

**CITY OF MARCO ISLAND FLORIDA**

**ORDINANCE # ~~08-11~~\_\_\_\_\_**

**AN ORDINANCE TO ADOPT AND AMEND CHANGES TO CHAPTER 22, ARTICLE II FIRE PREVENTION AND PROTECTION CODE OF THE MARCO ISLAND CITY CODE; COMPLYING WITH THE STATE OF FLORIDA FIRE PREVENTION CODE AND ADOPTED LIFE SAFETY CODE; ADOPTING LOCAL AMENDMENTS AS CONTAINED HEREIN; PROVIDING FOR INCORPORATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE;**

**WHEREAS**, Florida Statute 633.025, Subsection (1) establishes the Florida Fire Prevention Code and Life Safety Code, as adopted by the State Fire Marshal as the state minimum; and

**WHEREAS**, Florida Statute 633.0215, Subsection (2), requires that the State Fire Marshal shall adopt the current editions of National Fire Protection Association's Standard 1, Fire Prevention Code, and 101 Life Safety Code; and

**WHEREAS**, Florida Statute 633.025, Subsection (2), mandates that each municipality with fire safety responsibilities shall enforce the Florida Fire Prevention Code and Life Safety Code as the state minimum fire safety code, and

**WHEREAS**, as required by Florida Statute 633.0215, the State Fire Marshal has recently adopted a new edition of the Florida Fire Prevention Code; and

**WHEREAS**, Section 633.025, Florida Statute, Subsection (4) enables a municipality with fire safety responsibilities to adopt more stringent fire safety standards or alternative requirements where, as here, a determination has been made that there is a need to strengthen the requirements of the minimum Fire Safety Code adopted and enforced by the City of Marco Island, and

**WHEREAS**, the City hereby determines upon its review of local conditions, which review demonstrates that local conditions justify more stringent requirements than those specified in the minimum fire and life safety code for the protection of life and property or justify requirements that meet special situations arising from historic, geographic, or unusual conditions that local amendments to the statewide minimum code are needed and will serve a public purpose; and

**WHEREAS**, by operation of certain statutory provisions the previously existing local amendments to then existing Fire and Life Safety Code provisions then in effect have been replaced by the statewide minimum code making appropriate the repeal of no longer effective local ordinances comprising of Article II of Chapter 22 of the City of Marco Island Code of Laws and Ordinances; and

**WHEREAS**, in accordance with Subsection 633.025 (4) (a) a properly advertised public hearing was held and all interested persons were afforded the opportunity to provide any comments; and

**WHEREAS**, it is necessary to update the City of Marco Island Fire Prevention and Protection Code to reflect the foregoing matters; and

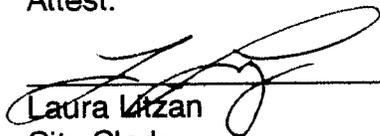
**WHEREAS**, the amendments to the statewide minimum code set forth below are essential to maintain an established and effective level of fire prevention and protection.

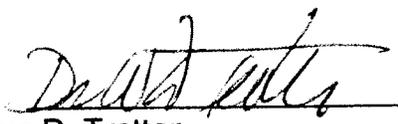
**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF MARCO ISLAND, FLORIDA** that:

The text of the following sections of Chapter 22 of Article II of the Code of Laws and Ordinances of the City of Marco Island, Florida, are replaced with the text which follows:

Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 15<sup>th</sup> day of September 2008.

Attest:

  
Laura Litzan  
City Clerk

  
William D. Trotter  
Chairman

Approved as to Form and  
Legal Sufficiency:

  
~~Richard Yovanovitch~~ alun L. Gabriel  
City Attorney

## **Chapter 22 FIRE PREVENTION AND PROTECTION\***

**Cross references:** Buildings and building regulations, ch. 6; civil emergencies, ch. 10; fire protection in the Point Marco planned unit development ordinance, § 30-58.

**State law references:** Fire prevention and control, F.S. ch. 633; minimum fire safety standards, F.S. § 633.025; local fire chief authorized to enforce laws and rules of state fire marshal, F.S. § 633.121; manufacture, distribution and use of explosives, F.S. ch. 552; sale of fireworks, F.S. ch. 791.

Article I. In General

Sections. 22-1--22-30. Reserved.

Article II. Fire Prevention and Protection Code Amend and Add as follows.

Sec. 22-31. NFPA codes and standards adopted.

Sec. 22-32. Amendments to NFPA 1, Fire Prevention Code.

Sec. 22-33. Amendments to NFPA 101, Life Safety Code.

Sec. 22-34. Permit fee schedule

- Sec. 22-35. Fees for re-inspection of existing occupancies.
- Sec. 22-36. Fees for response to malfunctioning fire alarm, detection and suppression systems.
- Sec. 22-37. Recovery of costs associated with hazardous material, suspicious or incendiary fires, investigations, violations of law, and weapons of mass destruction incidents.
- Sec. 22-38. Fire Sprinkler Protection of New Construction.

