

**MIAMI-DADE COUNTY FIRE PREVENTION AND SAFETY APPEALS BOARD
APPLICATION PACKET**

CHAIRPERSON

Maria Figueroa-Rodriguez

VICE CHAIRPERSON

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Lorenzo Palomares-Starbuck

David Perez

Manuel Perez-Vichot

Armando Piedra

Jose J. Suarez

Bui Wei

BOARD SECRETARY

Dianelys Gonzalez

BOARD ATTORNEYS

Veronica Sanchez

Christopher Wahl

NOTICE

FOR ANY QUESTIONS REGARDING THE APPLICATION, PLEASE CONTACT BOARD SECRETARY, DIANELYS GONZALEZ AT 786-331-5315 or mdfrlegal@miamidade.gov.

MIAMI-DADE COUNTY FIRE PREVENTION AND SAFETY APPEALS BOARD GENERAL INFORMATION

APPEALS

Section 14-35(E) of the Code of Miami-Dade County, Florida, sets forth the duties, functions, powers, and responsibilities of the Miami-Dade County Fire Prevention and Safety Appeals Board. The Miami-Dade Fire Rescue Department provides administrative support to the Board; however, the Board is an independent entity appointed by the Board of County Commissioners. Board members are volunteers representing different professions as required by the implementing legislation.

All applications shall be filed with the Miami-Dade County Fire Prevention and Safety Appeals Board within 30 days of the "Notice of Violation". Applications filed at least 20 days before the next scheduled hearing date will be scheduled to be heard at the next scheduled hearing date. Any applications filed after that deadline will be scheduled for the next available hearing date.

All applications shall include copies of any evidence, information, reports or documentation. Application packages that exceed 10 pages or include other evidence, photographs, non-standard pages, binders, etc. require the appellant to submit an original and fifteen (15) copies.

EMERGENCY HEARINGS

Under extreme circumstances, an emergency hearing may be requested. In such instances, the Board will first determine, on the basis of the applicant's presentation, if the request represents an emergency deserving the Board's consideration prior to the next regularly scheduled meeting of the Board. For further details concerning this procedure, consult with the Board Secretary staff prior to filing for an emergency hearing.

HEARING DATES AND LOCATION

The Miami-Dade Fire Prevention and Safety Appeals Board will generally meet on the last Thursday of every odd numbered month at 9:30 a.m. Actual meeting dates may be obtained by calling the Board Secretary at (786) 331-5315. In accordance with a Board resolution which limits the number of applications that will be heard on a hearing date to ten, it is to the applicant's advantage to file early, thereby avoiding possible postponement to a future agenda.

Meetings are held at Miami-Dade Fire Rescue Headquarters, 9300 NW 41 ST, Doral FL 33178 unless otherwise announced.

All notices related to an appeal will be made via email. The Board Secretary will email a notice letter and an agenda to the applicant approximately twenty (20) days prior to the hearing.

WITHDRAWAL OF APPEAL

Applicants may withdraw their applications by doing so in writing at any time prior to the hearing or at the hearing. Requests for withdrawal prior to the hearing should be directed to the Secretary of the Fire Prevention and Safety Appeals Board.

FILING FEE

As per Miami-Dade Implementing Order 4-123, a \$298.38 filing fee is required upon application. Checks are payable to "Miami-Dade Fire Rescue". Applications which do not include the appropriate filing fee will not be scheduled.

The Department funds and operates this board that is mandated by law. The fee is assessed to cover administrative expenses including, but not limited to, court reporters and legal transcripts. The fee is refundable, upon request, if the appellant prevails.

LETTER OF INTENT

IT IS REQUIRED THAT THE APPLICATION BE FILED BY THE OWNER(S)/LEGAL COUNSEL OF THE PROPERTY WHICH IS THE SUBJECT OF THE APPLICATION. THE OWNER(S) OR HIS/HER ATTORNEY MUST BE PRESENT AT THE HEARING. Other persons may speak on behalf of the applicant as experts, but may not legally represent the applicant.

CHECK LIST

The following items must be submitted for all cases.

_____ Application for Public Hearing form completely filled out and properly executed.

_____ Letter of Intent addressed to Dianelys Gonzalez, Board Secretary, Fire Prevention and Safety Appeals Board, 9300 NW 41 Street, Doral, Florida 33178.

The Letter of Intent shall include:

- The business name (if applicable) and address of the property which is the subject of the application
- The name of the fire department having jurisdiction
- The requirement of the fire department that is the subject of the application
- The code cited by the fire department having jurisdiction
- A brief description of the facts and circumstances
- The Letter of Intent shall state which of the provisions of Section 14-35(E) of the Code of Miami-Dade County, Florida, is the basis for the application

_____ Filing fee of \$298.38. Make checks payable to Miami-Dade Fire Rescue.

_____ The name, address, telephone number and professional credentials of any expert witness who may testify at the Board hearing shall be submitted to Secretary of the Board not less than ten (10) days before the scheduled Board hearing.

_____ Copy of the Fire Department Notice of Violation or Official Correspondence which is the subject of the appeal.

NOTE: IF YOUR APPLICATION PACKAGE EXCEEDS 10 PAGES, YOU MUST SUBMIT AN ORIGINAL AND FIFTEEN (15) COPIES

**APPLICATION FOR PUBLIC HEARING
FIRE PREVENTION AND SAFETY APPEALS BOARD**

TO BE FILLED OUT BY APPLICANT:

Name of Applicant (Property Owner) _____

Mailing Address (Property Owner) _____

Telephone _____ E-mail address _____

Name of Business and Address or street location of subject property:

Folio Number: _____

Name of Fire Department having jurisdiction _____

Requirement of Fire Department _____

Code(s) Cited by Fire Department _____

Inspection Dates on Notice of Violation _____

Name (print) _____

Authorized Signature

Date