
	No

Company Name			
FL State or Co. License #			
Qualifier's Signature			

**FOR BUILDING DEPARTMENT USE ONLY**

Process or Permit #		Jurisdiction	
Approved by		Date	

**Disclaimer:**

This form does not relieve the applicant from compliance with all applicable sections of the Florida Building Codes.  
Additional local regulations might be applicable, i.e. zoning, flood and fire prevention, etc.



**NOTICE OF PUBLIC HEARING**

Notice is hereby given by the Broward County Board of Rules and Appeals that said Board will hold a public hearing starting at 7:00 p.m. on November 17, 2022, via Zoom.

1. Proposed revisions to Broward County Amendments (Chapter 1), Florida Building Code, 7th Edition (2020), Appendix A, Broward County Uniform Building Permit Application
2. Proposed revisions to the Broward County Uniform Data Form for Residential and Light Air Conditioning Replacements, Board Policy 19-02

Zoom information:

Join ZoomGov Meeting

<https://broward-org.zoomgov.com/j/1614212462>

The effective date for these amendments is November 28, 2022.

A copy of the proposed code change is available for review at 1 N. University Drive, Suite 3500B, Plantation, Florida 33324. We can also email you a copy. Call (954) 765-4500.

Dated this 23th day of October, 2022.



# Section 3





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

1 N. University Drive Suite, 3500B, Plantation, FL 33324

Phone: 954-765-4500 | Fax: 954-765-4504

[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

---

**TO:** Members of the Board of Rules and Appeals

**FROM:** Administrative Director

**DATE:** November 10, 2022

**RE:** 2<sup>nd</sup> Reading of proposed revisions to Broward County Amendments (Chapter 1), Florida Building Code (FBC) 7<sup>th</sup> Edition (2020), Appendix A, Broward County Uniform Building Permit Application.

---

This code amendment was approved on 1<sup>st</sup> Reading on October 13, 2022. It is now scheduled for 2<sup>nd</sup> Reading and public hearing.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "A Barbosa", written over a light blue rectangular background.

Dr. Ana Barbosa





## Broward County Board of Rules and Appeals

1 N. University Drive Suite, 3500B, Plantation, FL 33324

Phone: 954-765-4500 | Fax: 954-765-4504

[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

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**TO:** Members of the Board of Rules and Appeals

**FROM:** Mechanical Chief Code Compliance Officer

**DATE:** November 10, 2022

**RE:** Proposed revisions to Broward County Amendments (Chapter 1), Florida Building Code (FBC) 7th Edition (2020), Appendix A, **Broward County Uniform Building Permit Application**

---

### Recommendation

That BORA adopt by vote, on first reading the proposed revisions to Broward County Amendments (Chapter 1), Florida Building Code (FBC) 7th Edition (2020), appendix A, **Broward County Uniform Building Permit Application**.

### Type of Change and Reasons

1. Change # 1

Make it a two-page application.

**Reasons:** Make the line items bigger, therefore making it easier for the customers to write and the clerical staff to read the information on the application. The lack of space on the application was the most frequent complaint we received from the cities.

2. Change #2

Change signature lines to read:

"Signature of Property Owner or Agent (including contractor)"

"Signature of Qualifier Contractor"

**Reasons:** To follow exact language in Florida Statute 713.135. See attached.

3. Change #3

Change lines after signatures to read:

"STATE OF FLORIDA COUNTY OF \_\_\_\_\_"

**Reasons:** Leave the county blank for notaries based in counties other than Broward and to follow exact language in S.S. 713.135. See attached.

4. Change # 4

Add the online notarization check boxes to the application and get rid of the additional **Jurat form**.

"Sworn to (or affirmed) and subscribed before me by means of [ \_\_\_ ] physical presence or [ \_\_\_ ] online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_"

**Reasons:** Cities are complaining that they have to reject permit applications because applicants do not know of the additional form when they use an online notary. Online notarization is being used much more now, in part because of COVID, in part because of more building departments having electronic application capabilities, in part because it is simply more popular. The proposed language follows Florida Statute 117.05. See attached.

**Continued on next page.**



**Additional Information**

1. Edited **Broward County Uniform Building Permit Application.**
2. Clean **Broward County Uniform Building Permit Application.**
3. Florida Statute 713.135.
4. Florida Statute 117.05.

Respectfully Submitted,



Rolando Soto



**BROWARD COUNTY UNIFORM BUILDING PERMIT APPLICATION**Select One Trade: ☐ Building ☐ Electrical ☐ Plumbing ☐ Mechanical ☐ Other

Application Number:

Application Date: FOR OFFICE USE ONLY

Job Address:	Unit:	City:
1 Tax Folio No.:	Flood Zn:	BFE:
	Floor Area:	Job Value:
Building Use:	Construction Type:	Occupancy Group:
Present Use:	Proposed Used:	
Description of Work:		
<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Repair <input type="checkbox"/> Alteration <input type="checkbox"/> Demolition <input type="checkbox"/> Revision <input type="checkbox"/> Other:		
Legal Description:		<input type="checkbox"/> Attachment

2	Property Owner:	Phone:	Email:
	Owner's Address:	City:	State: Zip:
	Contracting Co.:	Phone:	Email:
3	Qualifier's Name:	Owner-Builder: <input type="checkbox"/>	License Number:
	Architect/Engineer's Name:	Phone:	Email:
4	Architect/Engineer's Address:	City:	State: Zip:
	Bonding Company:		
	Bonding Company Address:	City:	State: Zip:
	Fee Simple Titleholder's name (if other than owner):		
	Fee Simple Titleholder's Address (If other than owner):	City:	State: Zip:
	Mortgage Lender's Name:		
	Mortgage Lender's Address:	City:	State: Zip:

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

**OWNER'S AFFIDAVIT:** I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.**

Signature of Property Owner or Agent (including contractor)	Signature of Qualifier Contractor
X	X
STATE OF FLORIDA COUNTY OF BROWARD	STATE OF FLORIDA COUNTY OF BROWARD
Sworn to (or affirmed) and subscribed before me by means of [ ] physical presence or [ ] online notarization, this ___ day of ___, 20___	Sworn to (or affirmed) and subscribed before me by means of [ ] physical presence or [ ] online notarization, this ___ day of ___, 20___
by _____	by _____
NOTARY'S SIGNATURE as to Owner or Agent's	NOTARY'S SIGNATURE as to Qualifier
Notary Name	Notary Name
(Print, Type or Stamp Notary's Name)	(Print, Type or Stamp Notary's Name)
Personally Known or Produced Identification	Personally Known or Produced Identification
Type of Identification Produced	Type of Identification Produced

APPROVED BY: FOR OFFICE USE ONLY Permit Officer Issue Date: \_FOR OFFICE USE ONLY\_ Code in Effect: \_FOR OFFICE USE ONLY\_

**A jurisdiction may use a supplemental page requesting additional information and citing other conditions, please inquire.**

Note: If any development work as described in FS 380.04 Sec. 2 a-g is to be performed, a development permit must be obtained prior to the issuance of a building permit.



**DRAFT****BROWARD COUNTY UNIFORM BUILDING PERMIT APPLICATION**

Select One Trade: Building Electrical Plumbing Mechanical Other \_\_\_\_\_

Application Number: \_\_\_\_\_ Application Date: \_\_\_\_\_

**1**

Job Address: \_\_\_\_\_ Unit: \_\_\_\_\_ City: \_\_\_\_\_

Tax Folio No.: \_\_\_\_\_ Flood Zn: \_\_\_\_\_ BFE: \_\_\_\_\_ Floor Area: \_\_\_\_\_ Job Value: \_\_\_\_\_

Building Use: \_\_\_\_\_ Construction Type: \_\_\_\_\_ Occupancy Group: \_\_\_\_\_

Present Use: \_\_\_\_\_ Proposed Used: \_\_\_\_\_

Description of Work:

New Addition Repair Alteration Demolition Revision Other: \_\_\_\_\_

Legal Description: \_\_\_\_\_ Attachment

**2**

Property Owner: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Owner's Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**3**

Contracting Co.: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Company Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Qualifier's Name: \_\_\_\_\_ Owner-Builder License Number: \_\_\_\_\_

**4**

Architect/Engineer's Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Architect/Engineer's Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Bonding Company: \_\_\_\_\_

Bonding Company's Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Fee Simple Titleholder's Name (*If other than the owner*) \_\_\_\_\_Fee Simple Titleholder's Name  
(*If other than the owner*) \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Mortgage Lender's Name: \_\_\_\_\_

Mortgage Lender's Name: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**See next page.**



Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

**OWNER'S AFFIDAVIT:** I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.**

X \_\_\_\_\_  
Signature of Property Owner or Agent (Including Contractor)

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of  
\_\_\_\_ physical presence or \_\_\_\_ online notarization, this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_ by

\_\_\_\_\_  
(Type/Print Property Owner or Agent Name)

\_\_\_\_\_  
NOTARY'S SIGNATURE as to Owner or Agent's Signature

Notary Name \_\_\_\_\_  
(Print, Type or Stamp Notary's Name)

Personally Known \_\_\_\_\_ Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

X \_\_\_\_\_  
Signature of Contractor

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of  
\_\_\_\_ physical presence or \_\_\_\_ online notarization, this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_ by

\_\_\_\_\_  
(Type/Print Property Owner or Agent Name)

\_\_\_\_\_  
NOTARY'S SIGNATURE as to Qualifier's Signature

Notary Name \_\_\_\_\_  
(Print, Type or Stamp Notary's Name)

Personally Known \_\_\_\_\_ Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

APPROVED BY: \_\_\_\_\_ Permit Officer Issue Date: \_\_\_\_\_ Code in Effect: \_\_\_\_\_  
FOR OFFICE USE ONLY FOR OFFICE USE ONLY FOR OFFICE USE ONLY

**A jurisdiction may use a supplemental page requesting additional information and citing other conditions, please inquire.**

Note: If any development work as described in FS 380.04 Sec. 2 a-g is to be performed, a development permit must be obtained prior to the issuance of a building permit.



## The 2021 Florida Statutes

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[Title XL](#)  
REAL AND PERSONAL PROPERTY

[Chapter 713](#)  
LIENS, GENERALLY

[View Entire Chapter](#)

### **713.135 Notice of commencement and applicability of lien.—**

(1) When any person applies for a building permit, the authority issuing such permit shall:

(a) Print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: “WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.”

(b) Provide the applicant and the owner of the real property upon which improvements are to be constructed with a printed statement stating that the right, title, and interest of the person who has contracted for the improvement may be subject to attachment under the Construction Lien Law. The Department of Business and Professional Regulation shall furnish, for distribution, the statement described in this paragraph, and the statement must be a summary of the Construction Lien Law and must include an explanation of the provisions of the Construction Lien Law relating to the recording, and the posting of copies, of notices of commencement and a statement encouraging the owner to record a notice of commencement and post a copy of the notice of commencement in accordance with s. [713.13](#). The statement must also contain an explanation of the owner’s rights if a lienor fails to furnish the owner with a notice as provided in s. [713.06\(2\)](#) and an explanation of the owner’s rights as provided in s. [713.22](#). The authority that issues the building permit must obtain from the Department of Business and Professional Regulation the statement required by this paragraph and must mail, deliver by electronic mail or other electronic format or facsimile, or personally deliver that statement to the owner or, in a case in which the owner is required to personally appear to obtain the permit, provide that statement to any owner making improvements to real property consisting of a single or multiple family dwelling up to and including four units. However, the failure by the authorities to provide the summary does not subject the issuing authority to liability.

(c) In addition to providing the owner with the statement as required by paragraph (b), inform each applicant who is not the person whose right, title, and interest is subject to attachment that, as a condition to the issuance of a building permit, the applicant must promise in good faith that the statement will be delivered to the person whose property is subject to attachment.

(d) Furnish to the applicant two or more copies of a form of notice of commencement conforming with s. [713.13](#). If the direct contract is greater than \$2,500, the applicant shall file with the issuing authority prior to the first inspection either a certified copy of the recorded notice of commencement or a notarized statement that the notice of commencement has been filed for recording, along with a copy thereof. In the absence of the filing of a certified copy of the recorded notice of commencement, the issuing authority or a private provider performing inspection services may not perform or approve subsequent inspections until the applicant files by mail, facsimile, hand delivery, or any other means such certified copy with the issuing authority. The certified copy of the notice of commencement must contain the name and address of the owner, the name and address of the contractor, and the location or address of the property being improved. The issuing authority shall verify that the name and address of the owner, the name of the contractor, and the location or address of the property being improved which is contained in the certified copy of the notice of commencement is consistent with the information in the building



permit application. The issuing authority shall provide the recording information on the certified copy of the recorded notice of commencement to any person upon request. This subsection does not require the recording of a notice of commencement prior to the issuance of a building permit. If a local government requires a separate permit or inspection for installation of temporary electrical service or other temporary utility service, land clearing, or other preliminary site work, such permits may be issued and such inspections may be conducted without providing the issuing authority with a certified copy of a recorded notice of commencement or a notarized statement regarding a recorded notice of commencement. This subsection does not apply to a direct contract to repair or replace an existing heating or air-conditioning system in an amount less than \$7,500.

(e) Not require that a notice of commencement be recorded as a condition of the application for, or processing or issuance of, a building permit. However, this paragraph does not modify or waive the inspection requirements set forth in this subsection.