**ARTICLE I. IN GENERAL**

Secs. 22-1--22-30. Reserved.

**ARTICLE II. FIRE PREVENTION AND PROTECTION CODE\***

**\*Charter references:** Codes of technical regulations, § 3.15.

**Sec. 22-31. NFPA codes and standards adopted.**

The standards and Code sections of the “National Fire Codes” as published by the National Fire Protection Association (NFPA), as adopted by the rules of the Division of the State Fire Marshal Section 69A-3.012, 69A-60.005 Florida Statute or reference by the 2006 Edition of NFPA 1 or NFPA 101 and those listed below by standard number and edition and as amended herein, are hereby adopted by reference and made a part of the City of Marco Island Fire Prevention and Protection Code, intended to protect the health, safety, common interest, and convenience of the citizens, visitors and residents of the City of Marco Island Florida.

**Sec. 22-32. Amendments to NFPA 1, Fire Prevention Code.**

The National Fire Codes, NFPA 1, Fire Prevention Code, 2006 edition, is hereby amended by local amendment as follows:

(A) Chapter 1 Administration and Enforcement

(1) Board of Appeals

(i) Add to 1.10.1.1 to Read as Follows:

The City Council may serve as the Board of Appeals in all matters concerning this code and enforcement.

(2) Notice of Violations, Penalties

(i) Amend 1.16.4\_as Follows:

1.16.4 Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant of this code or violates any condition attached to a permit, approval, or certificate shall be subject to the penalties established by this jurisdiction. Nothing herein contained is intended to prevent the City of Marco Island from taking such other lawful action in any court of competent jurisdiction, as the City deems necessary to prevent or remedy any violation. Such other lawful action shall include, but shall not be limited to, any equitable action for injunction relief or action or law for damages. The City of Marco Island shall have the power to enforce the provisions of this Code and Ordinances by means of the City of Marco Island Code Enforcement Board.

(B) Chapter 1 Administration and Enforcement

(i) Section 1.2\_js amended to read as follows:

1.2 The purpose of this Code is to prescribe minimum requirements necessary to establish a reasonable level of fire and life safety and property protection from the hazards created by fire and explosion and dangerous conditions, as well as potential biological, chemical and/or radioactive events.

- (ii) Section 1.7 Authority; subsection 1.7.15 Standby Fire Personnel; Amend subsection 1.7.15.1 to read as follows: The AHJ shall have the authority to require standby Fire and EMS personnel or an approved fire watch for a permitted event, or when potentially hazardous conditions or a reduction in a life safety feature exist due to the type of performance, display, exhibit, occupancy, contest or activity, an impairment to a fire protection feature, or the number of persons present.

(1) Referenced Standards

Subsection 1.3.2 is amended to read as follows:

1.3.2.1 Details regarding processes, methods, specifications, equipment testing and maintenance, design standards, performance, installation, or other pertinent criteria contained in those codes and standards listed in Chapter 2 of this Code shall be considered a part of this Code; as well as those adopted pursuant to Chapter 22 of the City Code of Ordinances and those adopted pursuant to the City of Marco Island Fire Prevention and Protection Code Section 22-31 shall be considered a part of this code.

(2) Conditions for Occupancy

- (i) Amend Subsection 4.5.4 to Add Condition #4

- (4) All tenants and occupants shall obtain a "Notice of Fire Compliance" certificate from the Fire Rescue Department prior to occupancy and use of a new or existing building as evidence of compliance with the City Fire Prevention and Protection Code. Such original certificate shall be displayed in a prominent location within the structure, building, or portion thereof. A copy of the Compliance Certificate shall be forwarded to the Collier County Occupational License Department for processing.

Exception: Occupants of one and two family dwellings and residential tenants in multi-family buildings are exempt from the requirement of obtaining a "Notice of Fire Compliance."

(3) 1.12 Permits and Approvals

- (i) Add to table 1.12.20a Fireworks permits shall be issued for commercial type displays, located on or in commercial, state owned, county or city owned property or on open water adjacent to same with viewing and safeguard distance as set forth by the currently adopted edition of NFPA 1123 and 1126.

a. Fireworks shall not be permitted on residential type properties or waterways adjacent to residential type properties within City limits.

- (ii) Add Subsection to table 1.12.20a In kindling or maintaining any open fire or a fire in any public street, alley, road, or other public or private ground, instructions and stipulations of the permit shall be adhered to. Cooking fires and small recreational fires not intended for vegetation or rubbish disposal, when conducted safely and on the property of the subject, are exempt and do not require a permit. Approval (verbal or in writing) must be received from the fire prevention bureau on all properties. Approval will be for location, size, time and duration.

Exception: Training exercises conducted by the City Fire Department.

(4) 1.16 Notice of Violations and Penalties.

