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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Amended
Agenda Item No. 7(E)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: September 1, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to fire prevention; amending chapter 14 of the Code; updating title; amending definitions; changing requirements for an Owner's Statement on fire investigations; amending procedures for appeals of fire code violations; updating requirements for operating permits; providing for the recording of consent agreements and notices of violation; requiring building owners and occupants to notify the Chief Fire Official upon correction of certain violations; authorizing the Chief Fire Official to order the disconnection of utilities in buildings and structures with pending fire code violations under specific circumstances; making technical amendments to the Florida Fire Prevention Code; updating the false fire alarm ordinance; providing for the sale of exempt fireworks in accordance with section 791.04, Florida Statutes; providing for the designation and posting to identify structures sharing a street address; updating requirements for submittal and review of emergency action plans; providing for the testing and maintenance of exit and emergency lighting equipment; providing for the reporting of required maintenance activities for fire protection systems; providing for the protection and installation of emergency power systems; making technical and conforming changes; amending section 8CC-10 of the Code; imposing and modifying civil penalties

Ordinance No. 26-70

The accompanying ordinance was prepared by the Fire Rescue Department and placed on the agenda at the request of Prime Sponsor Commissioner Roberto J. Gonzalez and Co-Sponsor Senator René García.

for
Geri Bonzon-Keenan
County Attorney

GBK/smm

Memorandum

MIAMI-DADE COUNTY

Date: September 1, 2026

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

Subject: Ordinance Amending Chapter 14 of the Code of Miami-Dade County, Florida Relating to Fire Prevention

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SUMMARY

This Ordinance updates Chapter 14 of the Code of Miami-Dade County, Florida, relating to fire prevention and safety and the portions of Chapter 8CC of the Code related to penalties for violation of the provisions of Chapter 14. The Florida Fire Prevention Code (FFPC) is adopted by the State Fire Marshal at three-year intervals as required by Chapter 633.202, Florida Statutes. This complex set of fire code provisions is enforced by the local fire official within each county, municipality, and special fire district in the state. Local amendments to the FFPC are part of Chapter 14 and are required to be resubmitted upon adoption by the State of the newest edition. Local amendments are necessary to protect safety and welfare due to the unique features of the County as a highly urbanized area.

RECOMMENDATION

It is recommended that the Board of County Commissioners ("Board") approve the attached ordinance amending Chapters 14 and 8CC of the Code of Miami-Dade County, Florida. The language in the proposed ordinance makes necessary changes to the Fire Prevention Code for Miami-Dade County and amends the FFPC to protect the health, safety and welfare of the residents of and visitors to the County.

SCOPE

This proposed ordinance will have countywide impact, including the municipal fire departments within Miami-Dade County.

FISCAL IMPACT/FUNDING SOURCE

It is anticipated that the implementation of this ordinance will not have a fiscal impact on Miami-Dade County. A nominal increase to property owners for additional compliance efforts is anticipated. However, small business occupancies will benefit from a decrease in required inspection frequency. The proposed changes related to Emergency Action Plans will reduce the burden on certain businesses to prepare and submit a plan annually, which will also result in reduced review activities by inspectors allowing the completion of additional inspections. The proposed requirement for submittal of maintenance reports through a third-party, although adding a nominal increase to building owners, will reduce departmental administrative time currently needed to receive, review, catalog, and file these required reports. It will also provide additional savings to both contractors and the County by reducing the amount of paper reports handled. Additionally, the schedule of civil penalties has a slight increase for first violations and scaled-up increases for repeat violations to serve as a deterrent to repeated non-compliance with Code requirements. The County will work with affected property owners to minimize the fiscal impacts of the ordinance.

SOCIAL IMPACT

The proposed ordinance makes necessary changes to the Fire Prevention Code for Miami-Dade County and amends the FFPC to protect the health, safety and welfare of the residents of and visitors to the County. The ordinance has the potential to create a social burden if more fines result in hardship among residents, and unpaid penalties escalate into more aggressive collections.

TRACK RECORD/MONITOR

Enforcement of Chapter 14 is under the jurisdiction of MDFR Chief Fire Marshal, Alan Cominsky.

BACKGROUND

The language in the proposed ordinance makes necessary changes to the Fire Prevention Code for Miami-Dade County. The State adopts a statewide Florida Fire Prevention Code ("FFPC") which includes the bulk of regulations related to the prevention and control of fires. Chapter 14 supplements those regulations and amends the FFPC in order to address specific issues of interest to Miami-Dade County. This ordinance is necessary because the County is required to re-adopt and re-submit local amendments to the FFPC every three (3) years.

Specifically, the proposed ordinance makes amendments to the following sections:

14-1	Removes unnecessary lettering of terms defined.
14-12	Editorial changes for ease of reading.
14-14	Editorial changes.
14-15	Editorial changes.
14-18	Removes requirement that fire department units respond to false fire alarms after cancellation by the reporting alarm company resulting in additional availability for emergency response; moves the schedule of penalties to Chapter 8CC.
14-19	Removes requirement to file an owner's statement following a fire property loss.
14-36	Clarifies that the Fire Prevention and Safety Appeals Board is not the appropriate venue for appeals of citations issued under Chapter 8CC; clarifies that legal actions begun by the Chief Fire Official to enforce the Code are not appealable to the Appeals Board; clarifies language related to the power of the Appeals Board to issue subpoenas.
14-39	Changes permit requirements for small business occupancies to decrease the frequency of inspections, moving to a biennial schedule from annually; clarifies that funds payable under the provisions of the Chapter do not require being deposited into a separate fund; maintains language directing the use of such funds.
14-41-14-43	Grants the Chief Fire Official the power to have consent agreements and notices of violation entered into the public records of the County, thus providing

	constructive notice to prospective property owners of pending code violations; allows for the recovery of monies expended to investigate and abate violations.
14-44	Clarifies that civil penalties and restitution recoveries need not be maintained in separate bank accounts but shall remain restricted to the uses set forth in section 14-44.
14-47	Places responsibility on violators to notify the Chief Fire Official when violations are corrected.
14-48	Grants the Chief Fire Official the power to order utilities to a building be disconnected when an imminent danger exists.
14-49	Editorial changes.
14-52	Prohibits painting fire hydrants without approval of the Chief Fire Official.
14-61	Strengthens notification requirements for fire alarm testing and maintenance; makes editorial changes.
14-62	Allows for existing buildings to be partially protected by fire sprinkler systems under certain circumstances.
14-63	Allows the Chief Fire Official to impose a fire watch following a fire event; makes editorial changes.
14-66	Editorial changes.
14-67	Adds language to impose accountability practices for the sale of exempt fireworks permitted by State law under a narrow exception.
14-68	Allows the Authority Having Jurisdiction to require additional fire protection features when required apparatus set-up sites cannot be provided due to space or other property limitations.
14-69	Editorial changes.
14-72	Requires buildings sharing a street address to be properly identified by a letter or number designator to facilitate rapid emergency response.
14-73	Reduces the frequency of submittal and review of Emergency Action Plans, which are currently required annually.
14-75	Rescinds adoption of additional NFPA standards that are now incorporated into the Florida Fire Prevention Code.

14-76	New requirement for buildings or spaces containing more than five emergency lighting or exit lighting units to provide a report from a service provider stating that the units have been tested and are operational.
14-77	New requirement to have inspection reports created by licensed contractors and which are required by law to be submitted to the Authority Having Jurisdiction be submitted through a third-party contractor. Systems to be reported to the third-party contractor and fees charged will be published by MDFR.
14-78	New requirements for the installation of Emergency Power Systems to provide for fire service response safety.
14-80	Incorporates and cross-references language in Chapter 30 of the Code dealing with fire lanes.
Section 8CC-10	Makes conforming changes to the description of violations section in the schedule of civil penalties; increases penalties for violations of fire safety requirements to ensure fairness and serve as a deterrent for continued violations.

These local amendments are essential to safeguard public safety and welfare in Miami-Dade County, a region distinguished by its dense urban development, and diverse communities. By tailoring these regulations to the county's unique conditions, we ensure that safety standards, emergency response protocols, and infrastructure requirements properly reflect local risks and behaviors.

Arnold Palmer
Chief of Public Safety

MEMORANDUM
(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: September 1, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Amended
Agenda Item No. 7(E)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

__✓__ **6 weeks required between first reading and public hearing**

__✓__ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 7(E)
9-1-26

ORDINANCE NO. **26-70**

ORDINANCE RELATING TO FIRE PREVENTION; AMENDING CHAPTER 14 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; UPDATING TITLE; AMENDING DEFINITIONS; CHANGING REQUIREMENTS FOR AN OWNER'S STATEMENT ON FIRE INVESTIGATIONS; AMENDING PROCEDURES FOR APPEALS OF FIRE CODE VIOLATIONS; UPDATING REQUIREMENTS FOR OPERATING PERMITS; PROVIDING FOR THE RECORDING OF CONSENT AGREEMENTS AND NOTICES OF VIOLATION; REQUIRING BUILDING OWNERS AND OCCUPANTS TO NOTIFY THE CHIEF FIRE OFFICIAL UPON CORRECTION OF CERTAIN VIOLATIONS; AUTHORIZING THE CHIEF FIRE OFFICIAL TO ORDER THE DISCONNECTION OF UTILITIES IN BUILDINGS AND STRUCTURES WITH PENDING FIRE CODE VIOLATIONS UNDER SPECIFIC CIRCUMSTANCES; MAKING TECHNICAL AMENDMENTS TO THE FLORIDA FIRE PREVENTION CODE; UPDATING THE FALSE FIRE ALARM ORDINANCE; PROVIDING FOR THE SALE OF EXEMPT FIREWORKS IN ACCORDANCE WITH SECTION 791.04, FLORIDA STATUTES; PROVIDING FOR THE DESIGNATION AND POSTING TO IDENTIFY STRUCTURES SHARING A STREET ADDRESS; UPDATING REQUIREMENTS FOR SUBMITTAL AND REVIEW OF EMERGENCY ACTION PLANS; PROVIDING FOR THE TESTING AND MAINTENANCE OF EXIT AND EMERGENCY LIGHTING EQUIPMENT; PROVIDING FOR THE REPORTING OF REQUIRED MAINTENANCE ACTIVITIES FOR FIRE PROTECTION SYSTEMS; PROVIDING FOR THE PROTECTION AND INSTALLATION OF EMERGENCY POWER SYSTEMS; MAKING TECHNICAL AND CONFORMING CHANGES; AMENDING SECTION 8CC-10 OF THE CODE; IMPOSING AND MODIFYING CIVIL PENALTIES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Chapter 14 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

Chapter 14 – FIRE PREVENTION >>AND LIFE SAFETY<<

ARTICLE I. – IN GENERAL

Sec. 14-1. – Definitions

Unless specifically defined elsewhere in this chapter, the definitions provided in this section shall apply.