(2) An issuing authority under subsection (1) is not liable in any civil action for the failure of the person whose property is subject to attachment to receive or to be delivered a printed statement stating that the right, title, and interest of the person who has contracted for the improvement may be subject to attachment under the Construction Lien Law.

(3) An issuing authority under subsection (1) is not liable in any civil action for the failure to verify that a certified copy of the recorded notice of commencement has been filed in accordance with this section.

(4) The several boards of county commissioners, municipal councils, or other similar bodies may by ordinance or resolution establish reasonable fees for furnishing copies of the forms and the printed statement provided in paragraphs (1)(b) and (d) in an amount not to exceed \$5 to be paid by the applicant for each permit in addition to all other costs of the permit; however, no forms or statement need be furnished, mailed, or otherwise provided to, nor may such additional fee be obtained from, applicants for permits in those cases in which the owner of a legal or equitable interest (including that of ownership of stock of a corporate landowner) of the real property to be improved is engaged in the business of construction of buildings for sale to others and intends to make the improvements authorized by the permit on the property and upon completion will offer the improved real property for sale.

(5) In addition to any other information required by the authority issuing the permit, each building permit application must contain:

- (a) The name and address of the owner of the real property;
- (b) The name and address of the contractor;
- (c) A description sufficient to identify the real property to be improved; and
- (d) The number or identifying symbol assigned to the building permit by the issuing authority, which number or symbol must be affixed to the application by the issuing authority.

(6) An authority that issues building permits may not require an applicant to provide a direct contract or a contract between a contractor and any other lienor as a condition of the application for, or processing or issuance of, a building permit for the construction of improvements or for the alteration or repair of improvements on or to commercial property. This subsection does not apply to the construction of improvements or the alteration or repair of improvements owned or leased by the federal government, the state or any county, city, or political subdivision thereof, or other public authority.

(7)(a) In addition to any other information required by the authority issuing the permit, the building permit application must be in substantially the following form:

Tax Folio No.

#### BUILDING PERMIT APPLICATION

Owner's Name

Owner's Address

Fee Simple Titleholder's Name (If other than owner)

Fee Simple Titleholder's Address (If other than owner)



City  
State Zip  
Contractor's Name  
Contractor's Address  
City  
State Zip  
Job Name  
Job Address  
City County  
Legal Description  
Bonding Company  
Bonding Company Address  
City State  
Architect/Engineer's Name  
Architect/Engineer's Address  
Mortgage Lender's Name  
Mortgage Lender's Address

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION.

IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

\_\_\_\_\_(Signature of Owner or Agent)\_\_\_\_\_

\_\_\_\_\_(including contractor)\_\_\_\_\_

X

STATE OF FLORIDA  
COUNTY OF

Sworn to (or affirmed) and subscribed before me this day of , (year), by (name of person making statement).

\_\_\_\_\_(Signature of Notary Public - State of Florida)\_\_\_\_\_  
\_\_\_\_\_(Print, Type, or Stamp Commissioned Name of Notary Public)\_\_\_\_\_

Personally Known OR Produced Identification

Type of Identification Produced

\_\_\_\_\_(Signature of Contractor)\_\_\_\_\_

X

STATE OF FLORIDA  
COUNTY OF







## The 2021 Florida Statutes

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[Title X](#)
[Chapter 117](#)
[View Entire Chapter](#)  
 PUBLIC OFFICERS, EMPLOYEES, AND RECORDS
 NOTARIES PUBLIC

### **117.05 Use of notary commission; unlawful use; notary fee; seal; duties; employer liability; name change; advertising; photocopies; penalties.—**

(1) A person may not obtain or use a notary public commission in other than his or her legal name, and it is unlawful for a notary public to notarize his or her own signature. Any person applying for a notary public commission must submit proof of identity to the Department of State. Any person who violates this subsection commits a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).

(2)(a) The fee of a notary public may not exceed \$10 for any one notarial act under this part, except as provided in s. [117.045](#) or s. [117.275](#).

(b) A notary public may not charge a fee for witnessing a vote-by-mail ballot in an election, and must witness such a ballot upon the request of an elector, provided the notarial act is in accordance with the provisions of this chapter.

(3)(a) A notary public seal shall be affixed to all notarized paper documents and shall be of the rubber stamp type and shall include the words “Notary Public-State of Florida.” The seal shall also include the name of the notary public, the date of expiration of the commission of the notary public, and the commission number. The rubber stamp seal must be affixed to the notarized paper document in photographically reproducible black ink. Every notary public shall print, type, or stamp below his or her signature on a paper document his or her name exactly as commissioned. An impression-type seal may be used in addition to the rubber stamp seal, but the rubber stamp seal shall be the official seal for use on a paper document, and the impression-type seal may not be substituted therefor.

(b) The notary public official seal and the certificate of notary public commission are the exclusive property of the notary public and must be kept under the direct and exclusive control of the notary public. The seal and certificate of commission must not be surrendered to an employer upon termination of employment, regardless of whether the employer paid for the seal or for the commission.

(c) A notary public whose official seal is lost, stolen, or believed to be in the possession of another person shall immediately notify the Department of State or the Governor in writing.

(d) Any person who unlawfully possesses a notary public official seal or any papers or copies relating to notarial acts is guilty of a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(4) When notarizing a signature, a notary public shall complete a jurat or notarial certificate in substantially the same form as those found in subsection (13). The jurat or certificate of acknowledgment shall contain the following elements:

(a) The venue stating the location of the notary public at the time of the notarization in the format, “State of Florida, County of .”

(b) The type of notarial act performed, an oath or an acknowledgment, evidenced by the words “sworn” or “acknowledged.”

(c) Whether the signer personally appeared before the notary public at the time of the notarization by physical presence or by means of audio-video communication technology as authorized under part II of this chapter.

(d) The exact date of the notarial act.



(e) The name of the person whose signature is being notarized. It is presumed, absent such specific notation by the notary public, that notarization is to all signatures.

(f) The specific type of identification the notary public is relying upon in identifying the signer, either based on personal knowledge or satisfactory evidence specified in subsection (5).

(g) The notary public's official signature.

(h) The notary public's name, which must be typed, printed, or stamped below the signature.

(i) The notary public's official seal affixed below or to either side of the notary public's signature.

(5) A notary public may not notarize a signature on a document unless he or she personally knows, or has satisfactory evidence, that the person whose signature is to be notarized is the individual who is described in and who is executing the instrument. A notary public shall certify in the certificate of acknowledgment or jurat the type of identification, either based on personal knowledge or other form of identification, upon which the notary public is relying. In the case of an online notarization, the online notary public shall comply with the requirements set forth in part II of this chapter.

(a) For purposes of this subsection, the term "personally knows" means having an acquaintance, derived from association with the individual, which establishes the individual's identity with at least a reasonable certainty.

(b) For the purposes of this subsection, the term "satisfactory evidence" means the absence of any information, evidence, or other circumstances which would lead a reasonable person to believe that the person whose signature is to be notarized is not the person he or she claims to be and any one of the following:

1. The sworn written statement of one credible witness personally known to the notary public or the sworn written statement of two credible witnesses whose identities are proven to the notary public upon the presentation of satisfactory evidence that each of the following is true:

- a. That the person whose signature is to be notarized is the person named in the document;
- b. That the person whose signature is to be notarized is personally known to the witnesses;
- c. That it is the reasonable belief of the witnesses that the circumstances of the person whose signature is to be notarized are such that it would be very difficult or impossible for that person to obtain another acceptable form of identification;
- d. That it is the reasonable belief of the witnesses that the person whose signature is to be notarized does not possess any of the identification documents specified in subparagraph 2.; and

e. That the witnesses do not have a financial interest in nor are parties to the underlying transaction; or

2. Reasonable reliance on the presentation to the notary public of any one of the following forms of identification, if the document is current or has been issued within the past 5 years and bears a serial or other identifying number:

- a. A Florida identification card or driver license issued by the public agency authorized to issue driver licenses;
- b. A passport issued by the Department of State of the United States;
- c. A passport issued by a foreign government if the document is stamped by the United States Bureau of Citizenship and Immigration Services;
- d. A driver license or an identification card issued by a public agency authorized to issue driver licenses in a state other than Florida or in a territory of the United States, or Canada or Mexico;
- e. An identification card issued by any branch of the armed forces of the United States;
- f. A veteran health identification card issued by the United States Department of Veterans Affairs;
- g. An inmate identification card issued on or after January 1, 1991, by the Florida Department of Corrections for an inmate who is in the custody of the department;
- h. An inmate identification card issued by the United States Department of Justice, Bureau of Prisons, for an inmate who is in the custody of the department;
- i. A sworn, written statement from a sworn law enforcement officer that the forms of identification for an inmate in an institution of confinement were confiscated upon confinement and that the person named in the document is the person whose signature is to be notarized; or
- j. An identification card issued by the United States Bureau of Citizenship and Immigration Services.



(6) The employer of a notary public shall be liable to the persons involved for all damages proximately caused by the notary's official misconduct, if the notary public was acting within the scope of his or her employment at the time the notary engaged in the official misconduct.

(7) Any person who acts as or otherwise willfully impersonates a notary public while not lawfully appointed and commissioned to perform notarial acts is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(8) Any notary public who knowingly acts as a notary public after his or her commission has expired is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(9) Any notary public who lawfully changes his or her name shall, within 60 days after such change, request an amended commission from the Secretary of State and shall send \$25, his or her current commission, and a notice of change form, obtained from the Secretary of State, which shall include the new name and contain a specimen of his or her official signature. The Secretary of State shall issue an amended commission to the notary public in the new name. A rider to the notary public's bond must accompany the notice of change form. After submitting the required notice of change form and rider to the Secretary of State, the notary public may continue to perform notarial acts in his or her former name for 60 days or until receipt of the amended commission, whichever date is earlier.

(10) A notary public who is not an attorney who advertises the services of a notary public in a language other than English, whether by radio, television, signs, pamphlets, newspapers, or other written communication, with the exception of a single desk plaque, shall post or otherwise include with the advertisement a notice in English and in the language used for the advertisement. The notice shall be of a conspicuous size, if in writing, and shall state: "I AM NOT AN ATTORNEY LICENSED TO PRACTICE LAW IN THE STATE OF FLORIDA, AND I MAY NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE." If the advertisement is by radio or television, the statement may be modified but must include substantially the same message.

(11) Literal translation of the phrase "Notary Public" into a language other than English is prohibited in an advertisement for notarial services.

(12)(a) A notary public may supervise the making of a copy of a tangible or an electronic record or the printing of an electronic record and attest to the trueness of the copy or of the printout, provided the document is neither a vital record in this state, another state, a territory of the United States, or another country, nor a public record, if a copy can be made by the custodian of the public record.

(b) A notary public must use a certificate in substantially the following form in notarizing an attested copy:

STATE OF FLORIDA  
COUNTY OF

On this    day of    ,   (year)  , I attest that the preceding or attached document is a true, exact, complete, and unaltered photocopy made by me of   (description of document)   presented to me by the document's custodian,    , and, to the best of my knowledge, that the photocopied document is neither a vital record nor a public record, certified copies of which are available from an official source other than a notary public.

  (Official Notary Signature and Notary Seal)    
  (Name of Notary Typed, Printed or Stamped)  

(c) A notary public must use a certificate in substantially the following form in notarizing a copy of a tangible or an electronic record or a printout of an electronic record:

STATE OF FLORIDA  
COUNTY OF

On this    day of    ,   (year)  , I attest that the preceding or attached document is a true, exact, complete, and unaltered   (copy of a tangible or an electronic record presented to me by the document's custodian)   OR a   (printout made by me from such



record). If a printout, I further attest that, at the time of printing, no security features, if any, present on the electronic record, indicated that the record had been altered since execution.

\_\_\_\_\_  
(Signature of Notary Public - State of Florida)  
\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

(13) The following notarial certificates are sufficient for the purposes indicated, if completed with the information required by this chapter. The specification of forms under this subsection does not preclude the use of other forms.

(a) For an oath or affirmation:

STATE OF FLORIDA  
COUNTY OF

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this day of , (year), by (name of person making statement).

\_\_\_\_\_  
(Signature of Notary Public - State of Florida)  
\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification  
Type of Identification Produced

(b) For an acknowledgment in an individual capacity:

STATE OF FLORIDA  
COUNTY OF

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this day of , (year), by (name of person acknowledging).

\_\_\_\_\_  
(Signature of Notary Public - State of Florida)  
\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification  
Type of Identification Produced

(c) For an acknowledgment in a representative capacity:

STATE OF FLORIDA  
COUNTY OF

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this day of , (year), by (name of person) as (type of authority, . . . . e.g. officer, trustee, attorney in fact) for (name of party on behalf of whom instrument was executed).

\_\_\_\_\_  
(Signature of Notary Public - State of Florida)  
\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification  
Type of Identification Produced

(14) A notary public must make reasonable accommodations to provide notarial services to persons with disabilities.

(a) A notary public may notarize the signature of a person who is blind after the notary public has read the entire instrument to that person.

