

## **ORDINANCE NO. 011-2022**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 46, FIRE PREVENTION AND PROTECTION, AT ARTICLE III, FIRE PREVENTION CODE, SECTIONS 46-67, PERMITS, AND 46-68, ANNUAL FIRE AND LIFE SAFETY INSPECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Chapter 46 - FIRE PREVENTION AND PROTECTION, Section 46-67,

Permits, is hereby amended as follows:

Sec. 46-67. - Permits. (MODIFIED)

a. All permits required pursuant to the provisions of section 46-66 will be issued by the chief of the fire-rescue department or the chief's designee. Applications for permits shall be made through an application process as determined by the Town. ~~the towns permitting process within the building department. The forms will be in EDEN allowing for progress review within the program.~~ The permit application will include all any and all data information required by the town. Applications shall be accompanied by a fee which shall be in accordance with the schedule of fees adopted by resolution by the town council and amended in the same manner. ~~, as well as a permit fee as set forth by Town Council.~~

~~The following fire protection systems shall require a permit and fee:~~

- ~~(1) Fire detection and annunciations systems.~~
- ~~(2) Fixed fire suppression systems (halon, wet/dry chemical systems, etc.~~
- ~~(3) Fire hydrant flow test witness fee.~~
- ~~(5) Bonfire permit fee.~~
- ~~(6) Fireworks and pyrotechnic displays fee.~~
- ~~(7) Public assembly plans review and inspection.~~

~~(b) The following permit fees shall be required and set forth by Town Council:~~

- ~~(1) Pyrotechnic permit inspection currently \$2,000.00~~
- ~~(2) Public display of fireworks currently \$2,000.00~~
- ~~(3) Bonfires currently \$300.00~~
- ~~(4) Fire hydrant water flow witness fee currently \$275.00~~
- ~~(5) Public assembly plans review and inspection currently \$50.00~~

~~Said fees may be modified by resolution as determined necessary by the town from time to time.~~

(Code 1982, § 7-26; Ord. No. 24-95, § 2, 11-14-95; Ord. No. 13-98, § 2, 10-13-98; Ord. No. 12-01, § 2, 6-12-01; Ord. No. 28-04, § 2, 1-11-05; Ord. No. 13-05, § 1, 9-13-05; Ord. No. 24-08, § 1, 10-13-08)

~~Sec. 46-68.— Annual fire and life safety inspections. (ORIGINAL)~~

~~(a) Annual fire and life safety inspections shall be conducted pursuant to the provisions of section 46-66. An inspection fee shall be levied on all of the uses and occupancies described below. (1) Non-residential (includes all retail, mercantile, business office, storage occupancies, assembly, healthcare and institutional, but not including restaurants, cafes, and public eating places.) (2) Multi-family building (includes hotels, apartments, cooperatives, condominiums, and boarding houses renting furnished or unfurnished rooms or apartments). (3) Restaurants, cafes and public eating places. (4) Educational. (5) Businesses or professional individuals sharing one office suite shall be charged only one fire inspection fee. (b) A reinspection fee may be charged due to violations, incompleteness, lack of accessibility or deviation from approved plans. Following the initial inspection, one reinspection for compliance will be included in the original fee. If additional reinspections are necessary due to the above criteria, reinspection fees will be required. The following inspection fees shall be required:~~