Add Sub-Section 1.16.1.1 as follows:

Violations of this code are to be administered according to city's administrative construction code, section 6-111 of the city Code of Ordinances. Pursuant to F.S. § 162.22, a person found to be in violation of this code may be charged a fine, and all actual City costs incurred, and may be sentenced to a definite term of imprisonment, not to exceed 60 days. Violations of this code may also be prosecuted before the code enforcement board, as established by the city, pursuant to chapter 14, article II of the city Code of Ordinances, or its successor. Nothing herein contained is intended to prevent the City from taking such other lawful action in any court of competent jurisdiction as the department deems necessary to prevent or remedy any violation.

Such other lawful action shall include, but shall not be limited to, any equitable action for injunctive relief or action at law for damages. The Fire-Rescue department shall also retain the power to enforce the provisions of this code and ordinances by means of the state fire marshal's office.

(5) Plan Review

(i) Amend Subsection 1.14.2 to add as follows:

1.14.2 The applicant shall be responsible to ensure that the following conditions are met:

(4) Where required by the Fire Department, pre-fire plans shall provided prior to a Building "Notice of Fire Compliance" being issued.

(C) CHAPTER 3 DEFINITIONS

(1) Definitions

(i) Add the following definitions to read as follows:

3.3.255 Fire Marshal – The Fire Chief or his/her designee within the Fire Rescue Department.

3.3.256 Fire Official- The individual appointed by the Fire Rescue Department and employed by the City who is responsible for the fire plan review.

3.3.257 Owner – Any person or entity having a legal or equitable interest in the property.

3.3.258 Interlocal Agreement – An agreement entered into between the board of County Commissioners and the City of Marco Island.

ii) Amend 3.3.107 to read as follows;

3.3.107 Fire lane means any driveway, road, or unobstructed area, which is marked with approved signs, notices or markings, which may be used by the fire department for the movement of fire vehicles or firefighting operations.

(D) CHAPTER 10 GENERAL FIRE SAFETY

(1) Subsection 10.11 OPEN FIRES, INCINERATORS, AND COMMERCIAL FIREPLACES.

i) Amend Subsection 10.11.1 to read as follows:

10.11.1.1 Permits. The burning or igniting of refuse, rubbish or vegetation as a manner of disposal, land clearing or other intent, is prohibited within the City of Marco Island.

ii) Add Subsection 10.19.8 to read as follows:

Fuel containers shall not be stored within or under multifamily or commercial structures unless otherwise permitted within the parameters of NFPA 30.

(2) FIRE DEPARTMENT ACCESS ROADS

i) Amend subsection 18.2.3.4.1.2 to read as follows:

Fire department access roads shall have an unobstructed vertical clearance of not less than 14 ft.

ii) Amend subsection 18.2.3.4.3.1 to read as follows:

Turning radii for fire lanes not exceeding a 90-degree turn where serving buildings shall be 25 ft inside and 49 ft outside and turning radii for fire lanes serving parking lots only shall be 25 ft inside and 45 ft outside. Where turns exceed 90 degrees the standards for turnarounds shall apply.

iii) Amend subsection 18.2.3.4.4 to read as follows:

The turnaround shall have a minimum centerline radius of 40 feet (12.7m). The grade surface and location of the fire lane shall be approved by the authority having jurisdiction. At least one elevation of each building shall be accessible to the fire department.

Amend Subsection 18.2.3.4.7 to read as follows:

18.2.3.4.7 Fire lanes, private and public roads shall be maintained free of all obstructions at all times inclusive of speed humps/bumps, which could delay response to scene or hospital, damage equipment or injure patient.

iv) Add Subsection 18.2.2.2.1 to read as follows:

#### 18.2.2 ACCESS TO STRUCTURES OR AREAS

Amend to add: 18.2.2.2.1 This section is intended to apply to all gate installations EXCEPT those serving individual single-family residences.

v) Add Subsection 18.2.2.2.1 to read as follows:

18.2.2.2.1 Any gate that obstructs Fire Department access shall be installed with electronic controlled access. All electronic access control gates to structures and properties that may require emergency services that restrict the free ingress and egress of emergency vehicles and are not constantly attended 24 hours per day shall be provided with an electronic transmitter/receiver system capable of being programmed with a unique activation code and frequency approved by the authority having jurisdiction. Such code or frequency shall not be used by or provided to other gate users. Existing installations shall comply within 180 days subsequent to the notification date by the authority having jurisdiction.

vi) Add Subsection 18.2.2.2.2 to read as follows:

18.2.2.2.2 All electronic access control gates under section 18.2.2.2.1 shall be compatible with the uniform countywide transmitters. Said transmitters are carried only within emergency vehicles.

vii) Add Subsection 18.2.2.2.3 to read as follows:

18.2.2.2.3 All electronic access control gates shall have a battery backup with a fail safe override.

Exception No.1 Any other override system acceptable to the Authority having jurisdiction.

Exception No.2 Gates serving individual single-family residences.