(b) A notary public may notarize the signature of a person who signs with a mark if:

1. The document signing is witnessed by two disinterested persons;



2. The notary public prints the person's first name at the beginning of the designated signature line and the person's last name at the end of the designated signature line; and
  3. The notary public prints the words "his (or her) mark" below the person's signature mark.
- (c) The following notarial certificates are sufficient for the purpose of notarizing for a person who signs with a mark:
1. For an oath or affirmation:

\_\_\_\_\_(First Name)\_\_\_\_\_ (Last Name)\_\_\_\_\_  
\_\_\_\_\_(His (or Her) Mark)\_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to and subscribed before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_(year)\_\_\_\_, by \_\_\_\_\_(name of person making statement)\_\_\_\_, who signed with a mark in the presence of these witnesses:

\_\_\_\_\_(Signature of Notary Public - State of Florida)\_\_\_\_\_  
\_\_\_\_\_(Print, Type, or Stamp Commissioned Name of Notary Public)\_\_\_\_\_

Personally Known OR Produced Identification  
Type of Identification Produced \_\_\_\_\_

2. For an acknowledgment in an individual capacity:

\_\_\_\_\_(First Name)\_\_\_\_\_ (Last Name)\_\_\_\_\_  
\_\_\_\_\_(His (or Her) Mark)\_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_(year)\_\_\_\_, by \_\_\_\_\_(name of person acknowledging)\_\_\_\_, who signed with a mark in the presence of these witnesses:

\_\_\_\_\_(Signature of Notary Public - State of Florida)\_\_\_\_\_  
\_\_\_\_\_(Print, Type, or Stamp Commissioned Name of Notary Public)\_\_\_\_\_

Personally Known OR Produced Identification  
Type of Identification Produced \_\_\_\_\_

(d) A notary public may sign the name of a person whose signature is to be notarized when that person is physically unable to sign or make a signature mark on a document if:

1. The person with a disability directs the notary public to sign in his or her presence by verbal, written, or other means;
2. The document signing is witnessed by two disinterested persons; and
3. The notary public writes below the signature the following statement: "Signature affixed by notary, pursuant to s. 117.05(14), Florida Statutes," and states the circumstances and the means by which the notary public was directed to sign the notarial certificate.

The notary public must maintain the proof of direction and authorization to sign on behalf of the person with a disability for 10 years from the date of the notarial act.

(e) The following notarial certificates are sufficient for the purpose of notarizing for a person with a disability who directs the notary public to sign his or her name:

1. For an oath or affirmation:

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_



Sworn to (or affirmed) before me by means of ☐ physical presence or ☐ online notarization, this day of , \_(year)\_, by \_(name of person making statement)\_, and subscribed by \_(name of notary)\_ at the direction of \_(name of person making statement)\_ by \_(written, verbal, or other means)\_, and in the presence of these witnesses:

\_(Signature of Notary Public - State of Florida)\_

\_(Print, Type, or Stamp Commissioned Name of Notary Public)\_

Personally Known OR Produced Identification

Type of Identification Produced

2. For an acknowledgment in an individual capacity:

STATE OF FLORIDA

COUNTY OF

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this day of , \_(year)\_, by \_(name of person acknowledging)\_ and subscribed by \_(name of notary)\_ at the direction of \_(name of person acknowledging)\_, and in the presence of these witnesses:

\_(Signature of Notary Public - State of Florida)\_

\_(Print, Type, or Stamp Commissioned Name of Notary Public)\_

Personally Known OR Produced Identification

Type of Identification Produced

**History.**—s. 1, ch. 3253, 1889; ch. 3874, 1889; RS 221; GS 306; RGS 417; CGL 483; s. 8, ch. 81-260; s. 4, ch. 91-291; s. 3, ch. 92-209; s. 4, ch. 93-62; s. 747, ch. 95-147; s. 1, ch. 97-241; s. 33, ch. 98-129; s. 5, ch. 98-246; s. 46, ch. 99-2; s. 7, ch. 2004-5; s. 19, ch. 2014-17; s. 40, ch. 2016-37; s. 1, ch. 2017-17; s. 4, ch. 2019-71; s. 2, ch. 2021-137.

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**NOTICE OF PUBLIC HEARING**

Notice is hereby given by the Broward County Board of Rules and Appeals that said Board will hold a public hearing starting at 7:00 p.m. on November 17, 2022, via Zoom.

1. Proposed revisions to Broward County Amendments (Chapter 1), Florida Building Code, 7th Edition (2020), Appendix A, Broward County Uniform Building Permit Application
2. Proposed revisions to the Broward County Uniform Data Form for Residential and Light Air Conditioning Replacements, Board Policy 19-02

Zoom information:

Join ZoomGov Meeting

<https://broward-org.zoomgov.com/j/1614212462>

The effective date for these amendments is November 28, 2022.

A copy of the proposed code change is available for review at 1 N. University Drive, Suite 3500B, Plantation, Florida 33324. We can also email you a copy. Call (954) 765-4500.

Dated this 23th day of October, 2022.



# Section 4





## Broward County Board of Rules and Appeals

1 N. University Drive Suite, 3500B, Plantation, FL 33324  
Phone: 954-765-4500 | Fax: 954-765-4504  
[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

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**TO:** Members of the Board of Rules and Appeals

**FROM:** Chief Fire Code Compliance Officer

**DATE:** November 10, 2022

**RE:** First Reading of proposed amendments to Section F-121 Automatic External Defibrillator (AED) and Bleeding Control Kit (BCK) of the Florida Fire Prevention Code, 7<sup>th</sup> Edition (2020), recommendation of the Fire Code Committee

---

### Recommendation

Staff recommends support proposal to renaming of SBK to BCK and the modifying code section F-121 AED and BCK which provides more clarity and is more resendable in its application and provides better guidance to number of units and locations along with appropriate quantities.

### Reasons

This proposal is to modify F-121 as it relates to BCK has been suggested by the Broward Fire Chiefs, Fire Prevention Sub-committee (Fire Marshals) as it has been found that previously enacted language relating to Stop the Bleed (SBK) is trademarked and the FM Group is proposing to amend this title to Bleeding Control Kit (BCK) as found in the following code sections.

Definitions W, F-121 Title, F-121.2, F-121.2.7 (a), F-121.3.1, F-121.3.2, F-121.3.2 (c), (e), (f), F-121.3.4, F-121.3.5, F-121.3.6, F-121.3.7 (a), (c), F-121.3.8, F-121.3.9, F-121.3.9.1, F-121.3.9.2, F-121.3.9.3, F-121.3.9.5, F-121.3.9.6, F-121.3.9.8, F-121.3.9.9, and F-121.3.9.10. It was also found that in section F-121.2.1 (b), and F-121.3.9.2 that the verbiage was not clear and needed to be modified for clarity.

Section F-121.2.1.1, as it deals with assembly occupancies is a new section being added for clarification as it relates to the size and travel distance, Mercantile occupancies is also being added F-121.2.6.1 as a new section to also add more clarity to what travel distance, Residential occupancies F-121.2.7.1 is removing the numbers based on floors of AED and BCK and new language as to placement at specific location closer to elevators and adding language AHJ to use the design of the building to determine such as it private elevators only serving individual dwelling units. Sections found in F-121.3.2 (f) has been added as it relates to the placement of units at entrances or exits of buildings.

It was also found that the numbers of items in section F-121.3.4 were duplicated for over 500 and under the items required and the quantities have been adjusted to be more in line with the perceived need.

### Additional Information

An underlined/strikethrough, local Fire Code is attached to indicate the proposed modification for consideration of section F-121.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Bryan Parks".

Bryan Parks



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

**F-121** Automatic External Defibrillator (AED) and ~~Stop the Bleed Kit (SBK)~~ Bleeding Control Kit (BCK)

**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)~~ BCK'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,~~ Any assembly occupancy with a capacity of one hundred (100) or greater.
- c. Places of worship with a capacity of one hundred (100) or greater.

**F-121.2.1.1 Assemblies exceeding 30,000 square feet and multi-story assemblies shall require additional devices where the travel distance exceeds fire hundred (500) feet between AED'S**

## **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-121.2.6.1 Mercantile Class A and multistory occupancies shall require additional devices where the travel distance exceeds fire hundred (500) feet between AEDs**

## **F-121.2.7 Residential occupancy:**

- a. All hotels and motels.
- b. Multi-story residential/~~dormitory~~ buildings five (5) floors or more. Residential elevators supplying services to an independent dwelling unit only, shall be exempt from this requirement.

**~~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-121.2.7.1 Multi-story residential occupancies listed above shall place an AED and BCK at every building entrance lobby no further than 15 feet from any elevator. The AHJ can modify the requirements of F-121.2.7 requirements based on the footprint of the residential building.**

## **F-121.3 Installation and Operation.**

**F-121.3.1** The Authority Having Jurisdiction (AHJ) shall verify all AED devices and ~~SBK's~~ BCK'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 Bleeding Control Kit ~~SBK(S)~~ BCK(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)~~ BCK(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 BCK~~ shall be located below a ~~SBK BCK~~ sticker. The ~~SBK BCK~~ sticker may also be placed on the cabinet containing the ~~SBK BCK~~.
- f. If there is more than one entrance or exit in the building, or if the building is multiple stories, the business owner shall place a sign at each entrance, exit, or elevator indicating the location of the automated external defibrillator device.

**F-121.3.3** AED devices shall contain adult pads and pediatric pads as required by the AHJ.

**F-121.3.4** ~~SBK-BCK(S)~~ with the exception of large occupancy ~~SBK-BCK(S)~~, shall minimally contain:

- a. Two (2) ~~Eight~~ commercially manufactured tourniquets; and
- b. Two sets of ~~Eight~~ gloves; and
- c. One (1) scissor; and
- d. Two (2) 3-inch gauze rolls; and
- e. Two (2) 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 BCK~~, which minimally contain:

- a. Eight (8) commercially manufactured tourniquets; and
- b. Four (4) Sets of ~~Eight~~ gloves; and
- c. Two (2) scissors; and
- d. Eight (8) 3-inch gauze rolls; and
- e. Eight (8) gauze combine pads.

**F-121.3.6** The AED(S) devices and ~~SBK BCK(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 BCK~~;
- b. Provide all necessary training and appropriate use; and
- c. Maintain AED devices and ~~SBK BCK~~ in accordance with manufacture recommended maintenance requirements and as required herein.

**F-121.3.8** If an AED device or ~~SBK BCK~~ 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 BCK~~ program:

**F-121.3.9.1** The implementation of an AED and/or ~~SBK BCK~~ 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 BCK~~, 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 BCK~~, and name of manufacturer and model number of each AED.

**F-121.3.9.2** Prior to implementation of an AED or ~~SBK BCK~~, in any non-residential occupancy, 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 BCK~~. 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 AEDs.

**F-121.3.9.3** The training for the ~~SBK BCK~~ 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 BCK~~ 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~~ BCK 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~~ BCK that includes gathering clinical data and information from the person that used the AED or ~~SBK~~ BCK 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~~ BCK 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~~ BCK 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~~ BCK, 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.



# Section 5





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

1 N. University Drive Suite, 3500B, Plantation, FL 33324

Phone: 954-765-4500 | Fax: 954-765-4504

[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

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**TO:** Members of the Board of Rules and Appeals

**FROM:** Chief Fire Code Compliance Officer

**DATE:** November 10, 2022

**RE:** First Reading of proposed amendments to Section F-112.3 Fire Sprinklers One- and Two-Family Dwellings and Townhouses of the Florida Fire Prevention Code, 7<sup>th</sup> Edition (2020), recommendation of the Fire Code Committee

---

### **Recommendation**

The Board of Rules and Appeals, Fire Code Committee recommends in a unanimous vote in support of this new code section F-112.3. The Broward Fire Chiefs, Fire Prevention Sub-committee (Fire Marshals) with support of the Fire Chiefs Association of Broward County (FCABC) also support this new code provision.

### **Reasons**

It has been proven by national studies that sprinkler in private dwellings save lives over 3,000 lives were lost every year according to NFPA 13D handbook in 2013, along with reducing the cost of repairs to the dwelling after a fire occurs. The fire sprinkler systems being proposed are NFPA 13D systems, which can be connected to existing water supply to the private dwellings with a working flow of 40 gpm. These system(s) can be installed using CPVC or PEX piping which utilizing special glue to secure the pipes and fittings. The system needs to maintain the minimal pressure for 10 minutes of water flow to control the fire which allows the residents to safely escape and the fire department time to respond. A typical fire might even be extinguished before the fire department arrives. These systems are required in living areas only and not in areas like bathrooms, closets, pantries, garages, carports and attics.

It should also be noted that homeowner can save money on home insurance which is mandated by Florida Statute in the state of Florida.

### **Additional Information**

Copy of proposed new code section F-112.3 attached.

Respectfully Submitted,

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

Bryan Parks



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

## **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 2 Industrial Occupancies:**

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

#### **F-112.3 ~~Reserved~~ One-and Two-Family Dwellings and Townhomes Sprinklers.**

All new one-and two-family dwellings and townhouses, permitted after December 31, 2023, shall have a fire sprinkler system installed in accordance with the provisions found in NFPA 13D as adopted in Florida Administrative Code (FAC) 69A-60.

