



# *South Walton* FIRE DISTRICT

911 N. County Highway 393  
Santa Rosa Beach, FL 32459  
(850) 267-1298 • Fax (850) 267-3294  
[www.swfd.org](http://www.swfd.org)



## **ORDINANCE # 15-01**

### **Florida Fire Prevention Code Adoption**

**AN ORDINANCE OF THE SOUTH WALTON FIRE DISTRICT CREATING THE ADOPTION OF THE FLORIDA FIRE PREVENTION CODE, ENFORCEMENT, FREQUENCY OF INSPECTIONS, COMMERCIAL OCCUPATIONAL LICENSE INSPECTION, OPERATING PROCEDURES, APPEALS, AND NON-CONFORMING USES BASED ON CHANGES TO THE STATE OF FLORIDA FIRE PREVENTION CODE AND PROVIDING FOR (1) SEVERABILITY, (2) REPEAL OF CONFLICTING ORDINANCES, AND (3) AN EFFECTIVE DATE**

**WHEREAS**, the State of Florida has adopted the Florida Fire Prevention Code 2010, and any and all subsequent editions or the latest published editions of these codes; and,

**WHEREAS**, Florida Statute 633.025 requires the South Walton Fire District to enforce the Florida Fire Prevention Code as promulgated in Florida Administrative Code Chapter 69A-60; and,

**WHEREAS**, Florida Statute 633.216 which grants authority to the South Walton Fire District to conduct fire safety inspections of buildings and equipment; and to set fees for inspections; and,

**WHEREAS**, the South Walton Fire District needs to adopt the Florida Fire Prevention Code that was adopted by the State of Florida; and,

**WHEREAS**, the South Walton Fire District desires to add new sections concerning fire inspections conducted by the District; and,

**WHEREAS**, the District recognizes that voluntary compliance is a priority as opposed to enforcement and that all District officials will work toward this goal; and,

**WHEREAS**, the District also recognizes that they will work locally to resolve possible conflicts in the interest of furthering development and safety.



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**NOW, THEREFORE, BE IT RESOLVED** by the South Walton Fire District Board of Fire Commissioners of Walton County, Florida as follows:

## **SECTION 1. – Fire Codes**

### **A. Adoption**

There is hereby adopted by reference by the District for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion or natural disaster within the boundaries of the District certain codes known as Florida Fire Prevention Code, the adopted codes and standards as published in the Florida Fire Prevention Code, 2010 edition, and any and all subsequent editions or the latest published editions of these codes.

### **B. Enforcement; penalty for violation of Ordinance.**

- 1) The South Walton Fire District shall enforce the provisions of the Florida Fire Prevention Code.
- 2) Any person(s) violating the provisions of the Florida Fire Prevention Code, or this article, shall be subject to the penalties provided by Florida Statute Chapter 633, and or Local Ordinances,

## **SECTION 2 – Fire Life/Safety Inspection Certifications**

It shall be the duty of the South Walton Fire District to conduct periodic fire safety inspections of commercial buildings, structures, premises, processes, and/or operations for the purpose of ascertaining and causing to be corrected any condition liable to cause fire or any violation of the Florida Fire Prevention Code.

## **SECTION 3 – Commercial Occupational Fire Life/Safety Inspection Certifications**

It shall be the duty of the South Walton Fire District to conduct a fire safety inspection prior to the issuance of a Certificate of Occupancy or Certificate of Completion by the Walton County Building Official to any new business. Any violation(s) to the Florida Fire Prevention Code shall be corrected prior to the issuance of a Certificate of Occupancy or Certificate of Completion.





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## **SECTION 4 – Operating Procedures**

It shall be the duty of the South Walton Fire District Fire Marshal to prepare an operating procedure designed to fulfill the provisions and requirements of the Florida Fire Prevention Code, the adopted codes and standards as published in the Florida Fire Prevention Code, 2010 edition, and any and all subsequent editions or the latest published editions of these codes.

## **SECTION 5 – Appeals**

When it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the owner of the business, or his representative, may appeal the decision in writing within thirty (30) days to the Special Magistrate through the South Walton Fire District.

## **SECTION 6 – Non-conforming Structures or Uses**

The adoption of the Florida Fire Prevention Code shall not operate to find or imply that existing buildings and uses including grandfathered, planning and zoning, or prior code allowances are non-conforming with respect to the Walton County Land Development Code.

## **SEVERABILITY**

The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by any court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

## **CONFLICTING ORDINANCES**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

## **JUDICIAL CONSTRUCTION**

If any provision of this section is held to be unconstitutional, preempted by federal or state law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the section shall not be invalidated.



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**ADOPTED** by the South Walton Fire District Board of Fire Commissioners at a regular monthly meeting of the South Walton Fire District Board of Fire Commissioners of Walton County, Florida held on the 9<sup>th</sup> day of February 2015.

**South Walton Fire District, Walton County, Florida**

**ATTEST:**

  
Maurice Gilbert, SWFD Board Chairman

2-9-2015  
Date