[[~~(A)~~]] *Agricultural burning* shall be defined as the burning of vegetable material originating on site in conjunction with the cultivation of land, and including: gardening or horticulture; plant growing; raising of vegetables, trees, shrubs, plants, pastures or rangeland.

>>*Authority Having Jurisdiction (AHJ)* has the same meaning as *"Fire Department Having Jurisdiction," acting through the Chief Fire Official or the Chief Fire Official's designee* and the terms may be used interchangeably.<<

[[~~(B)~~]] *Bonfire* shall be defined as a fire exceeding the size requirements of a recreational fire and which is built in the open air for warmth, entertainment, or celebration.

[[~~(C)~~]] *Broadcast burning* shall be defined as the burning of agriculture or natural vegetation by allowing fire to move across a predetermined area of land. The term does not include the burning of vegetable debris that is piled or stacked.

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

[[~~(D)~~]] *Chief Fire Official* shall mean either the Miami-Dade County Fire Chief, as described in Section 2-181 of the Code of Miami-Dade County, or the [[~~chief~~]]>>Chief<< of the fire department of the municipality having jurisdiction over fire safety and prevention responsibilities, or his or her [[~~designee~~]]>>designees<<.

[[~~(E)~~]] *Fire Department having jurisdiction* shall mean the Miami-Dade Fire Rescue Department, or the municipal fire department of the municipality having jurisdiction over fire safety and prevention responsibilities.

[[~~(F)~~]] *Florida Fire Prevention Code* shall be defined as the applicable fire safety code for the State of Florida adopted by the State Fire Marshal pursuant to [[~~Chapter~~]]>>chapter<< 633, Florida Statutes, as the same may be amended from time to time.

[[~~(G)~~]] *Miami-Dade Fire and Rescue Service District* shall be defined as the special district created and established in Miami-Dade County, Florida by Ordinance No. 80-86 as described and modified by [[~~Chapter~~]]>>chapter<< 18, Article II of the Code of Miami-Dade County.

[[~~(H)~~]] *NFPA* shall mean the National Fire Protection Association.

[[~~(I)~~]] *Pile burning* shall be defined as the burning of silvicultural, agricultural, or land clearing and tree cutting debris originating on site that has been stacked together in a round or linear (windrow) fashion.

[[~~(J)~~]] *Silviculture* shall be defined as a forestry operation dealing with the establishment, development, reproduction, and care of forest flora and fauna.

[[~~(K)~~]] *Recreational fire* shall be defined as the [[~~non-commercial~~]]>>noncommercial<< burning of materials other than rubbish for pleasure, religious, ceremonial, cooking, or similar purposes in which the fuel burned is not contained in an incinerator, a barbecue grill, or a barbecue pit, and the total fuel area is not exceeding three feet in diameter and two feet in height.

* * *

ARTICLE II. – REQUIREMENTS WITHIN THE MIAMI-DADE FIRE AND RESCUE SERVICE DISTRICT

* * *

Sec. 14-12. – Setting certain fires without permit prohibited>>; failure to comply with terms and conditions of permit<<.

(A) Except as provided in Section 14-11, it shall be unlawful for any person or persons, firm or corporation to set fire to any lands, property, or structures; cause fire to be started or set on any lands, property, or structures; to clear any lands by fire; to set any field, forest or prairie fires; to encourage new pastures by firing; to smoke out or drive game by fire; or to abandon or leave unguarded any open fire without first obtaining a permit from the Miami-Dade County Fire Chief as herein specifically provided.

(B) Permits shall not be required for non-commercial, contained recreational fires.

[[~~(C) Failure to observe and to comply with any terms and conditions of a permit shall be grounds for revocation of the permit.~~]]

[[(~~D~~)]]>>(C)<< Any person who is issued a permit by the Miami-Dade County Fire Chief or the Florida Forest Service shall, prior to acting pursuant to the permit, contact the Miami-Dade County Fire Rescue Department, Fire Alarm Office, to notify the Department of his/her/its intention to burn as prescribed in the permit.

>>(D) Failure to observe and to comply with any terms and conditions of a permit shall be grounds for revocation of the permit.<<

* * *

Sec. 14-14. – Duties and responsibilities of owners or occupants of land.

The owners, proprietors, lessees, tenants, >>and<<[[~~or~~]] other occupants of land, property, or structures>>, or any

combination thereof,<< shall be jointly and severally responsible for the existence of fires thereon, and it shall be the duty of such parties, and they hereby are required by this section, to prevent the starting of unauthorized fires on such lands, property or structures, and said owners or other occupants shall eliminate and extinguish and assist in eliminating and extinguishing the same when burning or which may exist from any cause whether of their own account or from other source, including the spreading of fires to said lands, property, or structures from outside areas.

Sec. 14-15. – Fire hazards prohibited.

(A) >>Unless otherwise authorized by this chapter or the Florida Fire Prevention Code, it<<[[~~It~~]] shall be unlawful for any proprietor, lessee, tenant, or other occupant of lands, property, or structures >>, or any combination thereof,<< to have on his or her premises any brush heap, trash pile, accumulation of stacks or combustible or flammable material exposed to danger of fire or have the same in such location that the burning thereof may endanger the spread of fire to other property.

* * *

Sec. 14-18. – False fire alarms.

(A) *Purpose.* The purpose of this section is to place responsibility on the fire alarm user to prevent false fire alarms, by use of appropriate mechanical, electrical, or other means.

(B) *Definitions.*

(1) *Alarm user* means the person or other entity that owns, possesses, controls, occupies or manages any premises as defined below.

(2) *False fire alarm* means a signal from a fire alarm system that elicits a response by the Fire Department when no actual or threatened fire-related emergency exists. This definition includes signals activated by negligence, accident, mechanical failure, and electrical failure; signals activated intentionally in nonemergency situations; and signals for which the actual cause of activation is unknown. [[~~It is~~]] >>There shall be<< a rebuttable presumption that a fire alarm is false if >>the alarm activation causes a dispatch of at least one Fire

Department unit and<< personnel responding from the Fire Department do not discover any evidence of fire or other emergency >>or when the request to respond is cancelled by the reporting fire alarm company after units are dispatched<<[[~~after following normal Fire Department operating procedures in investigating the incident~~]]. An alarm is not false if the alarm user proves that (1) an individual activated the alarm based upon a reasonable belief that a fire-related emergency existed; (2) the alarm system was activated by lightning or an electrical surge that caused physical damage to the system, as evidenced by the testimony of a licensed alarm system contractor who conducted an on-site inspection and personally observed the damage to the system; or (3) the alarm was activated by vandals>>, as evidenced by physical damage caused to a component of the fire alarm system<<.

(3) *Fire alarm system* means a system or portion of a combination system that consists of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals or any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of fire-related emergency requiring urgent attention and to which [[~~fire department~~]]>>Fire Department<< personnel may reasonably be expected to respond>>.<<[[~~, but~~]] >>This<< does not include [[~~household alarms~~]]>>Household Fire Alarm Systems, as defined in NFPA 72<< [[~~installed in one or two family dwellings and household fire alarm systems within the individual living units of multi-family dwellings~~]].

(4) *Premises* means the building or structure or portion of a building or structure upon which is installed or maintained, a fire alarm system.

(5) *Vandal(s)* means a person or persons who willfully cause damage to a fire alarm system which results in the activation of a fire alarm.

(C) *Fire alarms; posting requirements.* A fire alarm user shall conspicuously post at the main entrance to the alarm user's premises a notice stating [[~~(1)~~]] the [[~~name~~]]>>name(s)<< of [[~~an~~]]

[[~~individual~~]]>>individuals<< or >>the<< alarm company able and authorized to enter the premises and deactivate the alarm[[~~; (2)~~]] >>and the<< emergency telephone numbers by which those individuals can be reached at all times[[~~; and (3) the name and address of the alarm user~~]]. The information must be kept current and failure to update this information within forty-eight (48) hours of any change constitutes a violation of this section.

(D) *False fire alarms prohibited.* No fire alarm user shall cause, allow, or permit its fire alarm system to signal three (3) or more false fire alarms in any calendar year.

(E) *Inspection requirements.* After the second and each additional false fire alarm in one (1) calendar year, the >>fire<< alarm user shall, within thirty (30) days [[~~after the second or subsequent~~]]>>of the<< fire alarm activation, file a written inspection and test report with the Fire Department from a licensed fire alarm contractor stating that the fire alarm system has been inspected and tested [[~~since the last false fire alarm~~]]. The report shall set forth the probable cause of the activation and describe any repairs, modifications made or actions taken to prevent additional false alarm activations. The inspection and test report shall also state that the system is currently fully functional and without deficiencies. However, manual >>pull<< station >>device<< activations that have been reset successfully do not require >>a<< post-activation inspection>>by a licensed fire alarm contractor<<.

