

Ordinance No. 41

AN ORDINANCE FOR THE NORTH RIVER FIRE DISTRICT ADOPTING A FIRE PREVENTION CODE FOR THE NORTH RIVER FIRE DISTRICT; ESTABLISHING THE BUREAU OF FIRE PREVENTION, INSPECTION AND INVESTIGATION; ESTABLISHING RULES AND REGULATIONS FOR FIRE PREVENTION AND SAFETY; PROVIDING FOR PENALTY FOR FAILURE TO COMPLY WITH SAID RULES AND REGULATIONS; REPEALING ALL ORDINANCES IN CONFLICT, INCLUDING ORDINANCE 39; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of Fire Commissioners of the North River Fire District, pursuant to the provisions of Chapter 2007-280 of the Laws of the State of Florida, has the responsibility to insure that all places of business have proper fire safety provisions; and,

WHEREAS, the North River Fire District is provided supplemental authority pursuant to Chapters 189 and 191 of the Florida Statutes; and,

WHEREAS, pursuant to Florida Statutes 191.008(4), the North River Fire District may “adopt and enforce fire safety standards and codes and enforce the rules of the State Fire Marshal consistent with the exercise of the duties authorized by Chapter 553 or Chapter 633, with respect to fire suppression, prevention, and fire safety code enforcement”; and,

WHEREAS, Chapter 633 Florida Statutes, requires the Board of Fire Commissioners of the North River Fire District to adopt such rules and regulations for the purpose of carrying out the intent and purposes of said act; and,

WHEREAS, it has been determined by said Board of Fire Commissioners that Uniform Rules and Regulations pertaining to Fire Safety and Equipment located within the North River Fire District are necessary for the public health, safety and welfare of the citizens of said fire district; and,

WHEREAS, said Board of Fire Commissioners of the North River Fire District recognize the Florida Fire Prevention Code as adopted by the State of Florida pursuant to Florida Statutes 633.202, and that the National Fire Codes of the National Fire Protection Association Standards (“NFPA”), Adopted Editions, are reasonable rules and regulations and would benefit the residents and businesses located within the said fire district; and,

WHEREAS, the North River Fire District has prepared “The Fire Prevention Code of the North River Fire District” a true and correct copy is attached hereto and incorporated herein as Exhibit 1, that incorporates and adopts standards provided for within the Florida Fire Prevention Code and the National Fire Code; and,

WHEREAS, the Board of Fire Commissioners seeks to adopt by Ordinance “The Fire Prevention Code of the North River Fire District” as the rules and regulations for fire safety within the North

River Fire District and repeal all prior version of a fire prevention code that may have been previously adopted by prior Fire Commissioners; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Fire Commissioners of the North River Fire District of Manatee County, Florida, that:

1. The above recitals are true and correct and are hereby incorporated fully herein.
2. The "Fire Prevention Code of the North River Fire District", attached hereto as Exhibit 1, is hereby adopted as rules and regulations for the North River Fire District.
3. Ordinance 41 shall be recorded with the Manatee County Clerk of Court.
4. All prior ordinances in conflict with Ordinance 41, including but not limited to Ordinance 39, are hereby repealed.
5. In the event any part of Ordinance 41 is invalidated or deemed unconstitutional, such a determination shall not affect the validity of the remainder of this Ordinance.
6. Ordinance 41 shall take effect October 1, 2026

These rules and regulations shall take effect and be in force from and after its approval as required by law.

First Reading: July 16, 2026
Publication: August 13, 2026
Second Reading: August 20, 2026

PASSED IN REGULAR SESSION by the Board of Commissioners of the North River Fire District of Manatee County, Florida on the 20th day of August 2026.

NORTH RIVER FIRE DISTRICT
BOARD OF COMMISSIONERS



Robert Bell, Chairman

ATTEST:



Scott R. Smith, Secretary/Treasurer

North River Fire District

FIRE PREVENTION CODE LOCAL ORDINANCE EFFECTIVE: 10/01/2026



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PREAMBLE

Section 1: Introduction

An Ordinance to provide the North River Fire District with rules and regulations to improve public safety by promoting the control of fire hazards; regulating the installation, use and maintenance of fire safety equipment; regulating the use of structures, premises, and open areas; providing for the abatement of fire hazards; establishing the responsibilities and procedures for code enforcement; and setting forth the standards for compliance and achievement of these objectives.