**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.

# HOME FIRE SPRINKLER PRESENTATION

**HOME FIRE  
SPRINKLERS**

**SAVE LIVES**





# Residential Fire

## Sprinkler Systems - Statistics

### U.S. Fire Loss

- **+/- 379,500 residential fires in 2020.**
- **2,630 civilian fire deaths in 2020.**
- **11,900 civilian fire injuries in 2020.**
- **\$8.7 Billion in direct damage in 2020.**
- **In 2020, home structure fire was reported every 89 seconds, home fire death occurred every 3 hours and 24 minutes, and home fire injury every 46 minutes.**
- **Research indicates when sprinklers present, civilian death rates and injury rates drop **89%** and **24%** respectively.**

# Residential Fire Sprinkler Systems - Resident Safety

- Lightweight roof/floor construction
- Lightweight stair construction
- Zero lot lines
- Highly combustible materials inside

STUDY SHOWS NEW HOMES  
BURN FASTER THAN OLD  
ONES





# Residential Fire Sprinkler Systems - Firefighter Safety



# **Residential Fire Sprinkler Systems - Firefighter Safety**

## **Cancer Prevention**

---

**Ice machines not in bays**

**Clean-cab concept**

**Shower within the hour**

**Two sets of gear**

***FIRE SPRINKLERS IN ALL  
BUILDINGS***



# Residential Fire Sprinkler Systems – Fox News



# Residential Fire Sprinkler Systems – IAFC Support



## Position Statement

### Fire Sprinklers in New Construction

The International Association of Fire Chiefs adopts the position that all new construction, including one- and two-family dwellings, should be built with fire sprinklers installed to protect the public, fire service personnel, the structure, its contents, the economy and the environment.

In an effort to reduce the number of deaths from an average of 3,000 citizens and 100 firefighters annually and to avert billions of dollars annually in property loss to the effects of fire, we must include fire sprinklers as an integral part of a community's fire protection. The increased demands made today on local fire departments, usually without increased staffing or funding, and the changes in building materials and home contents, all increase the risk to firefighters and the public. It's time to add active fire protection as a baseline in all new construction.

The time is now for the fire service to adapt to the changes in construction techniques; as new technologies becomes the norm in construction (light-weight construction, etc.), and as building contents become more flammable and more toxic as they burn. We must protect our communities in non-traditional ways with proactive, rather than reactive, approaches. The current built environment and furnishings necessitate the additional protection of built-in fire protection. Fire sprinklers will provide the active protection needed to reduce the fire risk of these new building components to citizens and firefighters.

We further state that we do not support and will oppose regulations that prevent or discourage the installation of fire sprinklers. We also stand against fees and charges that create economic barriers to the installation of fire sprinklers. We support incentives for business owners and citizens to protect their buildings, thus protecting our citizens, their property and fire service personnel.

This position statement supports the priorities of the International Association of Fire Chiefs and we pledge to work with IAFC sections, IAFC divisions, and other organizations which are interested in being proactive in providing community fire protection. We welcome partners and collaborative efforts that support similar goals. It's time for us all to take action.

Adopted by: IAFC Board of Directors  
Date: March 13, 2008



# Residential Fire Sprinkler Systems – FFCA Support

2023 Legislative Policy Statement

Adopted August 17, 2022

## LIFE SAFETY AND PREVENTION

**The Florida Fire Chiefs' Association supports the promotion of Fire Safety within our communities and the State.**

### BACKGROUND

Fire Prevention is the best defense against fire. We support the expansion of public education programs that help raise the level of awareness of the danger of fire and that help people take proactive steps to prevent fires. Public education programs can be costly and take considerable man hours. We support the availability of grant funds and support funding for local Fire Safety programs. The Florida Fire Chiefs' Association supports the statewide enforcement of the Florida Fire Prevention Code and the Florida Building Code. These codes help ensure the safety of both the citizens of Florida and the firefighters who protect them. We are opposed to any changes that would diminish the level of safety for either the citizens or our firefighters or that would inhibit the enforcement of the Florida Fire Prevention Code by the fire service.

**Therefore, the Florida Fire Chiefs' Association will:**

- **Support** legislation that mitigates the financial obstacles to retrofitting High-rise condominiums with fire sprinkler systems as required by NFPA 1 and NFPA 101.
- **Support** legislation requiring the installation of fire sprinkler systems in all new construction and 50% or greater renovations to existing properties, including manufactured homes.
- **Support** legislation that would require fire sprinklers in all health care facilities and churches as defined by state sales tax exemption statute.
- **Support** legislation for appropriate funding for fire research facilities.
- **Support** legislation or DSFM rule requiring local fire official oversight and approval in any new building construction, throughout all phases of the project from site plan review through building plan review, inspection during construction and final certificate of occupancy.
- **Support** legislation that would mandate local school boards correct Fire Safety deficiencies as determined by the AHJ required inspections.
- **Support** legislation that would require appointment of two to three members of the fire service as representatives on the Florida Building Commission.
- **Support** legislation that would mandate home sprinkler systems for all new single-family homes.
- **Oppose** legislation or rule that would weaken the High-rise fire sprinkler retrofit requirements within NFPA 1 and NFPA 101.
- **Oppose** legislation or rule that would weaken the minimum radio signal strength requirements of the Florida Fire Prevention Code.

# Residential Fire Sprinkler Systems – FCABC Support



August 17, 2022

Broward County Board of Rules and Appeals

To Whom It May Concern:

Please accept this letter from the Fire Chiefs Association of Broward County (FCABC) in support of the proposed amendment to require all newly constructed one- and two-family dwellings and townhomes, to have a residential fire sprinkler system installed in accordance with the National Fire Protection Association (NFPA) 13D standard.

The statistical data shows that In the United States during 2020, there were approximately 379,500 residential fires, causing over \$8.7 billion in property loss, resulted in 11,900 civilian injuries and 2,630 civilian fire deaths. In 2020, a home structure fire was reported every 89 seconds, a home fire death occurred every three hours and 24 minutes, and a home fire injury occurred every 46 minutes. Research indicates that when sprinklers are present, civilian fire deaths and injury rates per fire were 89 percent and 27 percent lower respectively. The rate of firefighter injuries per fire was 60 percent lower. The benefits from residential fire sprinklers exceed the cost of installing them; the primary benefit is that fire sprinklers save lives.

Thank you very much for the attention to this matter and please do not hesitate to contact me may you require additional information

Sincerely,

Julie Downey  
Fire Chief  
Davie Fire Rescue  
FCABC President

**President**  
Julie Downey  
Davie Fire Rescue  
jdowney@davie-fl.gov

**Vice President**  
Chad Brocato  
Pompano Beach Fire Rescue  
Chad.Brocato@copbfri.com

**2nd Vice President**  
John McManara  
Sunrise Fire Rescue  
jmcmanara@sunrisefl.gov

**Secretary**  
Steve Krnjank  
Oakland Park Fire Rescue  
stephank@oaklandparkfl.gov

**Treasurer**  
Rodney Turpel  
N. Lauderdale Fire Rescue  
rturpel@nlauderdale.org



# Residential Fire Sprinkler Systems



**EVERYONE GOES HOME®**

*Firefighter Life Safety Initiatives by the National Fallen Firefighters Foundation*



**16 Firefighter Life Safety Initiatives**

**News**

**Training**

**Resources**

**Seatbelt Pledge**

## 16 FIREFIGHTER LIFE SAFETY INITIATIVES

### 15. Code Enforcement & Sprinklers



**Advocacy must be strengthened for the enforcement of codes and the installation of home fire sprinklers.**

The term “fire prevention,” as used here, means preventing accidental fires from starting and, when they do start, minimizing their growth or extinguish them prior to human intervention. A successful effort in fire prevention will mean fewer fire responses by firefighters because of a reduction in fires, and less dangerous working conditions on the fire ground as a result of smaller, contained fires. With fewer fire responses and smaller, contained fires, and a better protected public, it is clear that there will be fewer firefighter injuries and fatalities – which is the goal of our overall efforts. The 15th Initiative asks us to advocate for stronger codes and laws which will decrease the number and severity of structural and residential fires to keep our firefighters out of harm’s way.

#### 16 INITIATIVES RESEARCH ▸

##### 1. CULTURAL CHANGE ▸

##### 2. ACCOUNTABILITY ▸

##### 3. RISK MANAGEMENT ▸

##### 4. EMPOWERMENT ▸

##### 5. TRAINING & CERTIFICATION ▸

##### 6. MEDICAL & PHYSICAL FITNESS ▸

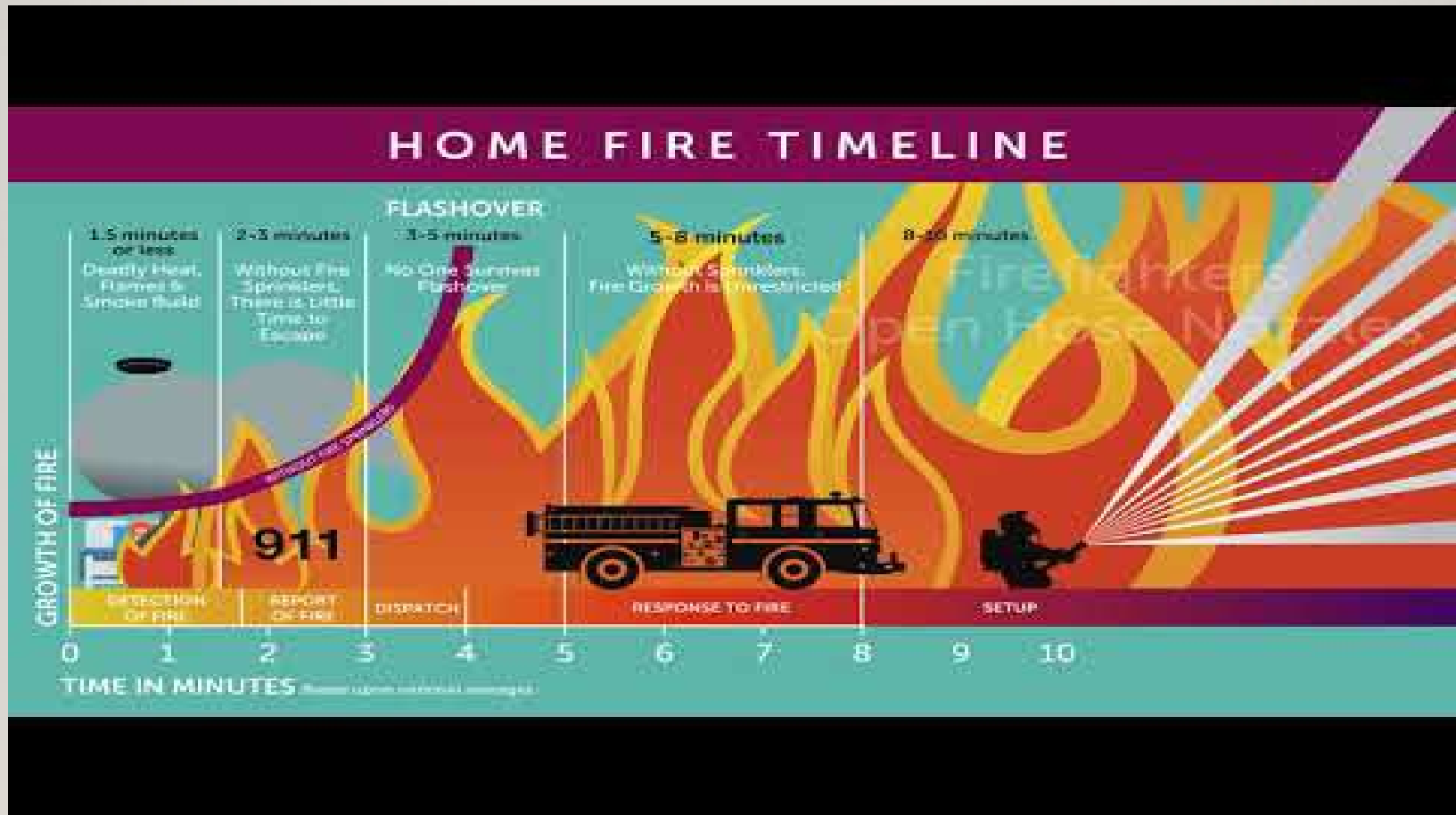
##### 7. RESEARCH AGENDA ▸

##### 8. TECHNOLOGY ▸

##### 9. FATALITY, NEAR-MISS INVESTIGATION ▸

##### 10. GRANT SUPPORT ▸

# Residential Fire Sprinkler Systems - Statistics





# Residential Fire Sprinkler Systems - Statistics

- Water used to fight fire at home fires **WITHOUT** fire sprinkler systems ranged from 100 - 41,000 GPM with **3,524 GPM** being the average.
- 
- Water used to fight fire at home fires **WITH** a fire sprinkler system ranged from 22 – 38 GPM with **28 GPM** being the average.