(F) *Penalties.* [[~~Each violation~~]]>>Violations<< of this section shall be >>punishable pursuant to the penalties provided in section 8CC-10 of the Code of Miami-Dade County<<[[~~punished as follows:~~

~~(1) For a first violation of Section 14-18(C), by a fine of two hundred fifty dollars ($250.00).~~

~~(2) For a second and each additional violation of Section 14-18(C), by a fine of five hundred dollars ($500.00).~~

~~(3) For the third false fire alarm in one (1) calendar year, by a fine of five hundred dollars ($500.00).~~

~~(4) For the fourth and each additional false fire alarm in one (1) calendar year, by a fine of one thousand dollars ($1,000.00).~~

~~(5) For each violation of Section 14-18(E), a fine of two hundred fifty dollars ($250.00).~~]]

(G) *Enforcement.* The section shall be enforced [[~~by~~]] >>pursuant to<< the code enforcement provisions of [[~~Chapter~~]]>>chapter<< 8CC of the Code of Miami-Dade County.

Sec. 14-19. – >>Reserved<<[[~~Property Fires and Explosions; Owner's Statement to the Miami-Dade County Fire Rescue Department.~~

~~(A) Whenever an insured property suffers loss or damage caused by fire or explosion within the Miami-Dade Fire and Rescue Service District, the property owner of record shall submit to the Miami-Dade County Fire Rescue Department a statement signed under penalty of perjury setting forth the owner's knowledge of the incident (the "Owner's Statement"). The Owner's Statement shall contain such information as may reasonably be required by the Miami-Dade County Fire Chief, and shall be on such forms as may be prescribed by the Miami-Dade County Fire Chief.~~

~~(B) The Miami-Dade County Fire Chief's or designee's investigation shall not be deemed to be completed until receipt by the Miami-Dade County Fire Chief of an Owner's Statement completed to the reasonable satisfaction of the Miami-Dade County Fire Chief or designee.~~

~~(C) The Miami-Dade County Fire Chief or designee may in his or her discretion waive the requirements of this section upon a determination that the loss or damage to the property was accidental.~~]]

* * *

ARTICLE III. – REQUIREMENTS THROUGHOUT MIAMI-DADE COUNTY

* * *

Sec. 14-32. – Adoption by reference.

In accordance with [[~~Chapter~~]]>>chapter<< 633, Florida Statutes, the Florida Fire Prevention Code>>, as amended by Article IV of this<<[[~~Chapter~~]]>>chapter,<< is the applicable fire

prevention code for Miami-Dade County.

* * *

Sec. 14-36. – Appeals from actions or decisions.

(A) Any person aggrieved by >>any action or decision of any fire official of any jurisdiction in Miami-Dade County, Florida, with respect to this chapter, the Florida Fire Prevention Code, the rules and regulations of the State Fire Marshal, or any municipal ordinance, code, or regulation which regulates fire prevention or fire safety, may appeal to the Miami-Dade County Fire Prevention and Safety Appeals Board by filing with the Secretary of said Board a written notice of appeal within 30 calendar days after the date of the initial action or decision which is the subject of the appeal. However, this section shall not apply to the appeal of any civil violation notice or notice of assessment pursuant to chapter 8CC, which shall be governed by the provisions of section 8CC-5 of the Code. Further, the words "action" and "decision", as used herein, shall not include the filing of any action by the AHJ, or on the AHJ's behalf, in any court of law. Filing of a written notice of appeal shall not stay the effect of any such action or decision which is the subject of the appeal. The written notice of appeal shall set forth concisely the date and nature of the action or decision to be reviewed as well as the reasons or grounds for the appeal. Failure to submit a request for appeal within the prescribed time period shall constitute a waiver of the appellant's right to a hearing before the Miami-Dade Fire Prevention and Safety Appeals Board. A waiver of the right to appeal shall be treated as an admission of the action or decision by the fire official with jurisdiction.<<[[~~any action or decision described in Section 14-35((E)(1) and (2) of this Code may appeal to the Miami-Dade County Fire Prevention and Safety Appeals Board by filing with the Secretary of said Board a written notice of appeal within thirty (30) days after the date of the action or decision which is the subject of the appeal. Filing of a written notice of appeal shall not stay the effect of any such action or decision which is the subject to the appeal. The written notice of appeal shall set forth concisely the date and nature of the action or decision to be reviewed as well as the reasons or grounds for the appeal.~~]]

(B) The Secretary of the Board shall set each such appeal for hearing at the earliest practicable Board meeting date available and shall provide written or oral notice of the hearing to the appellant and to the person whose action or decision is the subject of the appeal. >>The Secretary of the Board may grant one request

by the appellant to re-schedule an appeal, when agreed upon by the AHJ which issued the action or decision being appealed. Additional requests for continuance shall be heard by the Board during a duly scheduled meeting.<<

(C) The Miami-Dade County Fire Prevention and Safety Appeals Board shall hear and consider all facts material and relevant to the appeal and shall render a decision >>to affirm, modify, or reverse the action or decision of the fire official being appealed<< as soon as reasonably practicable.

(1) Relevant or material evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida.

(2) Any part of the evidence may be received in written form, and all testimony of parties and witnesses shall be made under oath or affirmation.

(3) Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient in itself to support a decision of the Board unless it would be admissible over objection in civil actions.

(4) The Chairperson of the Board or the attorney of the Board or a Notary Public shall have the power to administer oaths or affirmations.

(5) Subpoenas may be issued by the Chairperson of the Board or another member of the Board designated by the Chairperson, upon the written request of any party >>, with sufficient explanation of the relevance of the documents or anticipated testimony of the person being subpoenaed and whether it relates to the violation alleged, or to a defense, or to an interpretation of the Code<< or upon the Chairperson's or Board's own motion, to compel the presence of a witness or documents or other items at any proceeding of the Board authorized under this article.

* * *

Sec. 14-39. – Permits.

(A)

(1) No person shall operate, utilize or occupy, or cause, allow, let, permit or suffer to be operated, utilized or occupied any facility, instrumentality, real property, building, >>gate, guardhouse, or other entry feature into residential communities or complexes, private fire access road,<< structure, or premises, other than one- and two-family residential dwellings and individual residential dwelling units within a multi-family residential building that is not used in a way that requires a State license and an inspection for compliance, in the unincorporated or incorporated areas of Miami-Dade County, without having obtained an annual operating permit from the Fire Department having jurisdiction pursuant to this article or in violation of any condition, limitation or restriction which is part of such a permit>>, except that Business occupancies, as defined by the Florida Fire Prevention Code, occupying 1,500 square feet or less, shall be subject to a biennial (24-month) permit<<.

(2) No person shall construct or alter any facility, building, structure, or premises, other than one and two-family [[~~residential dwellings~~]]>>dwelling units<< not used in a way that requires a state license and an inspection for compliance in the unincorporated or incorporated area of Miami-Dade County[[~~,~~]] without having first obtained [[~~a construction permit and~~]] approval >>and a construction permit or permit record<< from the Fire Department having jurisdiction.

(B) No person shall own, operate, utilize or occupy, or cause, allow, let, permit or suffer to be operated, utilized or occupied any vacant or abandoned facility, instrumentality, real property, building, structure, or premises, other than one-and-two family [[~~residential dwellings~~]]>>dwelling units<<, in the unincorporated or incorporated areas of Miami-Dade County, without having obtained an annual operating permit from the Fire Department having jurisdiction pursuant to this article or in violation of any condition, limitation or restriction which is part of such a permit.

* * *

(H) Permits shall not be transferable and any change in use, occupancy, or ownership shall require a new permit >>and payment of applicable fees<<.

* * *

(J) The permit fees payable hereunder shall be [[~~deposited in a separate County fund, or, in the case of the aforesaid municipalities, in separate municipal funds, to be~~]] used exclusively by the Fire Department of the jurisdiction to pay for the costs of the following:

* * *

(4) Fire safety and prevention, >>training, equipment,<<education, planning, and programming.

(K) No part of [[~~such separate County and separate municipal funds~~]]>>said fees<< shall be used for purposes other than the aforesaid. The amount of said fees shall be reasonably related to the cost of the services and regulation provided.

* * *

Sec. 14-40. – Plan review.

(A) The plans and specifications for the construction, erection, alteration, repair, renovation, modification, reconstruction, change of use or occupancy classification or demolition of any facility, instrumentality, real property, building, structure, or premises (other than one- and two-family [[~~residential dwellings~~]]>>residential dwelling units<< that are not used in a way that requires a State license and an inspection for compliance) that requires a building permit must be reviewed and approved by the Chief Fire Official for compliance with the Florida Fire Prevention Code, the applicable provisions of this chapter, the rules and regulations of the State Fire Marshal, and any fire safety standards adopted by the municipality which are more stringent than the applicable fire safety standards in this chapter, the Florida Fire Prevention Code, or the rules and regulations of the State Fire Marshal, as all of same may be amended from time to time.

* * *

Sec. 14-41. – Consent agreements>>; Recording of consent agreements<<.

