

CITY OF MARGATE, FLORIDA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 15 FIRE PROTECTION AND PREVENTION OF THE CITY OF MARGATE CODE OF ORDINANCES BY AMENDING SECTION 15-10, "BUREAU OF FIRE PREVENTION, TO ENFORCE OF REGULATIONS FOR PREVENTION AND PROTECTION FROM FIRE," SECTION 15-11, "FIRE INVESTIGATIONS," AND SECTION 15-15, "PERMIT FEES ESTABLISHED"; ADDING A NEW SECTION 15-26, "FIRE INSPECTION ELECTRONIC REPORTING"; PROVIDING FOR SCHEDULE OF FEES TO BE APPROVED BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Margate finds that is in the best interest of the residents of the City of Margate to provide for fire protection and prevention regulations; and

WHEREAS, the City Commission of the City of Margate desires to amend provisions within the City of Margate Code of Ordinances to provide an update with respect to the enforcement of fire regulations in order to protect individuals and businesses from fire; and

WHEREAS, the City Commission of the City of Margate finds

1 that the amendments are in the best interest of the health,  
2 safety, and welfare of the residents and businesses in the City  
3 of Margate.

4 NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF  
5 THE CITY OF MARGATE, FLORIDA:

6 **SECTION 1:** The Code of Ordinances of the City of Margate,  
7 Florida, Chapter 15, Sec. 15-10. Bureau of fire prevention to  
8 enforce regulations for prevention and protection from fire,  
9 is hereby amended to read as follows:

10 **Sec. 15-10. Bureau of fire prevention to enforce regulations**  
11 **for prevention and protection from fire.**

12 It shall be the duty of the officers of the bureau of fire  
13 prevention to enforce all laws and ordinances of the City of  
14 Margate covering the following:

- 15 (1) The prevention of fires;
- 16 (2) The storage and use of explosives and flammable;
- 17 (3) The installation and maintenance of automatic and other  
18 fire alarm systems, and fire extinguishing equipment;
- 19 ~~(4) The maintenance and regulations of fire escapes;~~
- 20 (4~~5~~) The means and adequacy of exit in case of fire from  
21 factories, schools, hotels, lodging houses, asylums,  
22 hospitals, churches, halls, theaters, amphitheaters, and  
23 all other places in which numbers of persons work, live,  
24 or congregate from time to time for any purpose;
- 25 (5~~6~~) The investigation of the cause, origin, and  
26 circumstances of fire;
- 27 (6~~7~~) The maintenance of fire cause and loss records.
- 28 (7~~8~~) The Building and Code Services Department will  
29 enforcement of Ceity ordinance subsection 33-72(c),  
30 pertaining to parking violations associated with fire  
31 hydrants, fire department connections, and parking

1           within fire lanes through the issuance of Ceity  
2           ordinance violations.

3           They shall have such other powers and perform such other  
4 duties as are set forth in other sections of this chapter, and  
5 as may be conferred and imposed from time to time by law. The  
6 fire chief of the City of Margate Fire Department may delegate  
7 any of his powers or duties under this chapter to the fire code  
8 official.

9  
10           **SECTION 2:** The Code of Ordinances of the City of Margate,  
11 Florida, Chapter 15, Sec. 15-11. Fire investigations, is hereby  
12 amended to read as follows:

13  
14           **Sec. 15-11. Fire investigations.**

15           The bureau of fire prevention shall investigate the cause,  
16 origin, and circumstances of every fire occurring in the Ceity  
17 by which property has been destroyed or damaged and, so far as  
18 possible, shall determine whether the fire is the result of  
19 carelessness or design. Such investigations shall begin  
20 immediately upon the occurrence of such a fire. The fire code  
21 official shall take charge immediately of the physical evidence,  
22 shall notify the proper authorities designated by law, including  
23 but not limited to the State Fire Marshal and Margate Police  
24 Department, to pursue the investigation of such matter, and  
25 shall further cooperate with the authorities in the collection  
26 of evidence and in the prosecution of the case. Every fire shall  
27 be reported in writing to the bureau of fire prevention within  
28 seven (7) days after the occurrence of the same by the fire  
29 department officer in whose jurisdiction such a fire has  
30 occurred. Such report shall be in such form as shall be  
31 prescribed by the fire code official of the Margate Fire  
32 Department, and shall contain a statement of all facts relating  
33 to the cause, origin, and circumstances of such fire, the extent  
34 of the damage thereof, and the insurance upon such property,  
35 and such other information as may be required, including the  
36 injury, death, or rescue of persons.

37  
38           **SECTION 3:** The Code of Ordinances of the City of Margate,

Florida, Chapter 15, Sec. 15-15. Permit fees established, is hereby amended to read as follows:

**Sec. 15-15. Permit fees established.**

The following fees shall be established for the permits, certificates, approvals, and other functions performed under this Code and shall be payable to the Ceity.