Section 2: Bureau of Fire Prevention, Inspection and Investigation Established

2.1 The Fire Chief shall designate a Fire Official as Fire Marshal. The Fire Marshal of North River Fire District shall be responsible for the enforcement of the Fire Prevention Code of the North River Fire District. To assist in the performance of the responsibilities and duties placed upon the Fire Marshal of the North River Fire District, the Bureau of Fire Prevention, Inspection, and Investigation is hereby established, to be under the control of the Fire Chief.

2.2 The Bureau within the North River Fire District shall operate under the supervision of the Fire Marshal of the North River Fire District. The Fire Marshal shall be responsible for the direct administration and enforcement of the North River Fire District's Prevention Code. The Fire Marshal may designate such number of fire inspectors as shall from time to time be authorized by the Fire Chief of the District.

Section 3: Duties and Responsibilities

3.1 It shall be the duty of the Fire Marshal and his/her designees to enforce all rules and regulations of the North River Fire District, Florida Statutes (FS) and Florida Administrative Codes.

3.2 It shall be the duty of the Fire Marshal of the North River Fire District to investigate and recommend to the Fire Chief such additional rules and regulations or amendments to existing rules and regulations as he may deem necessary for safeguarding life and property against fire.

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GENERAL PROVISIONS

Section 4: Title

The title of this Code shall be the Fire Prevention Code of the North River Fire District, herein after referred to as the "Code". One or more copies shall be on file in the Administrative Office of the North River Fire District located at 1225 14th Ave W., Palmetto, FL 34221, and shall be kept available for public use, inspection, and examination.

Section 5: Definitions

5.1 For the purpose of this Code, the following definitions shall apply unless the context clearly indicates or requires a different meaning. The below listed definitions are in addition to the definitions found in the currently adopted edition of the Florida Fire Prevention Code.

5.1.1 Authority Having Jurisdiction (AHJ) - The North River Fire District through the Fire Chief or his/her designated State Certified Inspector. For the purpose of this Code the terms "Fire Marshal" and "Authority Having Jurisdiction" are interchangeable.

5.1.2 Building Code - The Florida Building Code as identified in *Section 553.73*, Florida Statutes (FS), as amended from time to time.

5.1.3 NFPA - The National Fire Protection Association as referenced in the Florida Building Code. NFPA Standards No. (____) or NFPA Codes No. (____) shall mean the referenced code or standard as compiled and published by the National Fire Protection Association.

5.1.4 National Fire Code - The compilation of the National Fire Protection Association codes, standards, guides, recommended practices, and manuals published by the National Fire Protection Association and as adopted by the North River Fire District.

5.1.5 Story - That portion of a building included between the upper surface of a floor and the bottom surface of the floor or roof above. A parking area beneath a building is considered a story.

Section 6: Recognition

6.1 Florida Fire Prevention Code (FFPC). This Code recognizes the Florida Fire Prevention Code as adopted by the State of Florida pursuant to *Section 633.202* FS, as amended from time to time. The same is hereby adopted and incorporated as fully as if set out at length herein. Not less than one copy of the adopted issue

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of *NFPA 1, Florida Fire Prevention Code of the National Fire Protection Association* and the adopted standards and code of the National Fire Codes shall be filed in the office of North River Fire District, and the provisions thereof shall be controlled within the limits of the District. Whenever the Florida Fire Prevention Code as referenced herein and this Code addresses an identical issue, the more stringent fire protection provisions shall apply unless otherwise prohibited by applicable Florida law.

6.2 Florida Building Code (FBC). The Code recognizes and references the Florida Building Code as identified in *Section 5.1.3* of this Code. Whenever the Florida Building Code as referenced herein, and this Code addresses an identical issue, the more stringent fire protection provisions shall apply unless otherwise prohibited by applicable Florida law.

6.3 Manatee County Land Development Code (LDC). This Code recognizes and references the Manatee County Land Development Code, as adopted and amended, by the Manatee County Board of Commissioners. Whenever the Manatee County Land Development Code and this Code address an identical issue, the more stringent fire protection provisions shall apply unless otherwise prohibited by applicable Florida law.

6.4 Manatee County Utilities Standards. The Code recognizes and references the Manatee County Utilities Standards, as adopted and amended by the Manatee County Board of Commissioners. Whenever the Manatee County Utilities Standards and this Code address an identical issue, the more stringent fire protection provisions shall apply unless otherwise prohibited by applicable Florida law.

6.5 Manatee County Public Works Standard. This Code recognizes and references the Manatee County Public Works Standard, as adopted and amended by the Manatee County Board of Commissioners. Whenever the Manatee County Public Works Standard and this Code address an identical issue, the more stringent fire protection provisions shall apply unless otherwise prohibited by applicable Florida law.