The Chief Fire Official may, in the official's discretion, terminate an investigation or an action commenced under the provisions of this chapter or the Florida Fire Prevention Code upon execution of a written consent agreement between the Chief Fire Official and the persons who are the subject of the investigation or action. The consent agreement shall provide written assurance of voluntary compliance by said persons with the applicable provisions of this chapter, the Florida Fire Prevention Code, and in the case of a municipality, fire safety standards adopted by the municipality which are more stringent than the applicable provisions in this chapter, the Florida Fire Prevention Code, or rules and regulations of the State Fire Marshal, as all of same may be amended from time to time. The consent agreement may, in the discretion of the Chief Fire Official provide the following: Posting of a surety, bond, or other security to assure compliance; costs and expenses of the Fire Department having jurisdiction for investigation, enforcement, testing, monitoring, and litigation, including attorneys' fees; civil penalties; remedial or corrective action. An executed written consent agreement shall not be evidence of a prior violation of this chapter, the Florida Fire Prevention Code, or, in the case of a municipality, of any municipal ordinance. Such consent agreement shall not be deemed to impose any limitation upon any investigation or action of the Chief Fire Official in the enforcement of this chapter, the Florida Fire Prevention Code or, in the case of a municipality, any municipal ordinance. The consent agreement shall not constitute a waiver of or limitation upon the enforcement of any federal, State or local laws and ordinances. Executed written consent agreements are hereby deemed to be lawful orders of the Chief Fire Official. Each violation of any of the terms and conditions of an executed written consent agreement shall constitute a separate offense under this chapter, the Florida Fire Prevention Code, and, in the case of a municipality, an applicable municipal ordinance, by the persons who executed the consent agreement, their respective officers, directors, agents, servants, employees, and attorneys; and by those persons in active concert or participation with any of the foregoing persons and who receive actual notice of the consent agreement. Each day during any portion of which each such violation occurs constitutes a separate offense under this chapter, the Florida Fire Prevention Code, and in the case of a municipality, any applicable municipal ordinance. Decisions and actions of the Chief Fire Official pursuant to this section or the written consent agreements provided herein, shall not be subject to review by the Miami-Dade

County Fire Prevention and Safety Appeals Board or by any other County or municipal Board, officer, agent or employee.

>>Whenever a consent agreement has been executed, the Chief Fire Official may file a copy of the agreement or other appropriate instrument indicating that violations of the Code exist upon the property involved, in the office of the Clerk of the Circuit Court of Miami-Dade County, Florida, who shall cause the same to be recorded among the official public records of Miami-Dade County, in an appropriate book provided for such purpose. The recordation of such agreement or other appropriate instrument as herein provided shall constitute constructive notice to any subsequent purchasers, transferees, grantees, mortgagors, mortgagees, lessees, lienors, and all persons having, claiming or acquiring any interest in the property described therein, or affected thereby. All such agreements or other appropriate instruments filed shall contain the folio number of the property involved as indicated in the records of the Office of the Property Appraiser of Miami-Dade County. When the violations specified in the agreement or other appropriate instrument have been corrected and all costs of enforcement as provided in the agreement or other appropriate instrument are paid and the agreement was filed with the Clerk of the Courts, the Chief Fire Official shall record a certificate certifying that the violations have been corrected and cancelling the agreement or other appropriate instrument. The cost of recording the consent agreement or other appropriate instrument and the certificate of cancellation shall also be recoverable as costs from the owner of record of the property prior to recording the certificate of cancellation. Any person acquiring any interest in or to property described in a consent agreement or other appropriate instrument after recordation thereof shall be bound by the provisions thereof, and shall take the property subject to the requirements set forth in the consent agreement or other appropriate instrument. All such persons acquiring an interest in or to property for which a consent agreement or other appropriate instrument has been recorded under this section shall comply with the requirements thereof, and shall be subject to all of the other provisions of this article, consent agreement, or other appropriate instrument.<<

* * *

Sec. 14-43. – Enforcement; procedure; remedies.

(A) It shall be unlawful for any person to violate or to >>cause,<< permit, allow, let or suffer any violation of: any of the

applicable provisions of this chapter, the Florida Fire Prevention Code, or any fire safety standard of a municipality which is more stringent in accordance with [[~~Section~~]]>>sections<< 633.206 or 633.208, Florida Statutes, as all of same may be amended from time to time; any condition, limitation or restriction which is part of a permit issued pursuant to this chapter or the Florida Fire Prevention Code, as all of same may be amended from time to time; >>any<< lawful orders of the Chief Fire Official and consent agreements. In addition to any other judicial or administrative remedies provided by this chapter or by the Florida Fire Prevention Code, the Chief Fire Official shall have the following remedies:

(1) To issue a notice of violation(s) and order to correct. A notice of violation(s) and order to correct shall be understood to be a warning notice in accordance with Section 633.214, Florida Statutes.

(2) To issue a civil violation notice in accordance with Section 633.214, Florida Statutes, and Miami-Dade County Code, [[~~Chapter~~]]>>chapter<< 8CC, as amended from time to time. A civil violation notice shall be understood to be a citation in accordance with Section 14-48 of the Code of Miami-Dade County and Section 633.214, Florida Statutes.

>>(3) To file a copy of the notice of violation and order to correct indicating that violations of the code exist upon the property involved, in the office of the Clerk of the Circuit Court of Miami-Dade County, Florida, who shall cause the same to be recorded among the official public records of Miami-Dade County, in an appropriate book provided for such purpose. The recordation of such notice of violation and order to correct or other appropriate instrument as herein provided shall constitute constructive notice to any subsequent purchasers, transferees, grantees, mortgagors, mortgagees, lessees, lienors, and all persons having, claiming or acquiring any interest in the property described therein, or affected thereby. When the violations specified in the notice of violation and order to correct or other appropriate instrument have been corrected and all costs of enforcement as provided in the notice of violation and order to correct or other appropriate instrument are paid, the Chief Fire Official shall have recorded a certificate certifying that the

violations have been corrected and cancelling the notice of violation and order to correct or other appropriate instrument. All such notices of violation and order to correct or other appropriate instruments filed shall contain the folio number of the property involved as indicated in the records of the Office of the Property Appraiser of Miami-Dade County. The cost of recording the notice of violation and order to correct or other appropriate instrument and the certificate of cancellation shall also be recoverable as costs from the owner of record of the property prior to recording the certificate of cancellation. Any person acquiring any interest in or to property described in a notice of violation and order to correct or other appropriate instrument after recordation thereof shall be bound by the provisions thereof, and shall take the property subject to the requirements set forth in the notice of violation and order to correct or other appropriate instrument. All such persons acquiring an interest in or to property for which a notice of violation and order to correct or other appropriate instrument has been recorded under this section shall comply with the requirements thereof, and shall be subject to all of the other provisions of this article.<<

[[~~(3)~~]]>>(4)<< To institute a civil action in a court of competent jurisdiction to seek >>equitable relief, including but not limited to<< temporary or permanent, prohibitory or mandatory injunctive relief to enforce compliance with or prohibit the violation of: any of the applicable provisions of this chapter or of the Florida Fire Prevention Code, as all of same may be amended from time to time; any lawful order of the Chief Fire Official; any fire safety standard of a municipality which is more stringent in accordance with [[~~Section~~]]>>sections<< 633.206 or 633.208, Florida Statutes, as amended from time to time; any condition, limitation, or restriction which is part of a permit issued pursuant to this chapter or the Florida Fire Prevention Code, as all of same may be amended from time to time; or any consent agreement.

[[~~(4)~~]]>>(5)<< To institute a civil action in a court of competent jurisdiction to impose and recover a civil penalty in an amount of not more than twenty-five thousand dollars ($25,000.00) for each violation of: any

of the applicable provisions of this chapter or of the Florida Fire Prevention Code, as all of same maybe amended from time to time; any lawful order of the Chief Fire Official; any fire safety standard of a municipality which is more stringent in accordance with [[~~Section~~]]>>sections<< 633.206 or 633.208, Florida Statutes, as amended from time to time; any condition, limitation, or restriction which is part of a permit issued pursuant to this article or the Florida Fire Prevention Code, as all of same may be amended from time to time; or any consent agreement.

[[~~(5)~~]]>>(6)<< To institute a civil action in a court of competent jurisdiction to seek restitution [[~~and other equitable relief~~]] to recover any sums expended and costs incurred for:

(i) Tracing, investigating, preventing, controlling, abating, or remedying violations of: this chapter, the Florida Fire Prevention Code and fire safety standard adopted by a municipality which are more stringent in accordance with [[~~Section~~]]>>sections<< 633.206 or 633.208, Florida Statutes, as all of same may be amended from time to time; or any lawful order of the Chief Fire Official; or any condition, limitation, or restriction which is a part of a permit issued pursuant to this article or the Florida Fire Prevention Code, as all of same may be amended from time to time; or any consent agreement.

(ii) Restoration of the air, waters, property, animal life, aquatic life and plant life within the County or municipality to their former condition.

>>(iii) The cost of labor and materials resulting from or relating to enforcement actions, including but not limited to inspections, preparation of inspection reports, photographs, research relating to ownership or tenancy of property as well as corporate entity ownership or management, postage, attendance time in hearings, depositions and trials, and other demonstrable administrative costs for

enforcement and collection.

(iv) All such sums shall become delinquent if not paid within thirty days after the Chief Fire Official mails to the violator, via First Class mail, a bill, invoice, demand for payment or other similar correspondence, itemizing the costs incurred in enforcing the provisions of this Article, or after a hearing officer's order or court order become final (the "due date"). The costs, together with any interest charges at the rate provided in section 8CC-7 of the Code, shall be debts due and owing to the Chief Fire Official and all of same shall be recoverable by the County or its assignee, on behalf of the Chief Fire Official, in any court of competent jurisdiction.<<

* * *

Sec. 14-44. – Civil penalty and restitution fund.

(A) The sums recoverable by the Chief Fire Official, pursuant to [[~~Section~~]]>>section<< 14-43(A)[[~~(4)~~]]>>(5)<< and [[~~(5)~~]]>>(6)<< shall be >>separately accounted for by the Fire Department having jurisdiction in accordance with applicable County or municipal procedures and<< [[~~deposited (i) in a separate County fund for sums recovered by the Miami-Dade Fire Chief, or (ii) in separate municipal funds for sums recovered by the Chief Fire Official of the respective municipalities outside of the Miami-Dade Fire and Rescue Service District.~~

~~(B) The aforesaid separate County and separate municipal funds shall only be~~]] used to pay for the following:

(1) Tracing, >>enforcing,<< investigating, controlling, abating, and remedying violations of this chapter, the Florida Fire Prevention Code and, in the case of the aforesaid municipalities, fire standards adopted by the municipality which are more stringent than the applicable provisions in this chapter, the Florida Fire Prevention Code, or the rules and regulations of the State Fire Marshal, as all of same may be amended from time to time.