Note: Gates serving single family residences are highly recommended to install access control systems for emergency use by the Fire, Police and EMS Departments.

viii) Add Subsection 18.2.2.2.4 to read as follows:

18.2.2.2.4 All temporary non-electronic access control gates to construction sites, structures and properties that may require emergency services that restrict the free ingress and egress of emergency vehicles shall be provided with a key box per section 18.2.2.1

Exception No. 1 – Gates serving individual single-family residences.

ix) Add Subsection 18.2.2.2.5 to read as follows:

18.2.2.2.5 All electronic gates are required to receive a building permit with fire review prior to installation.

x) Amend Subsection 18.3.3.1 to add as follows:

18.3.3.1 No new wet or dry retention or detention areas shall be located between the fire hydrant or fire protection appliance and the fire access area unless prior approval is received from the fire official.

(3) SPECIAL OUTDOOR EVENTS, CARNIVALS AND FAIRS

i) Amend Subsection 10.15.3 to read as follows:

10.15.3 Life Safety Evaluation

10.15.3 Life Safety Evaluations are required and shall be in accordance with 12.4.1 of NFPA 101 Life Safety Code. The evaluation shall be submitted to the AHJ a minimum of two weeks prior to the starting date of the event.

ii) Amend Subsection 10.15.4 To read as follows:

10.15.4 The authority having jurisdiction is hereby authorized to assess and collect compensation for services rendered to public assemblages and events covered by the provisions of section 1.7.15, as it may deem necessary.

(E) CHAPTER 7 13 FIRE PROTECTION SYSTEMS

i) Add Subsection 13.2.2.2.1 to read as follows;

13.2.2.2.1 Buildings classified as R-2, four stories in height are required to have manual wet standpipes in accordance with NFPA 14.

ii) Add Subsection 13.2.2.2.2 to read as follows:

13.2.2.2.2 Any building five stories or more in height and not otherwise classified as a high rise building as defined by the Florida Building Code 2001 Edition or its successor, shall have an automatic wet standpipe system in accordance with NFPA 14 capable of supplying the required gallons per minute with a residual pressure of 65 psi at the uppermost hose connection.

iii) Add subsection 13.2.2.2.3 to read as follows:

13.2.2.2.3 Any high-rise building as defined by the Florida Building Code 2001 Edition or its successor shall have an automatic wet standpipe system in accordance with NFPA 14 capable of supplying the required gallons per minute with a residual pressure of 100 psi at the uppermost hose connection.

iv) Add Subsection 13.2.2.4.2 to read as follows:

13.2.2.4.2 Fire department valves on standpipe systems shall not be pressure-reducing valves. Pressure restricting devices shall be installed on any valve with pressure in excess of 175 psi. Pressure restricting devices shall be so as to be readily removable, leaving hose threads acceptable to the authority having jurisdiction.

v) Add subsection 13.3.1.6.1 to read as follows:

13.3.1.6.1 All fire department connections, other than those serving a high rise building, shall be located within 50 ft (15.25m) of a fire hydrant and within 50 ft (15.25m) of a fire department vehicle access road.

Exception 1: Fire department connections supplying fire sprinkler systems in accordance with NFPA 13R that are not a part of a standpipe system.

Exception 2: Actual locations of fire department connections shall be as approved by the authority having jurisdiction.

vi) Add subsection 13.3.1.6.2 to read as follows:

13.3.1.6.2 New high-rise buildings shall be equipped with two fire department connections. One connection shall be located at the building and one shall be located within 15 ft (4.6m) of a fire hydrant. Either fire department connection shall be capable of operating independently of the other. The second fire department connection required at the building shall not be required to be located within 50 ft (15.25m) of a fire hydrant.

vii) Amend Subsection 13.3.1.1 to read as follows:

13.3.1.1 Automatic sprinklers shall be installed and maintained in full operating condition, as specified for the occupancy involved in the codes or standards listed in Chapter 3 2. Installations shall be in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems; NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height; or NFPA 13D, Standard for the Installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes, as appropriate.

All fire sprinkler systems shall be designed with hydraulic calculation method. System design will be based on a current flow test. For flow tests with a static pressure of 55 psi or more the test will be extrapolated to seasonal static of 50 psi. The formula is as follows:

$X \text{ Factor} = \text{Seasonal Static} / \text{Measured Static}$

$\text{Design Res. Pres.} = (\text{Residual Pres}) \times (X \text{ Factor})$

$\text{Design Pitot PSI} = (\text{Pitot Press}) \times (X \text{ Factor})$

For flow tests with a static of less than 505 psi the un-extrapolated flow test shall be used. However in this case a minimum safety factor of 5 psi above the demand point of the system shall be used. Fire flow data shall be attached to the hydraulic calculations as per section 13.5.1.1

viii) Add Subsection 13.3.1.2.1 to read as follows:

13.3.1.2.1 All Automatic fire-extinguishing systems, installed voluntarily, arbitrarily or otherwise shall provide an adequate means (stub-out) for future fire sprinkler protection on lanais, balconies and canopies in residential occupancies.

ix) Add Subsection 13.3.1.7.1.1 to read as follows:

13.3.1.7.1.1 Valve connections to water supplies, sectional control and isolation valves, and other valves in supply pipes to sprinklers and other fixed water-based fire suppression systems, other than 13D systems installed in one and two family dwellings, shall be supervised by Central Station, Proprietary or Remote Station Signaling Service complying with NFPA 72. Each alarm panel shall electrically monitor all fire sprinkler control valves of the fire sprinkler system it monitors. All control valves in 13D systems shall be chained and locked in the open position.

x) Add Subsection 18.3.1.1 to read as follows:

Water supply shall comply with appendix H.