- (1) Fire safety plan review fees shall be collected by the Ceity Building and Code Services Department prior to the review of said plans.
- (2) Charges for permits, certificates, or tests performed under this Code shall be paid to the Ceity prior to the issuance of the permit, certificate on performance, or required test. Permits shall be due annually and will cover the period from October 1 through September 30. Permits with the exception of seasonal sales and/or special activities and those issued in conjunction with hazardous materials, which are issued for six (6) months or less, shall pay fifty (50) per cent of such fee.
- (3) Charges for services rendered with regard to standby fire watch, standby rescue service, illegal burns, false alarms, and other special fees as listed within this Code shall be collected by the Ceity Finance Department within ten (10) days of the rendering of such service.
- (4) A statement of charges for fire safety inspections shall be issued to the owner of the premises, his representative or the tenant thereof by the inspections officer upon completion of the fire safety inspection. A copy of this statement shall be forwarded to the Ceity Finance Department where charges will be billed by that department.
- (5) The Fire and life safety fee schedule shall be approved by Resolution of the City Commission.

~~a. New construction A fee in the amount of five cents (\$0.05) per square foot shall be levied on all new construction, alterations, or additions in the city, with the exception of single family or duplex residential homes. This fee shall encompass plan review, and necessary fire inspections required prior to the issuance of a certificate of occupancy. The minimum fee shall be one hundred twenty-one dollars (\$121.00).~~

~~b. Renewal of expired permit~~ A new permit may be issued within  
 six (6) months of the last inspection upon payment of fifty  
 (50) per cent of the original payment fee. A pre-permit  
 inspection is required.  
~~e. Change in plans~~ A fee in the amount of fifty (50) per cent  
 of the original payment shall be required for a change in  
 plans.  
~~d. Reinspection fees~~ A fee shall be charged due to deviation  
 from an approved plan, incompleteness of the work, or  
 violation of the permit requirements. The fees charged are  
 as follows:  
 1. First reinspection: Sixty-two dollars fifty cents  
 (\$62.50).  
 2. Second and subsequent reinspection: Sixty-two dollars  
 fifty cents (\$62.50).  
~~e. Inspections~~  
 1. Fees for commercial, industrial, and assembly  
 occupancies requiring a permit:  
 (i) Minimum fee (up to ten thousand (10,000) square  
 feet): Sixty-eight dollars (\$68.00).  
 (ii) Maximum fee for over ten thousand (10,000) square  
 feet: Two hundred seven dollars (\$207.00).  
 (iii) Fees for commercial industrial, residential,  
 and assembly occupancies where a permit or license is  
 required:  
 Assembly/restaurants (fifty (50) to one hundred (100)  
 persons) 150.00  
 Assembly/restaurants (one hundred (100) or more) 181.00  
 Residential/multifamily (up to twenty (20) units and two (2)  
 stories) 86.00  
 Residential/multifamily (over twenty (20) units or over two (2)  
 stories) 126.00  
 Plan review (less than two thousand five hundred (2,500) sq.  
 ft.) 121.00  
 Reinspection fees—Third reinspection 50 per cent of original fee  
 Plan review (per square foot over two thousand five hundred  
 (2,500)) \$0.05  
 Plan review (per each reinspection of plans) 62.50  
 Adult facility—Home conversion 75.00  
 Adult facility—Commercial building 100.00  
 Outdoor event, i.e., fireworks display, carnival, etc. 100.00  
 Day care, educational 75.00  
 (iv) Reinspection fees:  
 First reinspection No charge.  
 Second and subsequent reinspections Twenty-five (25) per cent of  
 initial fee.

~~2. Reserved.~~  
~~f. Permits and licenses—~~  
~~1. Preinspections when required prior to issuing a permit or license.~~  
~~General\$ 25.00~~  
~~Structure demolition25.00~~  
~~Hydrant flow test100.00~~  
~~Carnivals, circuses, etc60.00~~  
~~Temporary structures and canopies68.00~~  
~~Construction trailers68.00~~  
~~2. Renewal of expired permits. A new permit may be issued within six (6) months of the last inspection upon payment of fifty (50) per cent of the original permit fee. A prepermit inspection is required.~~  
~~g. Special fees.~~  
~~1. Standby fire watch when required by code fifty dollars (\$50.00), plus the current special detail hourly rate, minimum three (3) hours, per each firefighter or inspector.~~  
~~2. Standby rescue service when required by code fifty dollars (\$50.00), plus the current special detail hourly rate, minimum three (3) hours, per each firefighter.~~  
~~Note: A fire apparatus may be assigned at the discretion of the fire chief along with any standby fire and/or rescue service, at a fee of two hundred fifty dollars (\$250.00) per hour, minimum of three (3) hours, per apparatus.~~  
~~3. Illegal burns:~~  
~~(i) Minimum per response for first hour, each apparatus\$ 150.00~~  
~~(ii) Each additional hour, each apparatus150.00~~  
~~4. False fire alarms, accidental or system failure:~~  
~~(i) First two (2) per calendar yearNo charge~~  
~~(ii) Third false alarm100.00~~  
~~Note: Plus standby fire watch fee charged after first hour.~~  
~~(iii) Each subsequent false alarm shall double the previous fee plus standby fire watch.~~  
~~5. Bond release review fee\$100.00~~  
~~For every hour thereafter100.00~~  
~~h. Hazardous materials. Fees are in addition to structural inspection fees.~~  
~~1. Sparkler sales. Sale of sparklers requires submittal of inventory and site plan: \$100.00.~~  
~~2. Fireworks, public display. Public display of fireworks must be under the direction of a person certified by the fire code official as a fireworks "shooter". Shooter~~