Section 7: Application

7.1 The provisions of this Code shall apply to all buildings, structures, vehicles, marine vessels, premises and conditions within this jurisdiction. The provisions of this Code shall apply equally to existing as well as new buildings (unless specifically noted in this Code). Structures, vehicles, marine vessels, premises and conditions not in strict compliance with this Code may be permitted to continue unless, in the opinion of the Fire Marshal, they constitute a distinct fire hazard to life or property.

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7.2 The provisions of this Code do not apply to one or two-family dwellings in normal use or maintenance thereof, except that this Code shall apply whenever the activity or use of such dwelling creates a distinct fire hazard to life or property or is referenced by the Uniform Fire Safety Standards as provided for under *Section 633.206 FS*, as amended from time to time.

7.3 The provisions of this Code do not apply to those buildings or structures specifically under the Uniform Fire Safety Standards of the State of Florida, as set forth in *Section 633.206 FS*, as amended from time to time.

7.4 The provisions of this Code shall be complied with whenever a building is built, or when an existing building meets the Classification of Rehabilitation Work categories as listed in *Chapter 43 of NFPA 101*.

7.5 The provisions of this Code, as far as they are substantially the same as existing provisions of law relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactment.

7.6 The adoption of this Code or the repeal of any other existing provision of law, including regulations or orders, shall not be construed to alter any time limit which may have been imposed by any existing law, regulation or order of the Fire Marshal or other authority relating to compliance with such limits.

7.7 If any provision of this Code is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, it shall not affect the validity of the remaining provisions of this Code.

7.8 Land Use and Zoning Regulation. In Manatee County the land use entitlement and approval process is administered, interpreted, and implemented by the Board of County Commissioners and its designees (the "Approval Process"), and may be administered, interpreted and implemented by Manatee County irrespective of the provisions of this Ordinance. No provision of this Ordinance shall be deemed to constitute a separate and/or additional land use entitlement or approval process by the North River Fire District. In events of conflict between this ordinance and the Approval Process, pursuant to Florida Statutes 191.006, the District Ordinance shall not conflict with any ordinances of the local general-purpose government.

ADMINISTRATION

Section 8: Authority

8.1 This Code shall be administered and enforced by the Fire Official designated by the governing authority of this jurisdiction as having this responsibility. They shall meet those qualifications as may be set forth by the jurisdiction as being necessary to effectively administer this code.

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8.2 This act shall be deemed an exercise of the enforcement power of the North River Fire District for the preservation and protection of public health, peace, safety and welfare, and all provisions of the Code shall be liberally construed for that purpose.

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Section 9: Unnecessary/False Alarms

9.1 The purpose of this section shall be to regulate and control the malfunctioning, negligence, or unintentional act resulting in the unnecessary response of emergency vehicles. In the case of unnecessary/false alarms, the AHJ shall cause an investigation to be made and keep a record of the number of unnecessary/false alarms on file.

9.1.1 For the purpose of this section, the definition of "twelve-month period" shall mean the twelve months immediately prior to the most recent fire alarm activation this department responded to which has been determined to be a nuisance or false alarm.

9.2 Persons owning, managing or otherwise overseeing the premises shall be responsible for regulating and controlling the use and maintenance of an automatic fire alarm system for those premises. The transmission of an excessive number of unnecessary/false alarms, as defined herein as the result of malfunctions, negligence or unintentional acts resulting in the unnecessary response of emergency vehicles shall constitute a violation of this Code. The owner, manager, or person in charge shall, after the performance of an investigation by the AHJ as to the causes for each such unnecessary/false alarm, be responsible for such violation and may be assessed a service fee pursuant to this section. An excessive number of unnecessary/false alarms for any premises within the District is defined as four (4) or more such unnecessary/false alarms within any given twelve (12) month period.

9.2.1 For the first (1) through third (3) unnecessary/false alarms, inclusive, as set forth in *Section 8* of this Code, occurring in any given twelve (12) month period, a warning shall be issued in writing.

9.2.2 For the fourth (4) and fifth (5) unnecessary/false alarms in the same twelve (12) month period, a fee of \$100.00 shall be assessed.

9.2.3 For the sixth (6) and seventh (7) unnecessary/false alarms in the same twelve (12) month period, a fee of \$250.00 shall be assessed.

9.2.4 All unnecessary/false alarms in excess of seven (7) in the same twelve (12) month period shall be assessed as a fee of \$500.00 for each alarm.