(2) Restoration of the air, waters, property, animal life, aquatic life and plant life within the County or municipality to their former condition >>due to violations of the Florida Fire Prevention Code and, in the case of the aforesaid municipalities, fire standards adopted by the municipality which are more stringent than the applicable provisions in this chapter, the Florida Fire Prevention Code, or the rules and regulations of the State Fire Marshal, as all of same may be amended from time to time<<.

(3) Fire safety and prevention, >>training, equipment,<< education, planning, and programming.

(4) Responding to and attempting to resolve citizen complaints against violations or possible violations of this chapter, the Florida Fire Prevention Code, and, in the case of the aforesaid municipalities, fire standards adopted by the municipality which are more stringent than the applicable provisions of this chapter, the Florida Fire Prevention Code, or the rules and regulations of the State Fire Marshal, as all of same may be amended from time to time.

(5) Investigation, preparation, and prosecution of civil and criminal actions, pursuant to this chapter or the Florida Fire Prevention Code, to enforce the provisions of this chapter, the Florida Fire Prevention Code and, in the case of the aforesaid municipalities, fire standards adopted by the municipality which are more stringent than the applicable provisions in this chapter, the Florida Fire Prevention Code, or the rules and regulations of the State Fire Marshal, as all of same may be amended from time to time.

[[~~(C)~~]]>>(B)<< No part of such [[~~separate County and separate municipal funds~~]] >>sums<< shall be used for purposes other than the aforesaid.

* * *

Sec. 14-47. – Inspections.

* * *

(B) An inspection, which may consist of entry, monitoring, testing, sampling, photographing >>or video recording of<<conditions, and reviewing documentation provided by third parties, >>or any combination thereof<< may be conducted if:

(1) Consent for the inspection is received from the owner or person >>with legal authority to provide consent, including but not limited to those<< in charge of the property, building, premises or place; or

(2) The inspection is being conducted to determine whether to issue >>or renew<< a permit in accordance with [[~~Section~~]]>>section<< 14-39 of this Code >>or to investigate continued compliance at a premises covered by such permit<<; or

(3) An inspection warrant as provided under Florida law is obtained; or

(4) The inspection is otherwise authorized by law.

(C) No person shall obstruct, hamper, or interfere with any such inspection or fail to allow or arrange access for inspection.

>>(D) If, upon the completion of the inspection, violation(s) are identified by the Chief Fire Official or his or her designee, and notice of said violation(s) is given to the violator, it shall be the violator's responsibility to notify the Chief Fire Official or his or her designee of the correction of the violation(s) and to request a reinspection of the premises. If reinspection of the premises, at the request of the permit holder, reveals that the violation(s) has not been properly corrected, the permit holder shall pay the re-inspection fee specified by the Fire Department's adopted fee schedule.<<

Sec. 14-48. – Orders.

(A) Whenever evidence has been received establishing that a violation of the applicable provisions of this chapter, the Florida Fire Prevention Code, the rules and regulations of the State Fire Marshal, or any fire safety standards of a municipality which are more stringent than any of the foregoing, has occurred or may reasonably be expected to occur, the Chief Fire Official may issue, in their discretion, a notice to correct the violation or a citation to

cease the violation. Any notice or citation shall be served upon the violator as provided in section 8CC-3(e) >>of the Code of Miami-Dade County<<, as may be amended from time to time. Such notice or citation shall set forth the nature of the violation and specify a reasonable time within which the violation shall be rectified or stopped. Reasonable time herein means the shortest practicable time to rectify or stop the violation. Such notice or citation may require the violator to >>vacate, <<restrict, cease or suspend use or operation of the facility or premises. Any orders hereunder may be enforced as provided in [[~~Section~~]]>>section<< 14-43 of this article. This provision shall not be construed to require the issuance or service of a notice of violation or citation to cease or other order prior to initiating proceedings against a violator pursuant to [[~~Section~~]]>>section<< 14-43 of this article.

>>(B) When an imminent danger exists, as defined in the Florida Fire Prevention Code, the Chief Fire Official shall have the authority to order a utility service provider(s) to disconnect or cease utility service(s) to or for any building or structure deemed to be in violation of the applicable provisions of this chapter, the Florida Fire Prevention Code, the rules and regulations of the State Fire Marshal, or any fire safety standards of a municipality which are more stringent than any of the foregoing. Before the Chief Fire Official may order utilities to be disconnected under this subsection, the Chief Fire Official shall have issued an order to vacate the building or structure and shall provide notice to the owner of the building or structure via certified mail and posted or affixed in a conspicuous location on the building or structure which is the subject of such order. The posted or affixed notice shall read substantially as follows:
NOTICE OF INTENT TO DISCONNECT UTILITIES: This building or structure has been deemed to be in violation of fire code requirements and an imminent danger exists. As a result, the UTILITIES TO THIS BUILDING MAY BE DISCONNECTED ON [INSERT DATE OF POTENTIAL DISCONNECT]. The building owner must contact the Chief Fire Official immediately. THIS NOTICE SHALL NOT BE REMOVED EXCEPT BY THE CHIEF FIRE OFFICIAL. [INSERT DATE POSTED.]

(C) Orders to cease and desist, notices to correct violations, and any other lawful orders of the Chief Fire Official may be enforced in a civil action in a court of competent jurisdiction for equitable relief, including mandatory and prohibitory injunctions, civil penalties, costs, restitution and other remedies, and attorney's fees.<<

[[~~(B)~~]]>>(D)<< For the purposes of this article, a violator shall mean the owner, lessee tenant and any other person responsible for the condition of the premises. In the case of a corporation it shall also mean the resident agent, any director or officer. In the case of a partnership it shall also mean any partner.

* * *

Sec. 14-50. – Special assessments and liens.

* * *

(B) *Liens* [[~~*Where Unpaid Civil Penalties*~~]]. Unpaid civil penalties shall constitute a lien >>pursuant to the procedures<<[[~~as~~]] provided in >>chapter 8CC of the Code of Miami-Dade County, including sections 8CC-4 and<< [[~~Section~~]] 8CC-7, as may be amended from time to time.

* * *

Sec. 14-52. – [[~~General Provisions at Fires and Other Emergency Operations~~]]>>Interference with Fire Department Activity or Tampering with Equipment<<.

* * *

(F) *Obstruction of fire protection equipment.* No person shall place or keep any post, fence, vehicle, growth, trash, storage or other material or thing near any fire hydrant, fire rescue department connection or fire protection system control valve that would prevent such equipment or hydrant from being immediately discernible or in any other manner deter or hinder the fire department from gaining immediate access to said equipment or hydrant. Clear space around [[~~each fire hydrant~~]] >>hydrants<< shall be as specified in the Florida Fire Prevention Code.

>>(G) No person shall paint any fire hydrant without first receiving the approval and authorization of the Chief Fire Official or his designee.<<

* * *

ARTICLE IV. – LOCAL AMENDMENTS TO THE FLORIDA FIRE PREVENTION CODE

* * *

Sec. 14-61. – Fire [[~~alarms~~]]>>alarm system installation and maintenance requirements<<.

* * *

(B) *Scope of regulation.* The provisions of this section shall apply to all fire alarm systems, except [[~~household fire alarm systems in single and two-family dwellings and household fire alarm systems within the individual living units of multi-family dwellings~~]]>>Household Fire Alarm Systems, as defined in NFPA 72<<, within the geographical area of Miami-Dade County.

(C) *Definitions.* The following definitions shall be applicable to [[~~Sections~~]]>>sections<< 14-61 and 14-62 of this Code.

* * *

(3) *Authority Having Jurisdiction ("AHJ").* The Chief Fire Official >>or his or her designee<< responsible for approving equipment, materials, an installation, or a procedure.

* * *

(12) *Fire Alarm System.* A system or portion of a combination system that consists of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals or any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of fire-related emergency requiring urgent attention and to which Fire Department personnel may reasonably be expected to respond, but does not include [[~~household alarms installed in one- or two-family dwellings and household fire alarm systems within the individual living units of multi-family dwellings~~]]>>Household Fire Alarm

Systems, as herein defined<<.

* * *

(15) *Listed.* Equipment, materials, or services included in a list published by an organization that is acceptable to the [[~~Authority Having Jurisdiction~~]]>>AHJ<< and concerned with evaluation of products or services, that maintains periodic inspection of production of listed equipment or materials or periodic evaluation of services, and whose listing states that either the equipment, material, or service meets appropriate designated standards or has been tested and found suitable for a specified purpose.

* * *

(32) *Third-Party Verification Organization.* An independent organization providing published standards for the operation and administration of a listed central station service program that is acceptable to the >>AHJ<<[[~~authority having jurisdiction~~]] and that operates in accordance with the edition of NFPA 72 (National Fire Alarm Code) adopted by the Florida Fire Prevention Code in providing a system for the verification and listing of fire alarm systems for central station service and which provides a certificate or placard indicating compliance.

* * *

(D) *Runner Service and Service Contracts.* All fire alarm systems shall be required to have in effect at all times a service contract with a licensed fire alarm service contractor, a listed fire alarm service-local company or a listed central station to provide all maintenance, service and testing as required by this Code.

>>(1) The runner information shall be provided and maintained current with the monitoring company.<<

[[~~(1)~~]]>>(2)<< The service contract shall include a provision for runner service available to respond to the protected premises at any and all times within two (2) hours of notification of the runner service of any alarm

or supervisory signal, and within four (4) hours of notification of any trouble signal.

(i) The runner shall restore the fire alarm system to complete working order.

