

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 94 OF THE CODE OF ORDINANCES ENTITLED "FIRE PREVENTION" BY CREATING SECTION 94.026 TO ESTABLISH GUIDELINES FOR FIRE WATCH DETAILS; PROVIDING FOR A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 94 of the City of Hollywood Code of Ordinances sets forth guidelines and regulations relating to Fire Prevention; and

WHEREAS, the Florida Prevention Fire Code establishes guidelines and specifications relating to Fire Watches under certain circumstances; and

WHEREAS, at times the City's Fire Rescue & Beach Safety Department is requested by various commercial venues to provide Fire Watches; and

WHEREAS, Chapter 94 does adopt by reference the State and National Codes by reference, however, it has been determined that certain guidelines as well as the establish of fees should be included in Chapter 94; and

WHEREAS, the City Commission of the City of Hollywood has determined that it is in the public interest to amend the provisions set forth in Chapter 94 of the Hollywood Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That Section 94.026 entitled "Fire Watch Details" is hereby created as follows:

TITLE IX: GENERAL REGULATIONS

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CHAPTER 94: FIRE PREVENTION

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Coding: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.)

FIRE PREVENTION REGULATIONS GENERALLY

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§ 94.026 FIRE WATCH DETAILS.

(A) For purposes of this Section, a Fire Watch shall mean the assignment of a person or persons to an area for the express purpose of notifying the City's Fire Rescue & Beach Safety Department, the building occupants, or both of an emergency; preventing a fire from occurring, extinguishing small fires; or protecting the public from fire or life safety dangers.

(B) The Fire Chief or his/her designee is hereby authorized to establish a Fire Watch detail when in the opinion of the Fire Chief a fire code violation exists, unsafe conditions exist, or where additional fire personnel may be needed for special events. In addition, if a commercial establishment or residential development submits a request to the Fire Chief to retain the City's Fire Department for a Fire Watch, then the Fire Chief in his sole discretion, may establish such detail.

(C) Personnel. The Fire Watch detail may be staffed with State of Florida certified firefighters and where special circumstances may exist, the Fire Chief may permit these details to be staffed with private sector personnel.

(D) Cost Recovery. The Fire Rescue and Beach Safety Department is hereby authorized to submit an invoice to the property owners, occupants, insurance companies and other responsible parties for all actual costs, plus administrative expenses incurred as a result of the established detail. All invoices shall be due within thirty (30) days from the date the invoice is sent. When the detail is scheduled in advance for special events, the organizer of the special event shall make full payment for the details to the City's Fire Department prior to the Fire Chief approving the special event.

(E) All Costs for Recovery of a Fire Watch shall be established by Resolution of the City Commission.

Section 2: That it is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the provisions of this ordinance may be renumbered to accomplish such intention.

Section 3: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

ORDINANCE CREATING SECTION 94.026 ENTITLED "FIRE WATCH DETAILS"

Section 4: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 5: That this ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised on _____, 2016.

PASSED on first reading this _____ day of _____, 2016.

PASSED AND ADOPTED on second reading this _____ day of _____, 2016.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL
CITY ATTORNEY