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9.3 The fees outlined within paragraphs 9.2.2 through 9.2.4 shall apply to any alarm systems which generate an unnecessary or false alarm signal of any kind which results in fire department response. Those fines shall be imposed upon the first unnecessary or false alarm and are purposefully exempt from the stipulations outlined within paragraph 9.2.1.

9.3.1 In the event an unnecessary/false alarm is the result of a fire system service company or fire alarm monitoring company failing to place a system in the test mode or otherwise ensure the prevention of the dispatch of all fire alarm signals during maintenance, testing or for any other reason, the servicing or monitoring company may be assessed a fine of not less than \$100.00 per occurrence.

9.4 Construction Related Nuisance Alarms.

9.4.1 Any contractors, subcontractors, or other construction related fields (i.e., painting, pressure washing, etc.) resulting in a false and/or nuisance alarm shall be assessed a fine of not less than \$100.00 per occurrence.

Section 10: Required Access for Fire Apparatus

10.1 Fire and emergency access may be required by the Fire Marshal and shall meet or exceed the access requirements of *NFPA 1 Chapter 18*, unless otherwise approved by the AHJ. Provide at least two (2) accessible sides of all commercial, professional, industrial and multi-family occupancy buildings.

10.2 When in the fully open position, gates shall allow not less than fifteen (15) feet horizontal clear space, including any roadway surface, as measured from inside curb to inside curb. A vertical clear space of no less than thirteen (13) feet six (6) inches shall also be required.

10.3 Each system shall have as a minimum for operation:

- A. Remote access through the use of electronic openers. These openers shall be set to the current frequency and code for use by the Fire District as well as Manatee County Department of Public Safety. This frequency and code shall be separate from and in addition to any frequency or code used by the occupants. The remote-control unit shall cause the gate to begin opening operations when activated no less than ten (10) feet from the outer most edge of the gate.
- B. In the event of power outages, a battery back-up system shall cause the gate(s) to be opened on the entry side of the complex to allow for emergency access (*see item 10.2.2*). The gate(s) shall remain in the fully open position until power is restored.

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10.4 If the gate is to be used for emergency access only, signage shall be installed on both the interior and exterior of the gate indicating the gate is to be used for emergency access only and prohibiting parking.

10.5 In the event the gate becomes non-operational, the gate(s) shall be secured in the fully opened position until such time as the minimum requirements as outline above have been restored to a fully operational condition.

10.6 Penalty: see Section 17.

Section 11: Key Box / Lock Systems

11.1 Where a structure is equipped with a fire alarm system, sprinkler or standpipe system, or when required by the AHJ, an approved key box shall be required. The tumbler shall match the fire department key. The location of the key box shall be approved by the Bureau. Keys shall be provided to gain access to fire alarm panels, electrical room, sprinkler room, and any other area to which this department may require access. Where required, keys and locks shall be "mastered". Applications for the key box may be obtained from the District.

11.2 Penalty: see Section 17.

Section 12: Fire Alarm Systems

12.1 General Requirements

12.1.1 Approved fire alarm systems shall be installed in buildings as required by *Section 22 Table 1* and as follows:

- (1) Fire alarm control panels or required annunciator shall be installed within six (6) feet of the primary entrance.
- (2) Outside stem and yoke (OS&Y) valves on fire line backflow preventers shall be secured using chain(s) and lock(s). Any other methods will need prior approval by the AHJ.

Section 13: Fire Sprinkler and Standpipe Systems

13.1 General Requirements

13.2 All fire department connections shall be located on the private property side of the fire line backflow preventer unless a specific exception is issued in writing by the AHJ. Such connection should be 5" Storz connection unless otherwise approved by the AHJ.

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13.3 Hydrant location with respect to the fire department connection: A fire hydrant shall be located not more than fifty (50) feet from the fire department connection, as measured by normal route of travel or as otherwise approved by the AHJ.

13.4 Standpipes and/or Hose Connections

13.4.1 Standpipes and/or hose connections shall be required for all multi-story buildings and any building deemed necessary by the AHJ.

13.4.2 Locations for standpipes and/or hose connections shall be required at each level and shall be approved by the AHJ.

13.4.3 Hose connections shall be a 2½ inch connection with a 2½ inch to 1½ inch reducer.

13.4.4 Installations shall be in compliance with *NFPA 14*.

13.4.5 The AHJ may waive this requirement when firefighting access can be accomplished with pre-connected hose to remote locations from firefighting apparatus.

13.4.5.1 Any such waiver as outlined in 13.4.5 shall be authorized in writing from the AHJ and such waiver shall be acquired prior to initiation of any construction.