# **Residential Fire** **Sprinkler Systems – Types**

- **Stand-alone**
  - **Passive Purge**
  - **Multi-purpose**
    - **Network**
-



# Residential Fire Sprinkler Systems – Incentives

## SURVEYS SHOW AHJs SHOULD BE OFFERING SPRINKLER INCENTIVES TO HOMEBUILDERS-DEVELOPERS

IN A 2017 SURVEY\* OF FIRE SERVICE MEMBERS



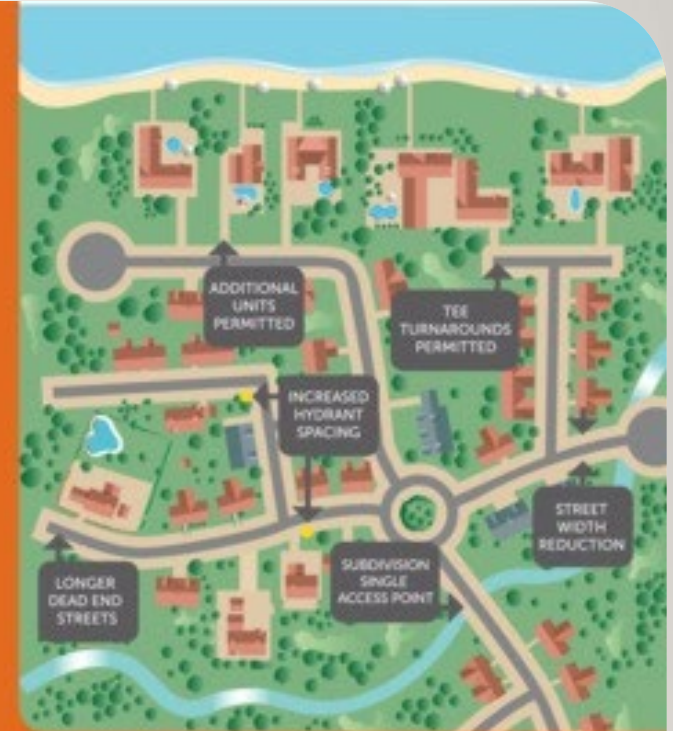
**95%** support home fire sprinklers in single-family homes



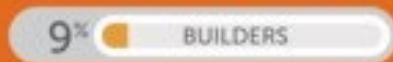
**55%** were not aware that jurisdictions without home fire sprinkler code requirements could offer incentives to developers



**8%** offer incentives to developers



IN A SURVEY\*\* OF BUILDERS



**9%** are aware of incentives for home fire sprinklers in developments



**55%** would be interested in protecting homes with sprinklers if offered incentives

**Home Fire Sprinkler COALITION**  
Protect What You Value Most  
[HomeFireSprinkler.org](http://HomeFireSprinkler.org)

\*Survey conducted by FIREHOUSE  
\*\*Survey conducted by HanleyWood  
©2018 Home Fire Sprinkler Coalition

# Residential Fire Sprinkler Systems - Incentives

## CHAPTER 627

### INSURANCE RATES AND CONTRACTS

#### **627.0654 INSURANCE DISCOUNTS FOR BUILDINGS WITH FIRE SPRINKLERS.—**

(1) ANY RATES, RATING SCHEDULES, OR RATING MANUALS FOR A NEW OR RENEWAL FIRE INSURANCE POLICY FOR AN EXISTING OR NEWLY CONSTRUCTED BUILDING, WHETHER USED FOR COMMERCIAL OR RESIDENTIAL PURPOSES, MUST PROVIDE FOR A PREMIUM DISCOUNT IF A FIRE SPRINKLER SYSTEM HAS BEEN INSTALLED IN THE BUILDING IN ACCORDANCE WITH NATIONALLY ACCEPTED FIRE SPRINKLER DESIGN STANDARDS, AS ADOPTED BY THE DEPARTMENT, AND IF THE FIRE SPRINKLER SYSTEM IS MAINTAINED IN ACCORDANCE WITH NATIONALLY ACCEPTED STANDARDS.

(2) THE DISCOUNT REQUIRED BY THIS SECTION MUST PROVIDE A PREMIUM RATE THAT IS LOWER THAN THAT FOR A BUILDING IN WHICH A FIRE SPRINKLER SYSTEM HAS NOT BEEN INSTALLED. A DISCOUNT USED BY AN INSURER IS PRESUMED APPROPRIATE UNLESS CREDIBLE DATA DEMONSTRATES OTHERWISE.

HISTORY.—S. 4, CH. 95-379.



# Residential Fire Sprinkler Systems

## – Promoting Sprinklers

**Save the Date!**  
**MAY 15-21, 2022**



# Residential Fire Sprinkler Systems – Adopting an Ordinance

633.208 (8)(a) The provisions of the Life Safety Code, as contained in the Florida Fire Prevention Code, do not apply to one-family and two-family dwellings. However, fire sprinkler protection may be permitted by local government in lieu of other fire protection-related development requirements for such structures. While local governments may adopt fire sprinkler requirements for one-family and two-family dwellings under this subsection, it is the intent of the Legislature that the economic consequences of the fire sprinkler mandate on homeowners be studied before the enactment of such a requirement. After the effective date of this act, any local government that desires to adopt a fire sprinkler requirement on one-family or two-family dwellings must prepare an economic cost and benefit report that analyzes the application of fire sprinklers to one-family or two-family dwellings or any proposed residential subdivision. The report must consider the tradeoffs and specific cost savings and benefits of fire sprinklers for future owners of property. The report must include an assessment of the cost savings from any reduced or eliminated impact fees if applicable, the reduction in special fire district tax, insurance fees, and other taxes or fees imposed, and the waiver of certain infrastructure requirements including the reduction of roadway widths, the reduction of water line sizes, increased fire hydrant spacing, increased dead-end roadway length, and a reduction in cul-de-sac sizes relative to the costs from fire sprinkling. A failure to prepare an economic report shall result in the invalidation of the fire sprinkler requirement to any one-family or two-family dwelling or any proposed subdivision.



# Residential Fire Sprinkler Systems – Adopting an Ordinance

## Economic Cost Benefit Analysis of Residential Fire Sprinkler Systems Tamarac, FL

September 2019



## Economic Impacts from the Installation of Residential Fire Sprinklers in Estero, Florida



C.C.M. Economics, L.L.C.  
Springfield, Missouri 65810  
417.234.3618  
DavidMitchell@ccmeconomics.com

## Economic Cost Benefit Analysis of Residential Fire Sprinkler Systems Cape Coral, FL

July 2012

Prepared for:  
Fire Department of the City of Cape Coral



Prepared by:  
Newport Partners, LLC  
Davidsonville, MD



# Residential Fire Sprinkler Systems - Cost

Table 3. Cost per Square Foot

Location	Cost per square foot of sprinklered space
Tamarac	\$2.40
Coral Springs	\$3.16
Broward County (Average)	\$2.78

Table 1: Estimated Cost Savings from Reduced Infrastructure Requirements

Infrastructure Requirement	Estimate Value
Reduced requirements for hydrant spacing	\$49 per building lot
Reduced requirements for minimum road width	\$1,172 per building lot
Reduced requirements for fire flows	\$50 per building lot
Total Incentives "Per Lot"	\$1,271 per building lot

**Source:** Incentives for the Use of Residential Fire Sprinkler Systems in U.S. Communities, The Fire Protection Research Foundation

Table 2. Net Benefit

	Broward County (Average)
Average Cost of Installation	\$5,290.61
Infrastructure Reduction	\$1,271
Benefit	\$10,815.75
Net Positive Benefit	\$6,796.14



# Residential Fire Sprinkler Systems - Cost

PRICE PER SQ. FT - \$2.78

AVERAGE INSTALLATION COST = \$5,290

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\$5,290 / 30-YEAR MORTGAGE = \$176 PER YEAR

\$176 / 12 MONTHS = \$15 PER MONTH

\$15 / 30 DAYS = **\$0.50 PER DAY TO SAVE YOUR LIFE**

# Residential Fire Sprinkler Systems - Partners



**NATIONAL FIRE PROTECTION ASSOCIATION**

The leading information and knowledge resource on fire, electrical and related hazards

**MINUTES  
MATTER**

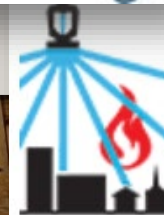
*Because families and  
dreams become memories  
in 3 minutes.*



**Home Fire Sprinkler**

**COALITION**

Protect What You Value Most



**NFSA**  
NATIONAL FIRE SPRINKLER ASSOCIATION  
The Voice of the Fire Sprinkler Industry



# Residential Fire Sprinkler Systems - Partners

We're Not Alone

U.S.

Maryland (entire state)

California (entire state)

Gorham, Maine

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Las Vegas

Palatine, Illinois

Rock Island, Illinois

Berlin, Massachusetts

Florida

Altamonte Springs

Town of Palm Beach

# **Residential Fire Sprinkler Systems – Next Steps**

## **Next Steps if Approved**

Meet and Discuss with Building Officials

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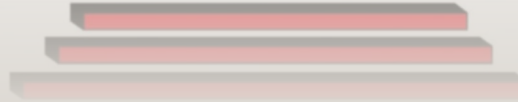
Fire Code Committee

Board of Rules and Appeals





# **FIRE SPRINKLERS SAVE LIVES!**



## Broward County 2018 through 2020 Injuries, Fatalities and Property Loss

Department	Property Use 1 or 2 family dwelling Civilian Injuries	Civilian Fatalities	Fire Service Injuries	Fire Service Fatalities	Multifamily dwellings Civilian Injuries	Civilian Fatalities	Fire Service Injuries	Fire Service Fatalities	Total Civilian Injuries	Total Civilian Fatalities	Total Fire Service Injuries	Total Fire Service Fatalities
<b>BROWARD COUNTY FR &amp; EMS</b>	<b>5</b>	<b>3</b>	<b>4</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>9</b>	<b>4</b>	<b>7</b>	<b>0</b>
2018	1	0	1	0	3	0	3	0	4	0	4	0
2019	4	1	0	0	1	0	0	0	5	1	0	0
2020	0	2	3	0	0	1	0	0	0	3	3	0
<b>CORAL SPRINGS FIRE DEPT.</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>3</b>	<b>0</b>
2018	3	0	0	0	2	0	0	0	5	0	0	0
2019	1	0	0	0	0	0	0	0	1	0	0	0
2020	1	0	2	0	1	0	1	0	2	0	3	0
<b>DAVIE FIRE RESCUE</b>	<b>8</b>	<b>0</b>	<b>13</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>15</b>	<b>0</b>
2018	3	0	8	0	1	0	2	0	4	0	10	0
2019	2	0	1	0	0	0	0	0	2	0	1	0
2020	3	0	4	0	1	0	0	0	4	0	4	0
<b>FT. LAUDERDALE FR</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>0</b>
2018	3	0	0	0	2	1	0	0	5	1	0	0
2019	1	0	1	0	0	0	0	0	1	0	1	0
2020	1	0	0	0	0	0	0	0	1	0	0	0
<b>HALLANDALE BEACH FIRE RESCUE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
2018	0	0	0	0	0	0	0	0	0	0	0	0
2019	0	0	0	0	0	0	0	0	0	0	0	0
<b>HOLLYWOOD FIRE RESCUE</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>4</b>	<b>0</b>
2018	1	0	0	0	1	0	2	0	2	0	2	0
2019	0	0	0	0	0	0	0	0	0	0	0	0
2020	0	0	2	0	0	0	0	0	0	0	2	0
<b>LAUDERDALE BY THE SEA VFD</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
2018	0	0	0	0	0	0	0	0	0	0	0	0
2019	0	0	0	0	0	0	0	0	0	0	0	0
2020	0	0	0	0	0	0	0	0	0	0	0	0
<b>LAUDERHILL FIRE RESCUE</b>	<b>4</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>18</b>	<b>0</b>	<b>4</b>	<b>0</b>
2018	2	0	2	0	7	0	1	0	9	0	3	0



2019	2	0	0	0	5	0	1	0	7	0	1	0
2020	0	0	0	0	2	0	0	0	2	0	0	0
<b>LIGHTHOUSE POINT FIRE RESCUE</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>
2018	1	0	0	0	0	0	0	0	1	0	0	0
2019	1	0	0	0	0	0	0	0	1	0	0	0
2020	0	0	0	0	0	0	0	0	0	0	0	0
<b>MARGATE FIRE RESCUE</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
2018	0	0	0	0	0	0	0	0	0	0	0	0
2019	1	0	0	0	0	0	0	0	1	0	0	0
2020	0	0	0	0	0	0	0	0	0	0	0	0
<b>MIRAMAR FIRE RESCUE</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>0</b>
2018	1	0	0	0	0	0	0	0	1	0	0	0
2019	0	0	1	0	0	0	0	0	0	0	1	0
2020	1	0	1	0	1	0	0	0	2	0	1	0
<b>NORTH LAUDERDALE FIRE RESCUE</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>
2018	0	0	0	0	0	0	0	0	0	0	0	0
2019	0	0	1	0	0	0	0	0	0	0	1	0
2020	0	1	0	0	0	0	0	0	0	1	0	0
<b>OAKLAND PARK FIRE RESCUE</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>
2018	0	1	0	0	0	0	0	0	0	1	0	0
2019	0	0	0	0	0	0	0	0	0	0	0	0
2020	0	0	0	0	0	0	0	0	0	0	0	0
<b>PEMBROKE PINES FIRE RESCUE</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>4</b>	<b>0</b>
2018	0	0	1	0	1	0	0	0	1	0	1	0
2019	1	0	1	0	1	0	0	0	2	0	1	0
2020	1	0	1	0	0	0	1	0	1	0	2	0
<b>PLANTATION FD</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>
2018	0	0	0	0	0	0	0	0	0	0	0	0
2019	0	0	2	0	0	0	0	0	0	0	2	0
2020	0	1	0	0	0	0	0	0	0	1	0	0
<b>POMPANO BEACH FIRE/RESCUE</b>	<b>8</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>17</b>	<b>3</b>	<b>10</b>	<b>0</b>	<b>25</b>	<b>3</b>	<b>18</b>	<b>0</b>
2018	3	0	5	0	8	3	6	0	11	3	11	0
2019	4	0	3	0	8	0	3	0	12	0	6	0
2020	1	0	0	0	1	0	1	0	2	0	1	0
<b>SOUTH WEST RANCHES VOL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

