



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 04-18

City Council

5/10/2018

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Ashton J. Hayward, III, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 04-18 UPDATING FIRE CODE - CHAPTER 2 OF TITLE XIV

**RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 04-18 on second reading as amended, updating the City Code references to the Florida Fire Prevention Code and related regulations.

AN ORDINANCE AMENDING CHAPTER 2 OF TITLE XIV OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING THE CITY OF PENSACOLA FIRE CODE; AMENDING AND UPDATING REFERENCES TO APPLICABLE FIRE PREVENTION CODE; REGULATING FIREWORKS; REPEALING LIFE SAFETY CODE AND BUREAU OF FIRE PREVENTION PROVISIONS; CREATING PROVISIONS PROHIBITING OUTDOOR FIRES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The City Code provisions pertaining to the adoption and enforcement of the State Fire Prevention Code are out of date and require updating. Proposed Ordinance No. 04-18, if adopted, will amend the current code provisions to incorporate references to the currently applicable fire codes and NFPA (National Fire Prevention Association) "Life Safety Code" provisions. The proposed ordinance will also expand the regulation of prohibited fireworks, eliminate outdated code provisions, and explicitly prohibit the use of outdoor fires to dispose of trash or rubbish.

The following amendment takes the place of the original:

It shall be unlawful to build, ignite, maintain outdoor fires or conduct open burning of any kind within the city limits of Pensacola. This shall include the burning of rubbish, trash and combustible waste materials. Examples include but are not limited to; leaves, grass, shrubbery, tree branches, treated wood, paper, plastics, copper and tires.

Permanent barbecues, portable barbecues, outdoor fireplaces, fire pits, Chiminea's or grills shall not be used for

the disposal of rubbish, trash or combustible waste material. These items shall be used for the purposes intended by the manufacturer only. All lids and spark guards shall be used while any such units are in use. Any person found to be in violation of this code shall be subject to penalties set forth in Section 1-1-8 of the City Code; or pursuant to Chapter 13 of this code. Any investigating officer may cause an illegal burn to be extinguished.

**PRIOR ACTION:**

March 23, 2000 - City Council adopted Ordinance No. 19-00 amending the Fire Code for the provision of *Key Boxes* on certain specific structures.

April 12, 2018 - The City Council voted to approve Ordinance No. 04-18 on first reading

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

4/2/2018

**STAFF CONTACT:**

Eric W. Olson, City Administrator

Ginny Cranor, Fire Chief

Annie Bloxson, Fire Marshal

**ATTACHMENTS:**

- 1) Amended - Revised Proposed Ordinance No.04-18
- 2) Amended Proposed Ordinance No. 04-18
- 3) Proposed Ordinance No. 04-18

**PRESENTATION:** No