Revise H.5.2.1 to read as follows:

A reduction in required fire flow of 75 percent shall be permitted when the building is protected throughout by an approved automatic sprinkler system. The resulting flow shall not be less than 1000 gpm (3785L/min.).

Revise H.5.2.2 to read as follows:

A reduction in the required fire flow of 75 percent shall be permitted when the building is protected throughout by an approved automatic sprinkler system, which utilizes quick response sprinklers throughout. The resulting fire flow shall not be less than 600 gpm (2270 L/min.).

xi) Add Subsection 18.3.1.1 to read as follows:

18.3.1.1 The required size of water mains installed for fire protection shall be determined by hydraulic calculation based upon a current fire flow test (not more than six months old).

These calculations shall extend from the location of the flow test to each fire hydrant on site and shall indicate that the minimum required fire flow determined by 18.3.1.1. **This section is to be used for design purposes only. Actual fire flow availability will be determined at the time of building permit application.**

xii) Add Subsection 18.3.3.1 to read as follows:

18.3.3.1 Where buildings are constructed, with the furthest point of the structure being one hundred fifty (150) feet or more from a public street, requires private mains and fire hydrants which shall meet the required fire flow with spacing to be determined by the fire official, not to exceed three hundred (300) foot maximum distance between hydrants. Hydrant spacing and required fire flow may be altered by the fire official if, by prior arrangement with the fire official, automatic fire suppression systems are installed in all buildings on the premises.

xiii) Add Subsection 18.3.3.2 to read as follows:

18.3.3.2 Maximum distance between fire hydrants shall be five hundred (500) feet driving distance in exclusive one and two family areas with buildings not exceeding 5000 sq ft, and three hundred (300) feet driving distance in all other areas.

xiv) Add Subsection 18.3.3.3 to read as follows:

18.3.3.3 Where buildings are proposed in an area not meeting the hydrant spacing requirements, the owner or developer shall provide the number of hydrants prescribed by the fire official, under the terms of this section.

xv) Add Subsection 18.3.1.2 to read as follows:

18.3.1.2 Prior to development of new structures or fire protection systems, a fire flow test in accordance with NFPA 291 shall be performed by the fire district having jurisdiction. Such tests shall be completed no longer than six months prior to the submittal for permit.

Calculations of the available fire flow at a minimum of 20 psi residual shall be provided with the hydraulic calculation package submitted for fire protection system permits. Fire flow test reports shall be submitted on the official letterhead of the fire department.

xvi) Add Subsection 13.5.1.1 to read as follows:

13.5.1.1 Proposed single structure site developments within 1000 ft (304.8m) of existing water mains shall extend such mains so that the main sizes and hydrant locations comply with the provisions of this code. Measurement of the distance shall be along existing or proposed roads, streets, driveways or fire lanes as applicable.

Where no piped water supply exists within 1000 ft (304.8m) distance criteria, the requirement of NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting 2001 Edition, shall apply. Proposed multi-structure site developments shall provide permanent fire protection water supply from a public or private utility system or construct a private engineered water system acceptable to the authority having jurisdiction and capable of delivering the required Needed Fire Flow specified in subsection 18.3.1.1.

xvii) Amend Section 13.5.3 to add the following: A single dedicated fire sprinkler backflow assembly may serve a maximum of two buildings.

xvii) Add subsection 13.7.1.4.10.1.1 to read as follows:

13.7.1.4.10.1.1 All fire sprinkler systems shall be monitored by a UL listed Remote or Central station monitoring agency.

Exception No. 1: One and two family dwellings protected by 13D systems.

xix) Add Subsection 13.7.1.4.10.1.2 to read as follows:

13.7.1.4.10.1.2 All fire sprinkler systems shall activate one or more monitored audio/visual device located on the exterior of the building. The number and location of the device(s) shall be approved by the authority having jurisdiction.

Exception: single family Dwellings.

## **Sec. 22-33 Amendments to the Life Safety Code**

NFPA 101 code for Safety to Life from Fire in buildings and structures, ~~2000~~ 2006 Edition, is amended as follows:

(A) CHAPTER 9: BUILDING SERVICE AND FIRE PROTECTION EQUIPMENT

(1) SECTION 9.6: FIRE DETECTION, ALARM, AND COMMUNICATIONS SYSTEMS

(I) GENERAL

i) Add Subsection 9.6.2.6.1 to read as follows:

9.6.2.6.1 The authority having jurisdiction may approve and shall have the authority to require listed manual fire alarm box covers or listed double action pull stations to be installed where manual fire alarm systems are susceptible to malicious false alarms.