2018	0	0	0	0	0	0	0	0	0	0	0	0
2019	0	0	0	0					0	0	0	0
2020	0	0	0	0	0	0	0	0	0	0	0	0
<b>SUNRISE FIRE RESCUE</b>	<b>4</b>	<b>0</b>	<b>36</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>33</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>69</b>	<b>0</b>
2018	1	0	1	0	2	0	0	0	3	0	1	0
2019	3	0	1	0	3	0	2	0	6	0	3	0
2020	0	0	34	0	1	0	31	0	1	0	65	0
<b>TAMARAC FIRE DEPARTMENT</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>0</b>
2018	2	0	0	0	0	0	0	0	2	0	0	0
2019	0	0	0	0	0	0	0	0	0	0	0	0
2020	0	0	2	0	0	0	1	0	0	0	3	0
<b>Grand Total</b>	<b>49</b>	<b>6</b>	<b>78</b>	<b>0</b>	<b>52</b>	<b>5</b>	<b>55</b>	<b>0</b>	<b>101</b>	<b>11</b>	<b>133</b>	<b>0</b>

- Source: NFIRS as of 05/11/2022



# **Economic Cost Benefit Analysis of Residential Fire Sprinkler Systems Broward County, Florida**

Prepared for:  
Broward County

**September 2021**



Prepared by:  
Newport Partners, LLC  
Davidsonville, MD

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## Executive Summary

The cost of residential fire sprinkler systems varies across the country for a variety of reasons. Housing design, construction, and plumbing materials, and the availability of sprinkler contractors are a few variables that can factor into pricing. The purpose of this report is to present an estimate of the economic costs and benefits pertaining to the installation of residential fire sprinkler systems in new, one-and-two family homes in Broward County using the data from previously completed cost and benefits studies from Coral Springs (2021) and Tamarac, Florida (2019), two jurisdictions located within Broward County.

To best estimate the costs associated with installing residential fire sprinkler systems Newport obtained estimates from sprinkler contractors in Broward County. Three estimates were provided by contractors in Coral Springs and three from Tamarac for a total of six estimates. The estimates were based on house plans identified by each jurisdiction that best represent the characteristics of new home construction in the area. Contractors were asked to only provide estimates for the design and installation of the system, and not include any outside fees or costs.

In addition to the design and installation costs, other costs that are typically associated with installing a residential fire sprinkler system include permit fees and water meter fees or upsizing charges. Often, these fees and costs are determined by the individual jurisdictions. For this report, Newport determined that both Coral Springs and Tamarac had permit fees as well as a hard cost for upsizing water meters. These costs were determined through conversations with city and fire officials and sprinkler contractors in both jurisdictions and are included in the final cost estimates.

The total cost for installing residential fire sprinklers in Broward County was estimated by using the six contractor estimates for design and installation and adding the estimated permit fees and meter upsizing costs to each to obtain a total cost estimate for each home. From these estimates, the average cost across Broward County is \$2.78 per square foot of sprinklered space.<sup>1</sup> When compared to the most recent cost study from the National Fire Protection Association (NFPA) in 2013, this represents a higher-than-average cost. However, there are

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<sup>1</sup> Sprinklered space refers to the area of the home required to be covered by an automatic fire sprinkler system according to NFPA 13D.

many variables that factor into the price of installing a residential fire sprinkler system that will be discussed later in the report.

Benefit calculations took into consideration a variety of inputs including determining probability of a home fire, the average ratio of property loss to value for homes without sprinklers, expected deaths or injury that occur from fires, and the value of life. In addition, the home and property value in Tamarac and Coral Springs were considered. These measures were compared for homes with and without fire sprinkler systems. The differences resulted in significant benefits associated with fire sprinklers in homes, including monetary benefits of lives saved, injuries averted, and the uninsured direct and indirect costs from property loss. Additionally, reduced cost of homeowner's insurance provides a direct economic benefit for homeowners.

The jurisdiction and its builders and developers may also benefit from residential sprinkler requirements from the reduction of impact fees, as well as a reduction of infrastructure requirements. Examples of infrastructure requirement reductions include: reduced requirements for hydrant spacing, minimum road widths, fire flows, cul-de-sac widths, and dead-end street width. Applicable incentives associated with Florida's adoption of NFPA 1, were considered in the net positive benefit calculations.

*Table 1: Estimated Cost Savings from Reduced Infrastructure Requirements*

Infrastructure Requirement	Estimate Value
Reduced requirements for hydrant spacing	\$49 per building lot
Reduced requirements for minimum road width	\$1,172 per building lot
Reduced requirements for fire flows	\$50 per building lot
Total Incentives "Per Lot"	\$1,271 per building lot

**Source:** Incentives for the Use of Residential Fire Sprinkler Systems in U.S. Communities, The Fire Protection Research Foundation

The costs and benefits associated with residential fire sprinkler systems are outlined in Table 1. This report discusses the methodology used in this study, the variables considered for both costs and benefits, and other factors that impact the costs of installing residential fire sprinklers.



Overall, the study concludes residential fire sprinklers are estimated to provide a net positive benefit in Broward County.

*Table 2. Net Benefit*

	<b>Broward County (Average)</b>
<b>Average Cost of Installation</b>	\$5,290.61
<b>Infrastructure Reduction</b>	\$1,271
<b>Benefit</b>	\$10,815.75
<b>Net Positive Benefit</b>	\$6,796.14

## Overview

Homeowners today are at significant risk for injury, property loss, and even death from home fires. A recent National Fire Protection Association (NFPA) study, reported annual fires in residential buildings to be over 270,500.<sup>2</sup> One-and-two family homes only represent about twenty percent of all structure fires reported yet these fires represent 66 percent of civilian deaths and 51 percent of civilian injuries according to the same report.<sup>3</sup>

Fire sprinkler installation in one-and-two family homes can be used as a tool to greatly reduce death and injury for home inhabitants. Across a 4-year period, there was an 81 percent reduction in civilian deaths in homes with fire sprinklers than those without.<sup>4</sup> Firefighters are also impacted by fire sprinklers when responding to home fires. Homes with fire sprinkler systems reported fire fighter injury rate being 79% lower than when responding to homes without sprinkler systems.<sup>5</sup>

Automatic residential fire sprinkler systems for one-and-two family homes have been required as part of the International Residential Code (IRC) since the 2009 version. This requirement has carried forward in each subsequent update (2012, 2015, 2018, and most recently in 2021). The 2020 Florida Building Code is based on the 2018 IRC with amendments that exclude provisions for residential fire sprinkler systems in one – and two-family homes.<sup>6</sup> The Florida Fire

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<sup>2</sup> *Trends and Patterns of Fire Losses in 2017*, National Fire Protection Association, January 2017

<sup>3</sup> Ibid

<sup>4</sup> Marty Ahrens, *U.S. Experience with Sprinklers*, National Fire Protection Association, July 2017

<sup>5</sup> Ibid

<sup>6</sup> Florida Building Code, 7<sup>th</sup> Edition, 2020, Section 903.2.11.3

Prevention Code, based on NFPA 1 and NFPA 101, also removes the requirements for automatic fire sprinkler systems in one-and-two family homes at the state level.<sup>7</sup>

While not a statewide requirement, Florida allows local jurisdictions the ability to implement residential fire sprinkler requirement for one-and-two family homes. To do so, the jurisdiction must perform an analysis of the economic impacts to inform local constituents prior to adopting the requirement. This analysis should not only include the cost to design and install the system, but also any additional fees as previously discussed, as well as the benefits that may accrue to residents. Before imposing any requirement, the local government must provide the homeowner with a letter documenting any infrastructure, tax, or fee allowances and waivers as well as a cost analysis that determines these cost savings are approximate to the cost of installing a residential sprinkler system.<sup>8</sup> The purpose of this study is to show expected costs and benefits relevant to the proposed adoption of requirements for residential fire sprinkler systems in Broward County, Florida.

The main point of resistance to requiring automatic fire sprinklers in one-and-two family homes is cost. Because this is such a prevalent issue, there have been several economic studies conducted to analyze the cost impact associated with these sprinkler systems.

In 2013, NFPA completed [a comprehensive national study](#) which found the national average to design and install a residential fire sprinkler system to be \$1.35 per square foot. That report also compared the national data to data from states (California and Maryland) which have statewide requirements for all new construction, which dropped the average cost to \$1.16 per square foot. The cost of sprinkler systems can vary widely depending on several variables (house size, house design, climate, type of pipe, water supply, labor costs, etc.). What was apparent however, was that widespread adoption helps to lower costs.<sup>9</sup>

In addition to the cost studies, NFPA conducted a 2016 market research study, “Home Fire Sprinklers- - Stakeholder Perceptions in Mandatory Requirement States.” Various stakeholder groups (water purveyors, local government officials, and homeowners) in both California and Maryland were surveyed and interviewed to gauge how the statewide requirements were

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<sup>7</sup> Florida State Statute 633.208(8)(a)

<sup>8</sup> Ibid

<sup>9</sup> *Home Fire Sprinkler Cost Assessment*, Newport Partners, 2013



affecting stakeholders. The report highlights an overwhelmingly positive experience and perceived value from these groups. To summarize the key findings, homeowners noted that the sprinklers provided them with a sense of safety, added value to their home, and lowered their homeowners insurance rates. Local government officials believed that home fire sprinklers help reduce death and injury to both residents and firefighters and help in reducing the costs due to fire damage. Lastly, water purveyors indicated the impact on the water supply is a non-issue stating, “Our system can handle 2,000 gallons/min. Residential fire sprinklers are a drop in the bucket.” That report can be read in its entirety [here](#).<sup>10</sup>

Based on the estimates used in his report, the average cost per square foot of sprinklered space is estimated to be \$2.78 per square foot, as shown in Table 2. While at first this may seem significantly higher compared to the national average of \$1.35 per square foot, there are several variables that factor into the higher estimated cost. The lack of a residential sprinkler requirement results in a low number of residential projects, which impacts the cost in several ways. First, it drives up the design costs as each home in this report needed an individual design. With more expertise and repetition of designs, the design cost decreases. Second, the labor costs for any different or innovative type of work are almost always higher. This is true even if the contractor has commercial experience as residential systems are designed and installed differently. Newport contacted over 40 fire sprinkler installers that included “residential installations” in their promotional material to secure bids used in this report, however the vast majority indicated they had little to no experience installing residential systems. If volume were to increase by instituting a sprinkler requirement, more contractors would gain experience designing and installing them, and competition for the jobs would drive prices down. Materials may then be purchased in bulk, and builders and developers would likely work directly with sprinkler contractors to reduce costs.

For Coral Springs, an additional factor and arguably the biggest factor in the high price estimates is due to the COVID-19 pandemic ongoing during the time of the study. During the pandemic, it has been widely documented that building material prices across the board have risen and labor has been in short supply. Businesses in the construction industry have now been forced to charge higher prices. As these prices normalize again, and with the adoption of

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<sup>10</sup> *Stakeholder Perceptions of Home Fire Sprinklers*, Newport Partners, 2016

a sprinkler requirement, the cost of designing and installing a residential fire sprinkler system will likely move closer to the national average of \$1.35 per square foot.

*Table 3. Cost per Square Foot*

Location	Cost per square foot of sprinklered space
Tamarac	\$2.40
Coral Springs	\$3.16
Broward County (Average)	\$2.78

## Methodology

This report uses data collected from two previous economic studies, Coral Springs and Tamarac, to estimate the costs and benefits of residential sprinkler systems for Broward County. The benefit of using these two jurisdictions is the difference in demographics and housing characteristics. Coral Springs population has larger households, higher income, and higher property values than Tamarac. One-and-two family homes (both detached and attached) also represent a larger share of the housing stock. Taken together the costs and benefits are a better estimate for the costs and benefits in Broward County than either individual study. The reports and their entirety can be read here for Coral Springs and [here](#) for Tamarac.

*Table 4. Household Size Trends shown in Median Persons per Housing Unit*

Location	1990	2000	2010	2015
National	2.29	2.59	2.59	2.64
Florida	2.15	2.46	2.53	2.63
Broward	2.05	2.45	2.57	2.73
Coral Springs	2.85	2.96	2.95	3.12
Tamarac	1.85	2.00	2.13	2.31

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

*Table 5. Percent of One-and-Two Family Housing both Detached and Attached*

Location	1-Unit detached %	1-unit attached %
Broward	41.3	8.3
Coral Springs	49.4	6.9
Tamarac	38.5	15.3

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates



Table 6. Location Characteristics from US Census Bureau

	<b>Tamarac</b>	<b>Coral Springs</b>	<b>Broward County</b>
<b>Property Value (Structure+Contents)</b>	\$340,000	\$449,909	\$265,000
<b>Population</b>	66,721	133,759	1,952,778
<b>Median Income</b>	\$48,930	\$77,360	\$59,547

Several items contribute to the total cost of a residential fire sprinkler system. Much of the system's cost comes from the design and installation for the system, but other costs must also be included. Table 7 outlines different costs that are applicable to Broward County and describes sources of information for these costs. It is important to note that while Broward County does not impose any permit or meter upsizing fees, these may vary among jurisdictions.