(ii) In the event that the runner cannot restore the fire alarm system to complete working order for reasons other than payment, the building, structure, or occupancy may be subject to certain limitations, conditions, and restrictions, including fire watch requirements, or being vacated as determined by the Chief Fire Official.

(iii) The runner may be cancelled, prior to arrival, as described in the relevant provisions of the edition of NFPA 72 (National Fire Alarm Code) adopted by the Florida Fire Prevention Code except that a runner may not be cancelled if the fire alarm, supervisory signal, or trouble signal recurs within two (2) hours of the event for which the runner was originally dispatched.

[[~~(2) Posting requirements. A fire alarm user shall conspicuously post at the main entrance to the alarm user's premises a notice stating: (1) the name of an individual or alarm company able and authorized to enter the premises and deactivate the alarm; (2) emergency telephone numbers by which those individuals can be reached at all times; and (3) the name and address of the alarm user. The information must be kept current and failure to update this information within forty-eight (48) hours of any change constitutes a violation of this section.~~]]

(3) [[~~The runner at all times shall be provided with a~~]]>>A<< key or other means of accessing the >>premises and the<< fire alarm control panel >>shall be available to the runner<< at [[~~any time~~]]>>all times<<.

* * *

(L) *False Alarms. Inoperable Systems, Remedy of Existing Systems.* Any existing fire alarm system determined by the Chief

Fire Official to be inoperable for any reason, unless the system has been reported to the Chief Fire Official and is in the process of actively being repaired, or a fire alarm system which has caused more than four nuisance alarms >>caused by system malfunctions<< within any three hundred sixty-five (365) day period, shall be required to upgrade the fire alarm system to be in compliance with the new fire alarm requirements set forth in the edition of NFPA 101 (Life Safety Code) adopted by the Florida Fire Prevention Code and [[~~Section~~]]>>section<< 14-61(I) of this Code.

* * *

(N) >>*Minimum requirements for fire alarm plan submittals*.<< Fire alarm plans submitted for review for permit approval shall use standardized symbols in compliance with the adopted edition of NFPA 170, Standard for Fire Safety and Emergency Symbols.

>>(O) *Notification of Fire Alarm Testing and Maintenance*. Whenever a fire alarm system has been scheduled for testing or maintenance, which can be reasonably anticipated to activate an evacuation signal, signage notifying all building occupants and visitors shall be conspicuously posted at all building entrances, elevator lobbies, and elevator cars, if applicable. All signs required herein shall include the date and time of the scheduled testing and maintenance, and shall be immediately removed at the conclusion of the maintenance and testing event.

(P) *Enforcement*. This section shall be enforced pursuant to section 14-43 and chapter 8CC of the Code of Miami-Dade County.<<

* * *

Sec. 14-62. – >>Installation and maintenance of fire sprinkler<<[[~~Sprinkler~~]] systems, fire pumps, and other extinguishing systems.

* * *

(E) *Fire sprinkler systems, fire pumps, and other fire extinguishing systems.*

(1) Control valves for the water supply to fire sprinklers, fire pumps, standpipe systems, and any other

fire extinguishing system or standpipe shall not be closed and fire pumps shall not be closed and disabled unless one >>or more<< of the following conditions [[~~exists~~]]>>exist<<:

(i) The responding Fire Department personnel request the water supply to be shut down.

(ii) A fire protection contractor is actively working on the system. The fire protection contractor's personnel must be present on site while the system is out of service or a fire watch approved by the Chief Fire Official must be established.

(2) The building owner or operator may shut the system down to prevent further property damage when an accidental activation or leak occurs that is not caused by an event that involves fire, heat, or smoke. The building owner must have a licensed fire protection contractor perform the necessary repairs and restore the system to normal operation within the timelines required by the Florida Fire Prevention Code.

>>(F) Buildings partially protected by fire sprinkler systems: For existing non-sprinkler protected buildings, the AHJ may authorize a portion of the building to be protected by sprinklers with the following additional requirements:

(1) The fire sprinkler system design shall be increased by one hazard classification higher than that required by NFPA 13, as amended from time to time.

(2) Fire rated separation for the part of the building not protected by the fire sprinkler system shall be increased by an additional one-hour.<<

Sec. 14-63. – Standby services.

* * *

(C) *Standby Fire-Watch.* Whenever any >>existing<< fire protection system [[~~such as (1) Sprinkler systems, (2) Standpipe systems, (3) Fire hose systems, (4) Underground fire service mains, (5) Fire pumps, (6) Water storage tanks, (7) Water spray fixed~~

~~systems, (8) Foam-water systems, (9) Fire service control valves that are required by this article, the Florida Fire Prevention Code, the rules and regulations of the State Fire Marshal, or any fire safety standards of a municipality which are more stringent than any of the foregoing~~]] is impaired for ten hours or more within any 24-hour period, or whenever any >>existing<< fire alarm system [[~~that is required by this chapter, the Florida Fire Prevention Code, the rules and regulations of the State Fire Marshal, or any fire safety standards of a municipality which are more stringent than any of the foregoing~~]] is impaired for four hours or more within any 24-hour period >>, or whenever a building has been the subject of a fire event and the Chief Fire Official or his or her designee determines that a fire watch is required due to the possibility of re-ignition,<< the owner, agent or lessee shall employ one or more state-certified firefighter(s), state-certified fire safety inspector(s), [[~~and/or~~]] security guard(s), >>or any combination thereof<<, as required and approved by the Chief Fire Official, to be on duty at such place to perform a standby fire-watch. >>For purposes of this section, "any fire protection system" shall include but not be limited to sprinkler systems, standpipe systems, fire hose systems, underground fire service mains, fire pumps, water storage tanks, water spray fixed systems, foam-water systems, and fire service control valves.<< If the owner, agent or lessee fails to employ said >>required standby fire-watch, such failure shall be a violation of this section and punishable as provided in chapter 8CC, and<< [[~~firefighter(s), fire safety inspector(s), and/or security guard(s),~~]] the Chief Fire Official may >>also<< impose the standby fire-watch >>at the expense of the owner, agent or lessee<<. Said firefighter(s), fire safety inspector(s), [[~~and/or~~]] security guard(s)>>, or any combination thereof,<< shall be subject to the Chief Fire Official's orders when so employed and shall be in uniform and remain on duty during the time such places are open to the public, or are occupied. Said firefighter(s), fire safety inspector(s), [[~~and/or~~]] security guard(s) >>, or any combination thereof,<< shall follow the procedures established by the Chief Fire Official to assure public safety. Said firefighter(s)>>,<< [[~~and or~~]] fire safety inspector(s)>>,<< [[~~and or~~]] security guard(s) >>, or any combination thereof,<< shall not be required or permitted, while on duty, to perform any other duties than those herein specified. >>In addition to the personnel costs for the employment of said fire watch personnel, the<<[[~~The~~]] owner, agent or lessee shall be responsible for all cart, vehicle, apparatus, vessel, aircraft, specialized gear, equipment, supplies and administrative costs associated with the employment and support of said firefighter(s), fire safety inspector(s), [[~~and/or~~]] security guard(s) >>, or any combination thereof,<< dedicated to or in

support of the standby fire-watch.

* * *

Sec. 14-66. – [[~~Open burning/bonfires~~]]>>Bonfires<<.

(A) Except as provided in [[~~Sections~~]]>>sections<< 14-11 and 14-12, [[~~a permit~~]]>>permits<<, in accordance with [[~~Section~~]]>>section<< 14-39 of this Code, from the Fire Department having jurisdiction shall be required for all open burning [[~~including, but not limited to, bonfires~~]].

* * *

Sec. 14-67. – Fireworks, sparklers, pyrotechnic displays, and flame effects.

* * *

(G) Sky Lanterns: The >>sale or<< use of unmanned, free-floating sky lanterns and similar devices utilizing an open flame shall be prohibited.

(H) Requirements for the Sale, Display, Merchandising, Storage and Handling of Fireworks, Sparklers and Novelty Items within Buildings, Structures, Tents, Temporary Membrane Structures and Outdoor Sites.

* * *

(4) Buildings or structures used in whole or in part for sales (retail or wholesale), display, merchandising, handling, or storage of fireworks, sparklers and/or novelty items shall be fully protected throughout with an automatic [[~~sprinkler[s]~~]]>>sprinkler<< system in accordance with the adopted edition of NFPA 13. Buildings used for other than seasonal retail sales shall have the sprinkler system designed for extra-hazard contents.

(5) No storage or sale of sparklers or novelty items shall be permitted in or from vehicles.

>>(6) Buildings or structures used for the sale of fireworks in accordance with the provisions of section 791.04, Florida

Statutes, shall prominently display signage visible at each and every entrance and at the point of sale complying with the following requirements:

(i.) Signs shall incorporate red letters, one-inch minimum, on a white background.

(ii.) The sign shall state the following:

THE OFFER FOR SALE, EXPOSURE FOR SALE, OR RETAIL SALE OF FIREWORKS IS GENERALLY PROHIBITED AT THIS LOCATION PURSUANT TO SECTION 791.02, FLORIDA STATUTES. FIREWORKS SALES AND TRANSFERS AT THIS FACILITY ARE LIMITED TO EXEMPT TRANSACTIONS PURSUANT TO SECTION 791.04, FLORIDA STATUTES. NO FIREWORKS MAY BE SOLD OR TRANSFERRED FROM THIS LOCATION UNLESS THE TRANSACTION IS AUTHORIZED BY A SPECIFIC EXEMPTION IN SECTION 791.04, FLORIDA STATUTES.