## **Sec. 22-34 Permit Fee Schedule.**

All buildings, structures and projects being built new, or being altered, and/or added to requiring a permit shall be subject to a fee for each of the following categories applicable to the work being done. The fee rate schedule will be evaluated annually to make adjustments to keep the income generated in line with expenses. This will be done at the time the city's normal budget process is being considered. The city council may change, delete or add to the listed fees by resolution.

### **A. Fire Code Compliance Plan Review Fees**

1) Architectural plan review fees:

Less than or equal to \$120,000.	.57% of Job Value
Greater than \$120,000 and less than or equal to \$600,000	.054% of Job Value
Greater than \$600,000 and less than or equal to \$1,200,000	.079% of Job Value
Greater than \$1,200,000	.034% of Job Value
2) Fire Sprinkler Systems:	\$50 + \$.95 Per Head
3) Underground Fire Line (Rounded UP)	\$100 + \$.20 Per foot
4) Standpipes	\$50 + \$5.00 Per Riser
5) Fire Pumps	\$275 Each
6) Pre-engineered Fire suppression Systems (new) Suppression Agent	\$65 + \$20.00 Per Bottle of
7) Pre-engineered Systems (existing)	\$65.00 + \$2.00 Per Head Altered or Added
8) Kitchen Hood Ventilation Systems	\$85 Per system
9) Fire Alarm Systems (zoned systems)	\$90 + \$15.00 per zone
10) Fire Alarm Systems (intelligent system) Monitoring Only	\$90. + \$.65 \$100.00

11) Fuel Storage Systems	\$70.00 + \$50 Per Tank (Install, Removal or Abandonment)
12) LPG Installation	\$55 + \$10 Per Tank (Install, Removal or Abandonment)
13) Minimum Review Fee and Items Not Listed Above	\$30
14) All fees listed above include the initial and ONE re-review. Additional reviews will be provided in accordance with the following schedule:	
2 <sup>nd</sup> Re-Review	10% of Original Review \$30 Minimum
3 <sup>rd</sup> Re-Review	25% of Original Review \$50 Minimum
4 <sup>th</sup> Re-Review	50% of Original Review \$100 Minimum
5 <sup>th</sup> Re-Review	100% of Original Reviews \$200 Minimum

## B. Fire Code Compliance Inspection Fees:

1. BUILDINGS – Square footage is defined as the total area of the structure(s) under roof.

Construction Types I, II, III, IV, & V:

New Single Story:	\$300.00 + \$0.02 per square foot.
New Multi Story:	\$150.00 per floor, per tower + \$0.02 per square ft.
Construction Type VI:	
All	\$300.00 per floor + \$0.03 per square ft.
Remodels and Alterations	
All:	\$250.00 per floor, per tower + \$0.15 per square ft.
Single Business/Apt. Units.	\$75.00 per unit
1) FIRE SPRINKLERS	
New:	\$300.00 per floor, per tower + \$0.65 per head.
Remodels:	\$200.00 per floor, per tower + \$1.00 per head.
2) FIRE ALARM SYSTEMS	
New:	\$300.00 per floor, per tower + \$0.65 per device.
Remodels:	\$200.00 per floor, per tower + 1.00 per device.
Monitoring:	\$100.00 per system.
3) KITCHEN HOODS	
All:	\$200.00 + \$1.00 per foot of duct.
4) SUPPRESSION SYSTEMS	
Total Flood & Pre-Engineered:	\$50.00 per bottle + \$2.00 per head.
5) SPRAY BOOTHS (total square foot of booth)	
All:	\$0.50 per square foot.
6) UNDERGROUND FIRE LINES	
All:	\$100.00 + \$1.00 per linear foot.
7) STANDPIPES	
All:	\$100.00 per independent riser.

8) FIRE PUMPS

All: \$300.00 each pump.

9) LP GAS INSTALLATIONS

Above Ground \$50.00 per tank.

Under Ground \$100.00 per tank.

10) FUEL STORAGE INSTALLATIONS

Above Ground \$100.00 per tank.

Under Ground \$150.00 per tank.

11) HYDRANT RESTRAINTS

All: \$50.00 per restraint

12) ALTERNATIVE WATER SUPPLY/DRAFT HYDRANTS

All: \$250.00

13) STREET NAME CHANGE

All \$120.00

14) MISCELLANEOUS & MINIMUM PERMIT FEE

Fire Retardant \$100.00 Each Structure

Special Event Tent \$100.00 Each

Emergency Access/Electric Gates \$100.00

Minimum Permit Fee \$100.00

(not otherwise noted)

15) TIME SPECIFIC INSPECTIONS

All \$75.00 each inspection – subject to availability.