~~(1) Assembly: .....~~

~~50—299 seating capacity .....\$100.00~~

~~300—1,000 seating capacity .....125.00~~

~~1,001—5,000 seating capacity .....250.00~~

~~5,001 and over seating capacity .....350.00~~

~~(2) Educational schools or day care: .....~~

~~0—10,000 sq. ft. ....75.00~~

~~10,001—20,000 sq. ft. ....100.00~~

~~20,001—50,000 sq. ft. ....250.00~~

~~50,001—100,000 sq. ft. ....300.00~~

~~100,001—200,000 sq. ft. ....350.00~~

~~200,001 and over .....400.00~~

~~(3) Health care, hospital, nursing home, ambulatory health care, etc. ....~~

~~5,000 sq. ft. and under .....100.00~~

~~5,001—15,000 sq. ft. ....150.00~~

~~15,001—30,000 sq. ft. ....200.00~~

~~30,001—100,000 sq. ft. ....250.00~~

~~100,001—200,000 sq. ft. ....300.00~~

~~200,001—500,000 sq. ft. ....350.00~~

~~500,001 and over .....400.00~~

~~(4)Lodging/rooming houses/hotel/dormitories and condominiums: .....~~

~~0—16 units .....100.00~~

~~17—100 units .....150.00~~

~~101—500 units/rooms .....250.00~~

~~501 and over .....300.00~~

~~(4)Mercantile, business and storage: .....~~

~~5,000 sq. ft. and under .....100.00~~

~~5,001—15,000 sq. ft. ....125.00~~

~~15,001—30,000 sq. ft. ....200.00~~

~~30,001—100,000 sq. ft. ....225.00~~

~~100,001—200,000 sq. ft. ....250.00~~

~~200,001—500,000 sq. ft. ....300.00~~

~~500,001 and over .....350.00~~

~~(6)Temporary structures: .....~~

~~All .....75.00~~

~~(7)Commercial LP gas facilities: .....~~

~~All .....100.00~~

~~(8)Occupational licensing inspections: .....~~

~~All residential .....75.00~~

~~All commercial .....100.00~~

~~(9)Hazardous materials facilities: .....~~

~~5,000 sq. ft. and under .....125.00~~

~~5,001—15,000 sq. ft. ....175.00~~

~~15,001—30,000 sq. ft. ....275.00~~

~~30,001—100,000 sq. ft. ....325.00~~

~~100,001—200,000 sq. ft. ....425.00~~

~~200,001—500,000 sq. ft. ....475.00~~

~~500,001 and over .....525.00~~

~~(10) Restaurants, cafes, and public eating places .....90.00 (11) Marinas and docks .....75.00 (12) Re-inspection fee .....75.00 (13) Second re-inspection fee .....125.00~~

~~Said fees may be modified by resolution as determined necessary by the town council from time to time.~~

~~(Code 1982, § 7-18; Ord. No. 13-05, § 2, 9-13-05; Ord. No. 24-08, § 1, 10-13-08)~~

Sec. 46-68. - ~~Annual fire~~ Fire and life safety inspections. (MODIFIED)

a. Unless otherwise provided by law, (a) the fire marshal or their designees shall conduct a fire safety inspection of all multifamily and commercial premises operating within the Town, excluding one and two family dwellings, on at least an annual basis.

b. Pursuant to subsection 46-66 of this article, all new occupancies, new buildings or structures, building renovations or additions, site improvements, buildings, structures, or building alterations, requiring fire department inspection services or fire plan review shall be subject to a fee which shall be paid at the time of construction permit issuance and in accordance with a schedule established by resolution of the Town Council.

c. Pursuant to subsection 46-66 of this article, all multifamily and commercial premises requiring an annual fire safety inspection shall be subject to a fee which shall be paid at the time of business tax receipt issuance or renewal in accordance with a schedule established by resolution of the Town Council. Premises requiring an annual fire safety inspection that do not pay a business tax receipt fee shall be invoiced.

d. ~~Annual fire and life safety inspections shall be conducted pursuant to the provisions of section 46-66. An inspection fee shall be levied on all of the uses and occupancies described below. (1) Non-residential (includes all retail, mercantile, business office, storage occupancies, assembly, healthcare and institutional) (2) Multi-family building (includes hotels, apartments, cooperatives, condominiums, and boarding houses renting furnished or unfurnished rooms or apartments). (3) Restaurants, cafes and public eating places. (4) Educational. (5) Businesses or professional individuals sharing one office suite shall be charged only one fire inspection fee. (b) A re-inspection fee may be charged due to violations, incompleteness, lack of accessibility, or deviation from approved plans. Following the initial inspection, one re-inspection for compliance will be included in the original fee. If additional re-inspections are necessary due to the above criteria, re-inspection fees will may be required in accordance with a schedule established by resolution of the Town Council.~~

~~All Fees are determined and adopted by Town of Palm Beach Council.~~

~~Current Re-Inspection Fee, First \$75.00~~

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~~Current Subsequent Re-Inspection Fee \$125.00~~

~~The following inspection fees shall be required:~~

~~(1) Assembly: .....~~

~~50—5001 seating capacity (PROPOSED) \$175.00~~

~~(2) Educational schools or day care: .....~~

~~0—200,000 sq. ft. \$250.00~~

~~(3) Hazardous Materials Facilities~~

~~0—200,000 square feet \$200.00~~

~~(4) Health care, hospital, nursing home, ambulatory health care, etc. ....~~

~~0—200,000 sq. ft. \$200.00~~

~~(5) Lodging/rooming houses/hotel/dormitories and condominiums: .....~~

~~0—100 units/rooms \$100.00~~

~~101—1,000 units/rooms \$300.00~~

~~(6) Mercantile, business and storage: .....~~

~~10,000 sq. ft. and under \$125.00~~

~~10,001—300,000 sq. ft. \$300.00~~

~~(7) Temporary structures: All \$100.00~~

~~(8) Marinas and Docks All \$75.00~~

~~(9) Restaurants, Cafes and Public Eating Places~~

~~Without Hood \$100.00~~

~~With Hood \$150.00~~

~~Said fees may be modified by resolution as determined necessary by the town council from time to time.~~

(Code 1982, § 7-18; Ord. No. 13-05, § 2, 9-13-05; Ord. No. 24-08, § 1, 10-13-08)

## Section 2. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

## Section 3. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

## Section 4. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5.      Effective Date.

This Ordinance shall take effect on October 1, 2022.

**PASSED AND ADOPTED** in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 14<sup>th</sup> day of June 2022, and for second and final reading this 12th day of July, 2022.

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Danielle H. Moore, Mayor

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Margaret A. Zeidman, Town Council President

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Bobbie Lindsay, Council President Pro Tem

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Julie Araskog, Town Council Member

ATTEST:

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Edward A. Cooney, Town Council Member

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Pat Gayle-Gordon, Acting Town Clerk

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Lewis S.W. Crampton, Town Council Member