(7) Requirements for Exempt-Sale Records. No facility shall offer for sale, expose for sale, sell, transfer, or otherwise deliver possession of any fireworks pursuant to section 791.04, Florida Statutes, unless the facility obtains, contemporaneously with the transaction, and maintains on the premises, a complete set of records demonstrating the specific exemption in section 791.04, Florida Statutes, relied upon for that transaction. The following requirements are adopted to facilitate local enforcement of chapter 791, Florida Statutes, including verification that transactions claimed under section 791.04 meet the conditions of the applicable exemption. At a minimum, and for each transaction, the facility shall obtain and retain:

(i) a signed purchaser certification, on a form provided by the County or the Fire Department having jurisdiction for convenience, or in any written format, identifying the specific section 791.04, Florida Statutes, exemption relied upon and certifying that the purchaser's intended use and the transaction fall within that exemption;

(ii) the purchaser's name, address, and contact

information; and verification of identity by government-issued photo identification for such individual taking possession on behalf of the purchaser;

(iii) an invoice or sales document identifying the items sold and the quantity; and

(iv) supporting documentation evidencing compliance with section 791.04, Florida Statutes, as follows:

(a) For wholesale transactions between manufacturers, distributors, and wholesalers, documentation that the purchaser is a manufacturer, distributor, or wholesaler registered with the division pursuant to section 791.015, Florida Statutes, including a copy of the purchaser's current registration and the purchaser's business address.

(b) For fireworks "to be shipped directly out of state," records demonstrating that the fireworks are shipped directly out of state by the seller, including the out-of-state delivery address, the common carrier shipping receipt or bill of lading, tracking information, and delivery confirmation. The purchaser shall not remove fireworks from the facility premises when this exemption is relied upon.

(c) For fireworks sales to be used for a supervised public display authorized under section 791.02, Florida Statutes, a copy of the applicable display permit issued by the board of county commissioners or municipal governing body with jurisdiction, and documentation identifying the display location and date.

(d) For fireworks sales for railroad or other transportation agencies for signal purposes or illumination, documentation identifying the purchaser as a railroad or transportation agency and describing the intended use.

(e) For fireworks sales for quarrying, blasting, or other industrial use,

documentation identifying the purchaser and the intended use and location.

(f) For blank cartridges for a show or theater, for signal or ceremonial purposes in athletics or sports, or for use by military organizations or organizations composed of the Armed Forces of the United States sales, documentation identifying the purchaser and the applicable intended use category.

(v) All records required by this subsection shall be retained for not less than four (4) years and shall be made available for inspection upon reasonable request during business hours to the AHJ and to law enforcement officials charged with enforcement of state law. Failure to obtain, maintain, or produce upon request the records required by this subsection for any transaction claimed under section 791.04, Florida Statutes, constitutes a violation of this chapter and a violation of the facility's permit conditions, and shall be grounds for denial, suspension, or revocation of the permit.

(vi) Alternative Compliance for Existing Permitted Facilities: Notwithstanding the specific recordkeeping requirements of this subsection, a facility that, before the effective date of this ordinance, has been issued by the Fire Department having jurisdiction a permit under subsection (I), or a corresponding municipal fire permit or approval, to sell fireworks pursuant to section 791.04, Florida Statutes, and is operating under an operating permit required by section 14-39 or a corresponding municipal operating or life-safety permit, may satisfy the requirements of this subsection through a written alternative compliance agreement approved by the Fire Department having jurisdiction. To be eligible for an alternative compliance agreement, the facility shall submit a written request and proposed alternative recordkeeping protocol to the Fire Department having jurisdiction before the compliance deadline provided in subsection (H)(9)(v). Within 45 days after receipt of a complete request, the Fire Department having

jurisdiction shall approve, approve with conditions, deny, or provide written comments. Failure to act shall not constitute approval. If denied, or if no alternative recordkeeping protocol agreement is approved before the deadline provided in subsection (H)(9)(v), the facility shall comply with this subsection by such deadline or within 30 days after denial, whichever is later. The Fire Department having jurisdiction may approve an alternative compliance agreement upon a determination that the facility's alternative recordkeeping protocol requires transaction records or other documentation, retention, and inspection access sufficient to identify the Section 791.04, Florida Statutes, exemption claimed for each transaction and to permit reasonable review of the facility's compliance with this subsection. Compliance with an approved alternative compliance agreement shall constitute compliance with this subsection for the period stated in the agreement. Any such agreement shall be a condition of the permit required by subsection (I), any operating permit required for the facility pursuant to section 14-39, and any corresponding municipal fire, operating, or life-safety permit or approval issued by the Fire Department having jurisdiction. Failure to comply with an approved alternative compliance agreement shall constitute a violation of this chapter and the facility's permit conditions and shall be grounds for denial, suspension, revocation, or nonrenewal of any such permit or approval. Nothing in this paragraph shall excuse compliance with subsections (H)(6), (H)(8), or (H)(9), except that records maintained pursuant to an approved alternative compliance agreement shall be treated as records required by this subsection. Nothing in this paragraph shall authorize any sale, transfer, use, or possession of fireworks not otherwise authorized by chapter 791, Florida Statutes.

(8) Prevention of Unlawful Sales. A facility conducting exempt sales pursuant to section 791.04, Florida Statutes, shall implement and maintain physical and operational

controls reasonably designed to prevent the unlawful sale or transfer of fireworks for any purpose not authorized by section 791.04, Florida Statutes. A facility shall not sell or transfer fireworks to any purchaser unless the transaction falls within a specific exemption in section 791.04, Florida Statutes, and the facility obtains and maintains the documentation required by this section or an approved alternative compliance agreement. Fireworks for sale pursuant to section 791.04, Florida Statutes, shall be maintained so that customers do not have self-service access to or take possession of them before facility personnel document the claimed exemption. A violation of the provisions of this chapter shall constitute grounds for denial, suspension, revocation, or nonrenewal of any applicable permit or approval, in addition to any other remedies available under this Code and referral to law enforcement and the State Fire Marshal for any suspected violation of Chapter 791, Florida Statutes.

(9) Inventory, Scope, Severability, and Compliance.

(i) *Inventory*: All fireworks possessed, stored, displayed, offered for sale, or otherwise maintained at a facility for the purpose of transactions claimed under section 791.04, Florida Statutes ("791.04 inventory"), shall be segregated from other products and materials and stored or maintained in a designated area or areas of the premises in a manner that permits inspection and prevents commingling with non-791.04 inventory. Each designated area containing 791.04 inventory shall be clearly and conspicuously labeled with signage stating: "FIREWORKS, SECTION 791.04, F.S., EXEMPT SALES ONLY." 791.04 inventory shall not be commingled with, or stored within the same bin, shelf, case, pallet, or other container as any other inventory not intended for sale or transfer pursuant to section 791.04, Florida Statutes. Failure to maintain segregated and labeled 791.04 inventory as required by this paragraph shall constitute a violation of the permit conditions for the facility and shall be grounds for denial, suspension, revocation, or nonrenewal of any applicable permit or approval, in addition to any other remedies available under this Code and referral to law enforcement and the State Fire Marshal for any suspected violation of Chapter

791, Florida Statutes.

(ii) *Scope*: Subsections (H)(6), (H)(7), (H)(8), and (H)(9) apply solely to facilities and transactions claimed to be authorized under section 791.04, Florida Statutes, and are adopted to establish procedures and proof necessary to demonstrate the applicability of a claimed exemption, to ensure documentation retention and compliance with state law, and to provide inspection access for such claimed exempt transactions. Nothing in this section shall be construed to directly conflict with Chapter 791, Florida Statutes, or to directly prohibit, directly interfere with, or regulate the right to purchase, sell, use, or possess consumer fireworks, except to the extent expressly authorized by general law.

(iii) *Severability*: If any subsection, sentence, clause, or provision of subsections (H)(6), (H)(7), (H)(8), and (H)(9) is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section.

(iv) *Compliance*: Compliance with subsections (H)(6), (H)(7), (H)(8), and (H)(9)(i) is an express condition of the permit required by subsection (I), any operating permit required for the facility pursuant to section 14-39, and any corresponding municipal fire, operating, or life-safety permit or approval issued by the Fire Department having jurisdiction. Failure to comply with those provisions shall constitute grounds for denial, suspension, revocation, or nonrenewal of any such permit or approval.

(v) Transition for Existing Permitted Facilities: A facility that, before the effective date of this ordinance, has been issued by the Fire Department having jurisdiction a permit under subsection (I), or a corresponding municipal fire permit or approval, to sell fireworks pursuant to section 791.04, Florida Statutes, and is operating under an operating permit required by section 14-39 or a corresponding municipal operating or life-safety permit, shall

comply with subsections (H)(6), (H)(7), (H)(8), and (H)(9) no later than 270 days after the effective date of this ordinance or the date on which the facility's operating permit required by section 14-39, or corresponding municipal operating or life-safety permit, is first renewed after the effective date of this ordinance. During this transition period, such facility shall not be deemed in violation of subsections (H)(6), (H)(7), (H)(8), or (H)(9) solely because the facility has not yet implemented the requirements of those subsections, provided that the facility otherwise complies with this chapter, the Florida Fire Prevention Code, and chapter 791, Florida Statutes. This transition period shall not apply to any facility that, after the effective date of this ordinance, submits an initial application for a permit under subsection (I) or a corresponding municipal fire permit or approval, changes location, changes use, changes occupancy, changes ownership, materially expands its fireworks operations, or is required to obtain a new permit pursuant to subsection (I), section 14-39, or any corresponding municipal fire, operating, or life-safety permit or approval issued by the Fire Department having jurisdiction. Nothing in this subsection shall authorize any sale, transfer, use, or possession of fireworks not otherwise authorized by chapter 791, Florida Statutes.<<

* * *

Sec. 14-68. – Fire Department Access Roads and Set-Up Sites.

The following Set-Up Site requirements are minimum standards:

* * *

>>(4) When set-up sites required by this section cannot be provided due to location on property, topography, waterways, nonnegotiable grades, or other similar conditions, the AHJ shall be authorized to require additional fire protection features.<<

* * *

Sec. 14-69. – In-Building Public Safety Two-Way Radio Communication Enhancement Systems.