16) SINGLE FAMILY RESORT DWELLING INSPECTIONS

Inspection and one re-inspection per unit . \$75.00

2<sup>nd</sup> Re-inspection \$50.00 additional

3<sup>rd</sup> Re-inspection \$75.00 additional

4<sup>th</sup> Re-inspection \$100.00 additional

5<sup>th</sup> and subsequent re-inspections: \$200.00 additional

17) OCCUPATIONAL LICENSE INSPECTIONS

Inspection and one re-inspection \$75.00

2<sup>nd</sup> Re-inspection \$50.00 additional

3<sup>rd</sup> Re-inspection \$75.00 additional

4<sup>th</sup> Re-inspection \$100.00 additional

5<sup>th</sup> and subsequent re-inspections: \$200.00 additional

17) YELLOW TAGS (re-inspections)

1 <sup>st</sup> Fail: per unit	\$50.00
2 <sup>nd</sup> Fail: per unit	\$75.00 additional
\$3 <sup>rd</sup> Fail: per unit	\$100.00 additional
4 <sup>th</sup> Fail: per unit	\$250.00 additional
5 <sup>th</sup> Fail & each subsequent fail	\$500.00 per unit.

18) RED TAGS (immediate stop work order) (re-inspections 2xfee)

- Working without Permit Card on site.
- Safety violations on site.
- Combustibles on site without water supply (hydrants / approved alternative water supply).
- Job sites inaccessible to fire apparatus.
- Working without Marco Island Building or Fire Permit (4x permit fee)

EXCEPTIONS

- 1) Structural permits for detached one and two family dwellings are exempt from fire prevention permit fees.
- 2) Permits that in the opinion of the Fire Marshal, do not present a fire protection  
Shall be exempt from fire prevention inspection fees.

**C. SPECIAL EVENTS FEE:**

1. Commercial Fireworks Display, a fee of \$300 will be assessed per display.
2. Large outdoor events, circuses, fairs, carnivals, concerts, exhibits and trade show, a fee of \$150.00 shall be assessed per event.
3. Exceptions:
  - a. Hotel sponsored events on their own property with a fire safety plan that has been approved by the Fire Marshal's office prior to the event.
  - b. Small events with no more than 4 tents measured less than 12 feet by 12 feet, with no cooking allowed, and not obstructing Fire Department access to buildings.

**D. NEW OCCUPANCY AND/OR CHANGE OF OCCUPANCY FEE:**

1. A fee of \$75.00 will be assessed for a notice of fire compliance certificate inspection for all new and/or change of ownership of commercial occupancies.
2. Exception:
  - a. New or renovated construction, in which a building permit has been issued for the business, a final fire inspection has been issued within 6 months of application of occupational license application a fee will not be charged.

**Sec. 22-35. Fees for re-inspection of existing occupancies.**

(A) The fee rate schedule for re-inspections for existing occupancies will be evaluated annually to make adjustments to keep the fee in line with expenses. This will be done at the time the city's normal budget process is being considered. The city council may change, delete or add to the listed fees by resolution. Such fees shall be as follows:

- (1) Commercial occupancies.
  - a. Initial inspection: No fee.
  - b. First re-inspection:
    - 1. No fee if all violations are corrected or other arrangements have been made with the fire prevention bureau.
    - 2. A fee of \$75.00 if violations still exist.
  - c. Second and each additional re-inspection: \$100.00 fee if violations still exist.
- (2) Public lodging and multifamily occupancies.
  - a. Initial inspection: No fee.
  - b. First re-inspection:
    - 1. No fee if all violations are corrected or other arrangements have been made with the fire prevention bureau.
    - 2. A fee of \$75.00 if violations still exist.
  - c. Second and each additional re-inspection: A fee of \$100.00 if violations still exist.

(B) Fees are due immediately upon receipt of invoice. Failure to pay fees within 30 days will constitute a civil infraction in accordance with F.S. § 633.052 and with this article and as such will be enforceable in accordance with that statute and this article.

**Sec 22-36. Fees for response to malfunctioning fire alarm, detection and suppression systems.**

(a) The fee rate schedule for malfunction of fire alarm, detection and suppression systems will be evaluated annually to make adjustments to keep the fee generated in line with expenses. This will be done at the time the City's normal budget progress is being considered. The City may change, delete or add to the listed fees by resolution.

(b) There is a need for proper operation and maintenance of fire alarm, fire detection and fire suppression systems. The response of fire rescue and other City personnel and equipment to structures with these systems that have malfunctioned causes an added burden on the resources of the City and endangers the lives of the public and employees.

(1) It shall be the responsibility of the owner/agent or occupant of the structure or premises having a system to have such systems maintained by a qualified contractor at all times. It is also the responsibility of the owner/agent or occupant to have a owner/manager or qualified contractor on site within one hour of a fire department request.

(2) Any continued malfunction, failure to make needed improvements, failure to protect against malicious activation, of a fire alarm, fire detection and/or fire suppression system to which department fire responds emergency response is made will be handled in the following manner:

- a. First response: No Charge.
- b. Second response during the same calendar year: No Charge.
- c. Third response shall be \$ 150.00
- d. All additional responses shall be \$200.00 per occurrence.