Section 14: Cease and Desist Order or Stop Work Order

14.1 Whenever the violation of any provision of this Code presents an immediate danger to life, safety or property or when any new construction or existing building is occupied in whole or in part in violation of the provisions of this Code, or when any fire, explosion or other such disaster occurs and presents an immediate danger to life or property, the AHJ shall immediately post, or cause to be posted a Cease and Desist Order, Stop Work Order or other approved signage or documentation on the premises and shall suspend any and all use of the building, marine vessel, structure, or premises until such time that the danger to life or property has been removed or correction of the violation has been made.

14.2 If it is determined by the AHJ that a violation specified in this subsection exists, the AHJ or their designee may issue and deliver the person committing the violation an order to cease and desist from such violation, to correct any hazardous condition, to preclude occupancy of the affected building or structure, or to vacate the premises of the affected building or structure. Such violations include one or more of the following:

- (1) A violation of any provision of this section, of any rule adopted pursuant there to, of any applicable Uniform Fire Safety standard adopted pursuant

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to Florida Law, which is not adequately addressed by an alternative requirement adopted on a local level.

- (2) A substantial violation of an applicable minimum Fire Safety standard adopted pursuant to Florida Law, which is not reasonably addressed by any alternative requirement imposed at the local level, or an unreasonable interpretation of any applicable minimum fire safety standard, and which violation or interpretation clearly constitutes a danger to life, safety, or property.
- (3) A building or structure which is in a dilapidated condition and as a result thereof creates a danger to life, safety or property.
- (4) A building or structure which contains explosive matter or flammable liquids or gases constituting a danger to life, safety or property.

14.3 If, during the conduct of a fire safety inspection authorized by Florida Law, it is determined that a violation described in this section exists which poses an immediate danger to the public health, safety or welfare, the AHJ may issue an order to vacate the building in question, which order shall be immediately effective and shall be an immediate final order. With respect to a facility under the jurisdiction of a District School Board or Community College Board of Trustees, the order to vacate shall be issued jointly by the District Superintendent or College President and the AHJ.

14.4 The AHJ may seek an injunction in the circuit court of Manatee County to enforce an order issued pursuant to this subsection.

14.5 Penalty: see Section 17.

Section 15: Alternate Fire Extinguisher Placement

15.1 Application. This alternative to fire extinguisher placement shall apply to multi-unit residential buildings only.

15.2 Where, in the opinion of the AHJ, it is difficult or impractical to have fire extinguishers inside each residential unit inspected and tagged annually, as required by FFPC, and then verified by the District, the AHJ may require that the fire extinguishers be installed on the exterior of the structure.

15.3 All other requirements of *NFPA 10* shall be maintained.

15.4 Penalty: see Section 17.

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Section 16: Fire Protection System Reporting

16.1 Properly functioning fire protection systems are a vital element in saving lives and property. The maintenance and operation of these systems is critical for them to function properly. Any new or existing fire protection system report shall be uploaded to an approved reporting system as determined by the North River Fire District. Examples of fire protection reports include but are not limited to fire alarm systems, fire sprinkler systems, and kitchen suppression systems. Any costs associated with the report submission will be the responsibility of the submitting entity. North River Fire District is not responsible for report submittals.

Section 17: Penalty

17.1 Any person who shall violate one of the provisions of this Code or the National Fire Codes, as adopted by the District for which another penalty is not provided, or shall fail to comply therewith; or shall violate or fail to comply with any order made thereunder; or shall build in violation of any details, statement, specifications, or plans submitted or approved thereunder; or shall operate not in accordance with the provision of any certificate, permit, or approval issued thereunder, and from which no appeal has been taken; or who shall fail to comply with such an order as affirmed or modified by the AHJ or by a court of competent jurisdiction within the time fixed herein shall severally for each and every violation and non-compliance, respectively be punished by a fine of not more than \$250.00 a day with each day of the violation constituting a separate offense.

17.2 The imposition of a penalty for a violation shall not excuse the violation nor shall the violation be permitted to continue. All persons shall be required to correct or remedy the violations or defects within a reasonable time and, when not otherwise specified, the application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section 18: Previous Rules, Regulations and Codes Repealed

All formal rules and regulations or parts thereof conflicting or inconsistent with the provisions of these rules and regulations or of the Code hereby adopted are hereby repealed.

Section 19: Board of Appeals

Whenever any person, firm or corporation is of the opinion that they have been aggrieved, pursuant to *Chapter 69A-60, Florida Fire Prevention Code*, they may seek relief from such decision(s) as interpreted by the Fire Marshal from the Manatee County Fire Prevention Code Board of Appeals.