* * *

(D) *Critical Areas.* Elevator shafts shall be considered a critical area as defined in the Florida Fire Prevention Code in all buildings with six stories or greater and shall be required to have a 99 percent total critical area radio coverage. Elevator shafts shall be considered a critical area as defined in the Florida Fire Prevention Code in buildings less than six stories that are lacking signal strength in areas other than the elevator shaft, and shall [[~~have~~]]>>require<< an in-building public safety two-way radio communication enhancement system.

* * *

Sec. 14-72. – Premises identification.

* * *

>>(D) Multiple buildings, structures, or any combination thereof, sharing a single street address must be designated with a unique identifier (letter or number) which shall be posted in the same manner as the building address.

(E) The requirements herein shall be the responsibility of the property owner and failure to comply shall be a violation of this section.<<

Sec. 14-73. – Emergency action plans.

Emergency action plans required for designated facilities as provided by the Florida Fire Prevention Code, NFPA 1:10.8, shall be submitted for review by the Chief Fire Official [[~~or designee no later than 12 months after the preceding annual inspection~~]]>>at the time the facility is established and whenever changes to the occupancy, location, arrangement of exits, or other material changes to the operation of the facility occur<<. As used herein, "designated facilities" include the following occupancies: high rise buildings; health care facilities; ambulatory health care, residential board and care, assembly, day care, special amusement buildings, hotels and dormitories, detention and correction, educational, underground/windowless buildings, facilities storing hazardous materials, and where otherwise required by the [[~~Authority Having~~

~~Jurisdiction~~]]>>AHJ<<.

* * *

Sec. 14-75. – [[~~Standards of the National Fire Protection Association~~]]>>Reserved<<.

[[~~The following codes and standards of the National Fire Protection Association are hereby adopted and incorporated by reference:~~

~~(A) NFPA 423, 2016 edition, Standard for Construction and Protection of Aircraft Engine Test Facilities; and~~

~~(B) NFPA 1124, 2006 edition, Code for the Manufacture, Transportation, and Storage of Fireworks and Pyrotechnic Articles.~~]]

>>**Sec. 14-76. – Exit and emergency lighting equipment.**

(A) Buildings or spaces containing more than five (5) individual battery-operated illuminated exit signs, emergency lights, or any combination thereof shall be required to have those devices inspected by a licensed electrician or other qualified service provider; an inspection and testing report shall be provided to the AHJ during any inspection indicating that all devices have been tested and are operational as of the time and date of the inspection.

(B) Buildings or spaces where illuminated exit signs, emergency lighting service, or any combination thereof is provided by an emergency generator shall be required to have a licensed electrician or other qualified service provider provide an inspection and testing report to the AHJ indicating that all such devices have been tested and are operational during generator operation as of the time and date of the inspection.

Sec. 14-77 – Periodic Testing, Inspection, and Maintenance of Fire Protection Systems – Reporting Requirements.

When the AHJ has adopted or obtained, whether by policy or by contract, the services of a third-party contractor to accept periodic Inspection, Testing and Maintenance (ITM) reports of fire protection and life safety systems on its behalf, then owners, occupants, contractors, or other required persons shall submit such

reports to the third-party contractor. The AHJ shall maintain and make publicly available a list of system types for which the third-party contractor shall be utilized for the filing of ITM reports. Fees charged by the third-party contractor for the filing of such reports shall be established, reasonable, published, and approved by the AHJ and borne by the owners, occupants, contractors, or other persons required to submit such reports in accordance with the Florida Fire Prevention Code, Florida Administrative Code, or this Code.

Sec. 14-78 – Emergency Power Systems (EPS).

(A) Outdoor Installations of Level 1 Systems. All new outdoor and/or rooftop EPS installations shall be protected from lightning by a lightning protection system installed in accordance with NFPA 780, Standard for the Installation of Lightning Protection Systems.

(B) Emergency Stop Stations. Remote stop stations required by NFPA 110, Standard for Emergency and Standby Power Systems, shall be installed no less than 20 feet and no more than 50 feet away from the EPS and shall be identified by a permanent, durable sign, stating "Emergency Generator Stop".

(C) Portable Fire Extinguishers. A portable fire extinguisher having a minimum capacity of 40B:C shall be installed and maintained immediately adjacent to the emergency stop station for all EPS excluding those supplied by Natural or LP gases. Where the installation occurs outdoors, the fire extinguisher shall be installed in an approved weatherproof enclosure designed for that purpose.

Sec. 14-80 – Emergency Vehicle Zones.

(A) Whenever a fire apparatus access road, as defined in the Florida Fire Prevention Code, NFPA 1, is required by the AHJ, such fire apparatus access road shall comply with this section.

(B) The owner of the property shall be responsible for maintenance of the fire apparatus access road, including any required markings and signage.

(C) Fire apparatus access roads shall be kept unobstructed and available for use in case of an emergency.

(D) Signage and pavement markings shall be installed and maintained by the property owner in compliance with the following requirements:

a. Signage shall conform to any and all applicable standards provided in the Department of Transportation Manual on Uniform Traffic Control Devices (MUTCD), as adopted by section 316.0745, F.S., R7 series, and signs of this type shall be 12 in. by 18 in.

b. Signage shall incorporate the following wording: "NO PARKING", "EMERGENCY VEHICLE ZONE", "SECTIONS 30-10 AND 30-49, CODE OF MIAMI-DADE COUNTY"

c. Pavement markings shall also follow MUTCD standards, yellow in color, and shall include striping and "NO PARKING" language.

(E) Violations of fire apparatus access road parking regulations shall be in accordance with section 30-49, Code of Miami-Dade County.<<

Section 2. Section 8CC-10 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 8CC-10 – Schedule of civil penalties.

* * *

Code Section	Description of Violation	Civil Penalty
14-11	Failure to burn or dispose of material for safety purposes	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-12	Setting fire without a permit	

	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-15	Creating or maintaining a fire hazard	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-16	Unlawful burning of forest, grass, woods, wildlands or marshes	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-17	Unlawful setting of fire on rights-of-way	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-18[[~~(F)(1)~~]]>>(C)<<	First violation of fire alarm posting requirements	250.00
14-18[[~~(F)(2)~~]](C)	Second and all subsequent violations of fire alarm posting requirements	500.00
14-18[[~~(F)(3)]]~~>>(D)<<	Third false fire alarm in one calendar year	500.00
14-18[[~~(F)(4)~~]]>>(D)<<	Fourth and each additional false fire alarm in one calendar year	1,000.00
14-18[[~~(F)(5)~~]]>>(E)<<	Failure to file timely written inspection and test report	250.00
[[~~14-19~~	~~Failure to provide statement post vehicle fire or explosion~~	~~200.00~~]]
14-39	Failure to obtain required permit or violation of condition of permit, or failure to obtain required fire	[[~~200.00~~]]>>250.00<<

	department approval prior to use or occupancy	
14-40	Failure to submit plans for review or failure to obtain approval of plans	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-43	Violation of minimum fire safety standards, permit requirements, or lawful order of the Chief Fire Official	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-47	Obstructing, hampering, or interfering with inspection	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-51	Obstructing or interfering with the operations of the Fire Department	250.00
14-52	[[~~Violation of the general requirements at fires and other emergency operations~~]]>>Interference with Fire Department Activity or Tampering with Equipment<<	250.00
14-61	Violation of fire alarm requirements	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-62	Failure to supervise sprinkler systems, fire pumps, or other extinguishing systems	

	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-63	Failure to obtain standby services	[[~~200.00~~]]>>1,000.00<<
14-64	Failure to obtain a permit for a tent or membrane structure	
	>>First offense<<	[[~~200.00~~]]>>500.00<<
	>>Second or subsequent offense within five years<<	>>1,000.00<<
14-65	Failure to prevent overcrowding, post required notices, or provide required crowd manager(s)	
	>>First offense<<	[[~~200.00~~]]>>500.00<<
	>>Second or subsequent offense within five years<<	>>1,000.00<<
14-66	Failure to obtain a permit for [[~~opening burning/bonfire~~]] >>open burning<<	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-67	Failure to comply with requirements for fireworks, pyrotechnic displays, and flame effects	[[~~200.00~~]]>>1,000.00<<
>>14-67(H)(6)<<	Failure to post and maintain required signage	
	>>First offense<<	>>500.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-68	Failure to establish and/or maintain access roads and/or set-up sites	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<

	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-69	Violations of general requirements for two-way radio communication enhancement systems	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-70	Failure to provide adequate site map of a development or multi-building complex	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-71	Failure to provide approved access box	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-72	Failure to provide approved premises identification	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-73	Failure to submit emergency action plans	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
14-74	Failure to provide approved fire protection system identification	

	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years<<	>>500.00<<
	>>Third or subsequent offense within five years<<	>>1,000.00<<
>>14-76	Failure to comply with exit and emergency lighting requirements	
	First offense	250.00
	Second offense within five years	500.00
	Third or subsequent offense within five years	1,000.00
14-77	Failure to comply with reporting requirements for the periodic testing, inspection, and maintenance of fire protection systems	
	First offense	250.00
	Second offense within five years	500.00
	Third or subsequent offense within five years	1,000.00
14-78	Failure to comply with requirements for Emergency Power Systems.	
	First offense	250.00
	Second offense within five years	500.00
	Third or subsequent offense within five years	1,000.00
14-80	Failure to comply with requirements for emergency vehicle zones.	
	First offense	250.00
	Second offense within five years	500.00
	Third or subsequent offense within five years	1,000.00<<
Chapter 14	All other violations of [[~~Chapter~~]]>>chapter<< 14	
	>>First offense<<	[[~~200.00~~]]>>250.00<<
	>>Second offense within five years	500.00

	Third or subsequent offense within five years	1,000.00<<

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: September 1, 2026

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Javier Zapata