(c) Fees are due immediately upon notice from the Fire Rescue Department. Failure to pay the fee within 30 days will constitute a civil infraction in accordance with F.S § 633.052 and with this article and as such will be enforceable in accordance with that statute and this article

(d) Any person found resetting or in any way interfering with the reporting of a fire alarm before arrival of fire personnel shall be in violation of FS. § 806.10 and shall be guilty of a felony of the third degree.(Ord. No. 99-8, addendum C, 5-3-1999; Ord. N. 01-30, § 1, exh. A, 1-5-2001)

**Sec. 22-37. Recovery of costs associated with hazardous material, suspicious or incendiary fires, investigations, violations of law, and weapons of mass destruction incidents.**

(a) Definitions [The following words terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:]

Cost recovery means those necessary and reasonable costs incurred by the City or its agents in connection with rescue, emergency medical services, mitigation, health, life and safety issues, suppression and investigation of suspicious or incendiary fires, violations of law or city code, mitigating, minimizing, removing or abating hazardous material or weapons of mass destruction incidents, City, County, State, or Federal declared disasters including but not limited to the following: actual labor and benefit costs of personnel or its authorized agents, costs and operation of equipment, necessary rental, or subcontracting, or purchase and costs of expendable items, etc.

Declared Disaster means any disaster that a declaration of emergency or disaster has been declared by the City, County, State or Federal Government and requires essential employees to be available prior, during and/or after an event as directed by the Department Director and City Manager.

Forfeiture means as defined in F.S. §§ 893.12, 932.701--932.704.

Hazardous substance means any substance or material in a quantity or form which, in the determination of the fire chief or the chief's authorized designee, poses an unreasonable and imminent risk to the life, health, safety or welfare of persons or property within the city and shall include but not be limited to those hazardous substances listed in the N.F.P.A. Guide on Hazardous Materials, the EPA's list of extremely hazardous substances and the Emergency Response Guide from DOT, or 49 CFR.

Release means any intentional or unintentional action or omission resulting in the attempted or actual release, spill, pumping, pouring, emitting, emptying or dumping of a suspected or actual hazardous, biological, chemical, explosive, radioactive substance or material upon public or private property located within or outside the corporate limits of the city.

Restitution means as defined in F.S. § 775.089. Suspicious or incendiary fire means any fire not of natural or accidental cause.

Weapons of mass destruction means any nuclear, biological, explosive or chemical event related to an act of terrorism.

(b) Authority of City.

(1) The fire department is hereby authorized to take such steps as necessary, to protect the life, safety and health of the public and to take all such steps necessary to respond and abate emergencies and recover all associated costs as outlined within this section, including but not limited to the following: actual labor costs of personnel or its authorized agents, costs and operation of equipment, necessary rental, subcontracting, or purchase and costs of expendable items, etc.

(2) The city manager or designee is hereby authorized to collect and recover costs associated with such services and work, including forfeiture and restitution.

(3) The city manager or designee shall be authorized to adopt administrative policies regarding the collection of the fees, assessments, and liens. Costs will be based on the applicable schedule of rates provided by: the current FEMA table; the Florida Fire Chiefs Association; the Collier County Fire Chiefs Association cost recovery schedules; and actual costs for consumables, equipment, response and fill in personnel, subcontractors, and other city departments requested by fire-rescue.

(c) Liability for costs.

(1) Any person(s), property owner, renter or agent charged with a violation of: the City's Code of Ordinances, Florida Statutes, including driving under the influence of drugs and/or alcohol, or otherwise responsible for action by the fire department or its authorized agents in accordance with provisions of this section shall reimburse the City as provided in subsection (b)(3) above.

(2) Reimbursement for expenses is due upon invoice from the City. Failure to pay the cost recovery invoice within 30 days will constitute a civil infraction with this article and as such will be enforceable in accordance with this article, this Code, and state law.

(d) Additional remedies.

(1) The remedy provided for in this section shall be supplemental to and in addition to all other available remedies at law and equity, inclusive of forfeiture and restitution as defined in state statute, and may be negotiated or waived by the city manager when in the best interest of the city.

(2) Actions of a juvenile resulting in fire rescue response under this article shall be the responsibility of the legal guardian. The city manager may waive charges upon the enrollment of the child in an approved juvenile fire setters or counseling program.

(Ord. No. 02-29, § 1, 10-7-2002)

### **Sec. 22-38. Fire Sprinkler Protection of New Construction**

(1) New construction shall be equipped with automatic fire sprinkler systems installed according to NFPA 13, NFPA 13D, or NFPA 13R as applicable in the following classifications of occupied structures: assembly, educational, health care, detention and correctional, mercantile, residential, business, industrial, and storage with the exception of the following:

- a. Those detached structures less than 1,250 square feet.
- b. Structures built on single-family lots (i.e., single-family house, shed, garage).
- c. Detached 1-story unenclosed structures.
- d. For the purpose of this section, new construction shall mean construction of an entirely new detached structure on a location where no structure existed at the time of permitting. Additionally, new construction shall refer to any structure for which the scope of work permitted exceeds 50 percent of the net value of the existing structure, or for which the additional square footage is equal to or greater than the square footage of the existing structure for which the permit is issued.