Table 7. Residential Fire Sprinkler System Cost Categories

<b>Cost Category</b>	<b>Information Source</b>
System design, installation, and materials	Cost estimates for design, installation, and materials from fire sprinkler contractor.
Sprinkler system permit fees	Discussions with city officials and sprinkler contractors
Added hard cost for increased water meter size from 5/8 in. to 1 in. in diameter.	Discussions with city officials and published residential meter cost schedule.

The size of homes in terms of square footage, the number of stories, the foundation types, as well as the system type and material choices can all contribute to the overall cost of fire sprinklers. Actual building plans that had been submitted to Tamarac and Coral Springs that represent a typical home in that area were obtained to generate cost estimates. Four of the six homes were two-story structures, while two homes were single-story structures. The homes ranged from 1,612 square feet to 2,675 square feet in size.

Newport contacted sprinkler contractors in both areas to verify they had experience with installing residential fire sprinkler system and discuss the details of the study. Because residential fire sprinklers are not a requirement, it was important to ensure the contractors providing estimates had experience with residential systems to best estimate the cost of design and installation. Once the contractors were identified, Newport provided all three sets of

building plans as well as project specifications and instructions for providing cost estimates. Each contractor was to provide an estimate for the design and installation of a NFPA 13D compliant fire sprinkler system, that was a standalone system using CPVC piping material, the most common system type and piping material found in residential systems. Contractors were asked to exclude any fees or additional costs, but were asked to identify what they were if they did exist.

## Building Plans

Table 8 outlines the relevant characteristics for the homes with fire sprinkler specifications used in this report. All systems were to be designed to NFPA 13D standards, be a standalone sprinkler system type (as opposed to multi-purpose), use CPVC piping, and built on concrete slab on grade foundations.

*Table 8. Sample Home Characteristics for Broward County*

	Coral Springs			Tamarac		
<b>Square Footage</b>	1,721	1,915	2,076	1631 SF	1612 SF	2675 SF
<b>Number of Stories</b>	Two	One	Two	Two	One	Two

## Estimated Costs

All estimates received from the fire sprinkler contractors were reviewed to ensure they included the correct system specifications and did not include any additional fees. In the case where detailed information was lacking, follow up contact was made with the fire sprinkler contractors to confirm the estimates were based on the correct details and specifications of the project. In some cases, minor adjustments were made to the original estimates. Contractors were asked to not include permit fees or any other additional fees beyond the design and installation of the fire sprinkler system as those were obtained from conversations with city officials in both Coral Springs and Tamarac and added to the estimates later.

To arrive at the average cost to design and install a residential fire sprinkler system in Broward County, permit fees and meter upsizing costs were added to the contractor estimates for each home. For Coral Springs these additional costs added \$255 (\$200 permit fees and \$55 meter upsizing) to the contractor estimates, and \$174 (\$110 permit fees and \$64 meter upsizing) was



added to the contractor estimates in Tamarac. It is important to note that permit fees will vary amongst jurisdictions and meter upsizing is not always required. The Florida State Statute explains that local jurisdictions or utilities may not charge an additional fee for a separate water connection if the “capacity required is hydraulically available at the property line”, or should a larger meter be required, can only charge “the difference in actual cost between the base meter and larger water meter.”<sup>11</sup> The person(s) responsible for flow testing should determine whether a larger water meter shall be required.

The average cost of each home in both studies was then added together and divided by the six estimates received. Based on this, the average system design and installation cost was calculated to be \$5,290.61 in Broward County. Table 9 below shows the total cost estimates (design and install plus additional fees) used to derive the average cost for Broward County.

*Table 9. Individual Sprinkler Contractor Estimates by Home*

<b>Coral Springs Estimates</b>				
	Home A	Home B	Home C	Average
<b>Home Size (ft<sup>2</sup>)</b>	1,721	1,915	2,076	1,904
<b>Estimate (\$)</b>	\$4,205.00	\$4,505.00	\$4,905.00	
<b>Estimate (\$)</b>	\$5,055.00	\$5,055.00	\$5,455.00	
<b>Estimate (\$)</b>	\$7,755.00	\$8,805.00	\$8,255.00	
<b>Average (\$)</b>	\$5,671.67	\$6,121.67	\$6,205.00	\$5,999.45
<b>Average \$/ft<sup>2</sup></b>	\$3.30	\$3.20	\$2.99	\$3.16
<b>Tamarac Estimates</b>				
<b>Home Size (ft<sup>2</sup>)</b>	1,631	1,612	2,675	1,973
<b>Estimate (\$)</b>	\$6,674.00	\$5,374.00	\$6,574.00	
<b>Estimate (\$)</b>	\$3,274.00	\$3,374.00	\$5,074.00	
<b>Estimate (\$)</b>	\$3,344.00	\$3,499.00	\$4,049.00	
<b>Average (\$)</b>	\$4,430.67	\$4,082.33	\$5,232.33	\$4,581.78
<b>Average \$/ft<sup>2</sup></b>	\$2.72	\$2.53	\$1.96	\$2.40
<b>Broward County Estimates</b>				
<b>Average Cost (\$)</b>	\$5,290.61			
<b>Average \$/ft<sup>2</sup></b>	\$2.78			

<sup>11</sup> Florida State Statute 633.208(8)(b)

## Estimated Benefits

Benefit calculations of a sprinkler system for homeowners in Broward County, Florida generally follow the methodology used in the 2007 report *Benefit-Cost Analysis of Residential Fire Sprinkler Systems* prepared by the National Institute of Standards and Technology<sup>12</sup> as well as the 2012 *Economic Cost Benefit Analysis of Residential Fire Sprinkler Systems in Cape Coral*.<sup>13</sup> More recent data were used from updated sources in order to more accurately assess the benefits of a fire sprinkler system.

The estimates assume that the value of the structure and contents of a new home will be \$449,090 in Coral Springs and \$340,000 in Tamarac. That assumption influences the calculations for property damage and insurance, but not the values for lives saved and injuries averted. All monetary values in the calculations are in terms of 2021 prices. A real interest rate of 4.8 percent is used to discount future benefits (and costs) over 30 years to present values.

The estimated benefit from Coral Springs and Tamarac were averaged together for an estimated benefit in Broward County of \$10,815.75, shown in Table 10. Table 11 shows the key assumptions and estimated future benefits of sprinklers in new homes in Coral Springs and Tamarac.

*Table 10: Summary of Estimated Benefits*

Jurisdiction	Estimated Benefits
Coral Springs	\$13,527.15
Tamarac	\$8,104.36
Broward County	\$10,815.75

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<sup>12</sup> David T. Butry, M. Hayden Brown, and Sieglinde K. Fuller, *Benefit-Cost Analysis of Residential Fire Sprinkler Systems* (U.S. Department of Commerce, National Institute of Standards and Technology, NISTIR7451, September 2007)

<sup>13</sup> Newport Partners LLC, *Economic Cost Benefit Analysis of Residential Fire Sprinkler Systems Cape Coral, FL*, July 2012



Table 11. Estimated Present Value of Benefits as Calculated for Tamarac and Coral Springs

	Tamarac	Coral Springs
	Estimate 2019	Estimate 2021
<b>Inputs:</b>		
Annual Fire Probability	0.0031	0.003067485
Pr: Death/Fire (No Sprinklers)	0.0075	0.0075
Pr: Injury/Fire (No Sprinklers)	0.0340	0.034
Property Value (Structure+Contents)	\$ 340,000.00	\$449,909
Fire Loss-to value (No Sprinklers)	0.155	0.155
Uninsured Share of Direct Loss	0.20	0.2000
Indirect/Direct Loss	0.10	0.1000
Uninsured Share of Indirect Loss	0.40	0.4000
Reduction in Death (Sprinklers)	0.81	0.87
Reduction in Injury (Sprinklers)	0.31	0.27
Reduction in Fire Loss-to-value	0.63	0.63
Value of life (2019)	\$ 9,852,576.00	\$11,600,000
Rate in real increase in life, injury value	0.0088	0.880%
Value of Injury (2019)	\$ 463,071.07	\$ 545,200.00
Annual Insurance Prem (No Sprinklers)	\$ 3,004.00	\$6,143.00
Insur Discount for Sprinklers	9.00%	9.00%
Time horizon (years)	30	30
Real Discount Rate	4.80%	4.80%
<b>Intermediate Calculations:</b>		
Uniform PV of Constant T year benefit	15.7292203	\$ 15.73
Uniform PV with real growth g	17.46124368	\$ 17.46
Direct Prop Damage per Fire (No Sprinklers)	\$ 52,700.00	\$ 69,735.90
Uninsured direct loss/Fire (No Sprinklers)	\$ 10,540.00	\$ 13,947.18
Unins Indirect Costs/Fire (No Sprinklers)	\$ 2,108.00	\$ 2,789.44
Death/fire (Sprinklers)	0.001425	\$ 0.00
Injury/Fire (Sprinklers)	0.02346	\$ 0.02
Uninsured direct loss/Fire (Sprinklers)	\$ 3,899.80	\$ 5,160.46
Uninsured Indirect Costs/Fire (Sprinklers)	\$ 779.96	\$ 1,032.09
Value from Lower Deaths in 2019	\$ 183.60	\$ 232.18
Value from Lower Injury in 2019	\$ 14.97	\$ 15.35
Annual Value Lower Uninsured Direct	\$ 20.37	\$ 26.95
Annual Value Lower Uninsured Indirect	\$ 4.07	\$ 5.39
Annual Savings on Insurance	\$ 270.36	\$ 552.87
<b>Present Value of Benefits:</b>		
PV from Lower Deaths	\$ 3,205.93	\$ 4,054.12
PV from Lower Injury	\$ 261.42	\$ 268.07
PV from Lower Uninsured Direct Prop Loss	\$ 320.38	\$ 423.95
PV from Lower Uninsured Indirect	\$ 64.08	\$ 84.79
PV from Insurance Discount	\$ 4,252.55	\$ 8,696.21
	\$ 8,104.36	\$ 13,527.15

A large part of the estimated benefits of sprinklers consists of the value of lives saved. Although it is difficult to place a monetary value on a human life, people in fact implicitly do so regularly as they make choices about risks they face in choosing where to work or live, what products to buy, etc. Based on "revealed preferences" derived from those choices, particularly the wage premia demanded for riskier jobs, various studies have calculated the "value of a statistical life" (VSL), and such values have been widely employed in the evaluation of the costs and benefits of regulations and investments. VSL assumptions specified by the U.S. Department of Transportation in 2016 and used by a variety of government agencies are used as part of this analysis. Those VSL amounts were set at \$9.6 million for 2016, with annual real increases of 0.877 percent for succeeding years.<sup>14</sup>

Another significant component of the estimated benefits of sprinklers looks at the annual savings on insurance. Homes in Coral Springs are significantly more expensive than the average home in Tamarac. Annual insurance premiums within Coral Springs are estimated to be nearly double that in Tamarac leading to greater annual savings on insurance for a home with a fire sprinkler system.

## Findings

This study finds that, for Broward County, the average total cost to design and install a residential fire sprinkler to NFPA 13D standards is \$5,290.61 or \$2.78 per square foot of sprinklered space, based on six contractor bids and estimated fees.

Benefit calculations for this report follow the general methodology of the 2007 NIST report and use the 9 percent reduction in insurance rates referenced. Values were updated to reflect most recent local data. The Present Value of benefits for installing a fire sprinkler system in Broward County comes to \$10,815.75 with most of the benefits attributable to savings on insurance and the value of fewer fatalities.

The net benefit expected is \$6,796.14 as shown in Table 10.

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<sup>14</sup> Memorandum from Molly J. Morgan, Carlos Monje to Secretarial Officers Model Administrators, "Guidance on Treatment of the Economic Value of Statistical Life" August 8, 2016



Table 10. Net Positive Benefit

	<b>Tamarac</b>	<b>Coral Springs</b>	<b>Broward County (Average)</b>
<b>Average Cost</b>	\$4,581.78	\$5,999.44	\$5,290.61
<b>Infrastructure Reduction</b>	\$1,271.00	\$1,271.00	\$1,271
<b>Benefit</b>	\$8,104.36	\$13,527.15	\$10,815.75
<b>Net Positive Benefit</b>	\$4,793.58	\$8,798.71	\$6,796.14



**American Red Cross**  
Broward County Chapter

## Broward County Service Delivery

### Broward County

**YTD Months** (July 2021 – June 2022)



Responded to 174 events  
opening 212 cases.



Assisted over 700 individuals  
with \$144,140 in assistance.



**SOUND THE ALARM**  
*Save a Life*

290 smoke alarms installed  
in Broward thus far. 133  
Homes made safer.



The Pillowcase Project has  
reached 300 students .





August 17, 2022

Broward County Board of Rules and Appeals

To Whom It May Concern:

Please accept this letter from the Fire Chiefs Association of Broward County (FCABC) in support of the proposed amendment to require all newly constructed one- and two-family dwellings and townhomes, to have a residential fire sprinkler system installed in accordance with the National Fire Protection Association (NFPA) 13D standard.