- certification requires an application [of] one hundred fifty dollars (\$150.00) to establish competency in handling fireworks and determining compliance with applicable state regulations.
- ~~3. Combustible fiber and baled storage. Fifty dollars (\$50.00). Storage and handling of quantities exceeding one hundred (100) cubic feet.~~
- ~~4. Compressed gases. Storage, handling, or use of more than two thousand (2,000) cubic feet of flammable gas or six thousand (6,000) cubic feet of nonflammable gas at normal temperature and pressure: one hundred seventy-five dollars (\$175.00).~~
- ~~5. Explosives. One hundred fifty dollars (\$150.00). Manufacturing, keeping, storage, sale and transportation of explosives.~~
- ~~6. Carages. Place of business for servicing or repairing of motor vehicle: One hundred fifty dollars (\$150.00).~~
- ~~7. Flammable finishes application. One hundred fifty dollars (\$150.00). Spraying or dipping operations utilizing on any working day more than one (1) gallon of flammable or combustible liquids.~~
- ~~8. Flammable and combustible liquids. One hundred fifty dollars (\$150.00). Storage, handling or use of class 1A and 1B liquids in excess of one (1) gallon in a place of human habitation; in excess of six (6) gallons in other occupancies; or in excess of ten (10) gallons outside any building.~~
- ~~9. Hazardous chemical. One hundred dollars (\$100.00). Storage, handling, or use of any hazardous materials.~~
- ~~10. Liquefied petroleum gas. One hundred seventy five dollars (\$175.00). A permit shall be required for each installation of liquefied petroleum gas employing a container or an aggregate of interconnected containers of over two thousand (2,000) gallons of water capacity.~~
- ~~11. Oil burning equipment. Fifty dollars (\$50.00). Installation or replacement of an oil burner and fuel tank that is in excess of sixty (60) gallons outside of a building.~~
- ~~12. Organic coatings manufacturing. Fifty dollars (\$50.00).~~
- ~~13. Welding or cutting operations. Seventy-five dollars (\$75.00). Excludes work conducted on job sites.~~

**SECTION 4:** The Code of Ordinances of the City of Margate,

Florida, Chapter 15, Sec. 15-26 - Fire Inspection Electronic

Reporting, is hereby added to read as follows:

**Sec. 15-26 - Fire Inspection Electronic Reporting.**

All reports related to fire protection systems inspection, testing and maintenance shall be reported to the City of Margate Fire Department through the use of an internet-based fire inspection reporting system approved by the City of Margate. Any report not submitted through the City's internet-based reporting system will be not be accepted.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are and the same is hereby repealed to the extent of such conflict.

**SECTION 6:** If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

**SECTION 7:** It is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the City of Margate Code, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.



**SECTION 8:** This ordinance shall become effective  
\_\_\_\_\_, 2022.

PASSED ON FIRST READING THIS \_\_\_\_\_ day of \_\_\_\_\_ 2022.

PASSED ON SECOND READING THIS \_\_\_\_\_ day of \_\_\_\_\_ 2022.

ATTEST:

\_\_\_\_\_  
JOSEPH KAVANAGH  
CITY CLERK

\_\_\_\_\_  
MAYOR ANTONIO V. ARSERIO

Ordinance \_\_\_\_\_

RECORD OF VOTE - 1ST READING      RECORD OF VOTE - 2ND READING

Simone \_\_\_\_\_  
Schwartz \_\_\_\_\_  
Ruzzano \_\_\_\_\_  
Caggiano \_\_\_\_\_  
Arserio \_\_\_\_\_

Simone \_\_\_\_\_  
Schwartz \_\_\_\_\_  
Ruzzano \_\_\_\_\_  
Caggiano \_\_\_\_\_  
Arserio \_\_\_\_\_