The statistical data shows that In the United States during 2020, there were approximately 379,500 residential fires, causing over \$8.7 billion in property loss, resulted in 11,900 civilian injuries and 2,630 civilian fire deaths. In 2020, a home structure fire was reported every 89 seconds, a home fire death occurred every three hours and 24 minutes, and a home fire injury occurred every 46 minutes. Research indicates that when sprinklers are present, civilian fire deaths and injury rates per fire were 89 percent and 27 percent lower respectively. The rate of firefighter injuries per fire was 60 percent lower. The benefits from residential fire sprinklers exceed the cost of installing them; the primary benefit is that fire sprinklers save lives.

Thank you very much for the attention to this matter and please do not hesitate to contact me may you require additional information

Sincerely,

Julie Downey  
Fire Chief  
Davie Fire Rescue  
FCABC President

**President**

Julie Downey  
Davie Fire Rescue  
[jdowney@davie-fl.gov](mailto:jdowney@davie-fl.gov)

**Vice President**

Chad Brocato  
Pompano Beach Fire Rescue  
[Chad.Brocato@copbfl.com](mailto:Chad.Brocato@copbfl.com)

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[stephank@oaklandparkfl.gov](mailto:stephank@oaklandparkfl.gov)

**Treasurer**

Rodney Turpel  
N. Lauderdale Fire Rescue  
[rturpel@nlauderdale.org](mailto:rturpel@nlauderdale.org)

## Broward County FFRIS

(2016-2020)

### **Number of Structure Fires**

2020 – 1,185

2019 – 1,032

2018 – 1,227

2017 – 1,368

2016 – 1,285

### **Total Dollar Loss**

2020 – \$47,587,151.00

2019 – \$33,373,020.00

2018 – \$33,373,020.00

2017 – \$29,723,147.00

2016 – \$33,810,377.00

### **Civilian Injuries**

2020 – 27

2019 – 69

2018 – 69

2017 – 86

2016 – 53

### **Firefighter Injuries**

2020 - 357

2019 - 128

2018 - 128

2017 - 105

2016 - 131



# Section 6



## Broward County Board of Rules and Appeals

1 N. University Drive Suite, 3500B, Plantation, FL 33324

Phone: 954-765-4500 | Fax: 954-765-4504

[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

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**TO:** Members of the Board of Rules and Appeals

**FROM:** Chief Code Compliance Officers, Plumbing and Energy

**DATE:** November 10, 2022

**RE:** Proposed Formal Interpretation pertaining to the maximum distance from the source of hot water to the fixture in commercial buildings per Section 607.2 of the FBC Plumbing Code and C404.5 of the FBC Energy Conservation Code.

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### Recommendation

That BORA adopt by vote, the proposed Formal Interpretation pertaining to the maximum distance from the source of hot water to the fixture in commercial buildings per C404.5 of the FBC Energy Conservation Code.

### Reasons

Where there is a conflict between a general requirement and a specific requirement the specific requirement shall be applicable per FBC 102.1 General. The staff recommends that the more specific and restrictive of the two codes be applied.

### Additional Information

- FBC Plumbing Section 607.2 ..... Page 2
- FBC Energy Conservation Section C404.5
- Table C404.5.1
- Chapter 1 Section 102.1 ..... Page 3
- IECC Energy Code Commentary C404.5.1

Respectfully Submitted,

A blue ink signature of Jose Cruz-Vellon.

Jose Cruz-Vellon  
Chief Plumbing Code Compliance Officer

A blue ink signature of Timothy de Carion.

Timothy de Carion  
Chief Energy Code Compliance Officer



## FBC Plumbing

**607.2 Hot or tempered water supply to fixtures.** The *developed length* of *hot or tempered water* piping, from the source of hot water to the fixtures that require *hot or tempered water*, **shall not exceed 50 feet** (15 240 mm). Recirculating system piping and heat-traced piping shall be considered to be sources of *hot or tempered water*.

## FBC Energy Conservation

**C404.5 Efficient heated water supply piping.** Heated water supply piping shall be in accordance with Section C404.5.1 or C404.5.2.

### Method 1

**C404.5.1 Maximum allowable pipe length method.** The maximum allowable piping length from the nearest source of heated water to the termination of the fixture supply pipe shall be in accordance with the following. Where the piping contains more than one size of pipe, the largest size of pipe within the piping shall be used for determining **the maximum allowable length of the piping in Table C404.5.1.**

1. For a public lavatory faucet, use the "Public lavatory faucets" column in Table C404.5.1.
2. For all other plumbing fixtures and plumbing appliances, use the "Other fixtures and appliances" column in Table C404.5.1.

### Method 2

**C404.5.2 Maximum allowable pipe volume method.** The water volume in the piping shall be calculated in accordance with Section C404.5.2.1. Water heaters, circulating water systems and heat trace temperature maintenance systems shall be considered sources of heated water. The volume from the nearest source of heated water to the termination of the fixture supply pipe shall be as follows:

1. For a public lavatory faucet: **not more than 2 ounces** (0.06 L).
2. For other plumbing fixtures or plumbing appliances **not more than 0.5 gallon** (1.89 L).

**C404.5.2.1 Water volume determination.** The volume shall be the sum of the internal volumes of pipe, fittings, valves, meters and manifolds between the nearest source of heated water and the termination of the fixture supply pipe. **The volume in the piping shall be determined from the "Volume" column in Table C404.5.1.**

TABLE C404.5.1  
PIPING VOLUME AND MAXIMUM PIPING LENGTHS

NOMINAL PIPE SIZE (inches)	VOLUME (liquid ounces per foot length)	MAXIMUM PIPING LENGTH (feet)	
		Public lavatory faucets	Other fixtures and appliances
$\frac{1}{4}$	0.33	6	50
$\frac{5}{16}$	0.5	4	50
$\frac{3}{8}$	0.75	3	50
$\frac{1}{2}$	1.5	2	43
$\frac{5}{8}$	2	1	32
$\frac{3}{4}$	3	0.5	21
$\frac{7}{8}$	4	0.5	16
1	5	0.5	13
$\frac{11}{4}$	8	0.5	8
$\frac{11}{2}$	11	0.5	6
2 or larger	18	0.5	4

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 liquid ounce = 0.030 L, 1 gallon = 128 ounces.

## **Chapter 1 Administration Broward County**

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

### **International Energy Conservation Code Commentary**

#### **C404.5.1 Maximum allowable pipe length method.**

This section provides one of two methods called out in Section 404.5 to limit the volume of water in the portion of the hot water supply pipe from the source of the hot water to the outlet of faucet. Quite simply, this limits the volume by limiting the length of pipe based on the size of the pipe. The smaller pipe diameter, therefore, has less volume per foot and is allowed to have more length. Although not stated in this section, the source of hot water supply can be a water heater, a circulating water system, or a heat trace maintenance system as stated in Section C404.5.2. The maximum allowable lengths of pipe from the source to a public lavatory system are restrictive. In most designs, this will certainly require the use of a circulating water system or a heat trace system.





# BROWARD COUNTY BOARD OF RULES AND APPEALS

## FBC 7<sup>th</sup> EDITION (2020) FORMAL INTERPRETATION (#33)

1 N. University Drive, Suite 3500B  
Plantation, FL 33324

Phone: 954-765-4500  
Fax: 954-765-4504

[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

### 2022 Voting Board Members

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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

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VACANT,  
Roofing Contractor  
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S.T.S.2.  
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Fire Service  
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Electrical Engineer  
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Master Plumber  
Mr. David Tringo,  
Master Electrician  
Mr. Jeff Falkanger,  
Architect

#### **Board Attorney**

Charles M. Kramer, Esq.

#### **Board Administrative Director**

Dr. Ana Barbosa

**DATE:** November 10, 2022  
**TO:** All Building Officials  
**FROM:** Dr. Ana Barbosa, Administrative Director  
**SUBJECT:** Maximum distance of piping from the source of hot water to the fixture in commercial buildings.

At its meeting of \_\_\_\_\_, 2022, the Board approved an interpretation of Section P607.2 of the FBC Plumbing, 7<sup>th</sup> Edition (2022) and Section C404.5 of the FBC Energy Conservation, 7<sup>th</sup> Edition.

The intent of the FBC Energy Conservation, Section C404.5 is to limit the amount of hot water and energy wasted between the source of hot water and the fixture while the user waits or hot water to come out of the fixture. The FBC Plumbing, Section P607.2 limits the length of piping to 50 feet and Section C404.5 of the FBC Energy Conservation is more specific and restrictive to the length of piping or the amount of water wasted.

#### ***Formal Interpretation:***

Section C404.5 shall be applicable per Chapter 1, Section 102.1 because when there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply.

EFFECTIVE DATE: \_\_\_\_\_, 2022

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

Page 1 of 1 F.I. #33

# Section 7





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

1 N. University Drive Suite, 3500B, Plantation, FL 33324

Phone: 954-765-4500 | Fax: 954-765-4504

[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

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**TO:** Members of the Board of Rules and Appeals

**FROM:** Chief Structural Code Compliance Officer

**DATE:** November 10, 2022

**RE:** Proposed revisions to the Rooftop Mounted Equipment Affidavit, Board Policy 22-03, recommended by the Roofing Committee

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### **Recommendation**

On October 27, 2022, the roofing committee approved additional language for inclusion in the rooftop mounted equipment affidavit.

### **Reasons**

This revision clarifies that the reinstall of rooftop mounted equipment must comply with the building code in effect at the time of reinstallation.

### **Additional Information**

Policy 22-03 was previously approved by the Board on October 13, 2022.

Respectfully Submitted,

*Jack Morell*

Jack Morell

## MANDATORY COUNTYWIDE ROOFTOP MOUNTED EQUIPMENT AFFIDAVIT

ALL EQUIPMENT THAT IS ROOFTOP MOUNTED IS REQUIRED TO BE IDENTIFIED BY THIS AFFIDAVIT AND SUBMITTED WITH THE HIGH VELOCITY HURRICANE ZONE UNIFORM ROOFING PERMIT APPLICATION

Permit Number: \_\_\_\_\_

Site Address: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name of Qualifier: \_\_\_\_\_

License Number: \_\_\_\_\_ Contact No: \_\_\_\_\_

**PLEASE CHECK ALL APPLICABLE EXISTING ROOFTOP EQUIPMENT:**

☐ A/C EQUIPMENT
     
 ☐ PHOTOVOLTAIC PANELS
     
 ☐ SOLAR THERMAL
     
 ☐ GAS VENTS

☐ WATERLINES
     
 ☐ ELECTRICAL CONDUITS

**PERMITS ARE REQUIRED FOR:**

- REMOVAL AND REINSTALLATION OF PHOTOVOLTAIC PANELS.
- REMOVAL AND REINSTALLATION OF SOLAR THERMAL.
- REMOVAL AND REINSTALLATION OF GAS VENTS.

**IF A/C EQUIPMENT IS CHECKED ABOVE:**

- IS THERE AN EXISTING CODE APPROVED CURB OR STAND? ☐ YES ☐ NO

IF YOU ANSWERED NO, A MECHANICAL PERMIT IS REQUIRED FOR THE INSTALLATION OF THE PROPOSED CURB OR STAND.

ANY ROOFTOP EQUIPMENT REMOVED DURING REROOFING, SHALL BE REINSTALLED IN COMPLIANCE WITH THE CODE IN EFFECT AT THE TIME A REROOFING PERMIT IS ISSUED.

**NOTE:** All above permits may be considered as deferred submittals.

\_\_\_\_\_  
CONTRACTOR/OWNER BUILDER SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT CONTRACTOR/OWNER BUILDER NAME



# Section 8



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

1 N. University Drive Suite, 3500B, Plantation, FL 33324

Phone: 954-765-4500 | Fax: 954-765-4504

[broward.org/CodeAppeals](http://broward.org/CodeAppeals)

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**TO:** Members of the Board of Rules and Appeals

**FROM:** Dr. Ana C. Barbosa, Administrative Director

**DATE:** November 10, 2022

**RE:** Request to postpone the implementation of Amendments to Section 104.1.1 "Appointment of a Building Official," also, Section 104.3 "Appointment of Chief Electrical, Mechanical, Plumbing, and Structural Inspector," of Chapter 1, 2020 Florida Building Code, 7<sup>th</sup> Edition

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### **Recommendation**

It is recommended that the Board approve the postponement of Amendments to Section 104.1.1 Appointment of a Building Official, Chapter 1, 2020 Florida Building Code, 7<sup>th</sup> Edition requiring physical presence during regular business hours at least one (1) day per week for municipalities greater than 1,000 persons but less than 10,000 persons and two (2) days per week during regular business hours for municipalities of 10,000 persons or greater, and Section 104.3 Appointment of Chief Electrical, Mechanical, Plumbing and Structural Inspector, Chapter 1, 2020 Florida Building Code, 7<sup>th</sup> Edition requiring physical presence during regular business hours at least one (1) day per week for municipalities greater than 1,000 persons but less than 10,000 persons and two (2) days per week during regular business hours for municipalities of 10,000 persons or greater until an ad hoc committee could be convened to review the changes closely and possibly make recommendations to the board on these amendments set to take effect on April 1, 2023.

### **Reasons**

Although the Board adopted both Amendments, there was a missed opportunity to have input from various stakeholders. Creating an ad hoc committee would ensure that both Amendments are scrutinized with vigor and provide valuable insight and recommendations to the Board. Additionally, these Amendments could negatively impact some cities fiscally; we need to ascertain from Building Officials, Contractors, and City Officials to ensure that all needs and requirements are addressed.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to be "A. Barbosa", written over a horizontal line.

Dr. Ana C. Barbosa