

**ORDINANCE NO. 023-2023**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 46, FIRE PREVENTION AND PROTECTION IN ACCORDANCE WITH FLORIDA STATUTE 633.202 AND 633.208 THE “FLORIDA FIRE PREVENTION CODE” ADOPTED BY THE STATE OF FLORIDA FIRE MARSHAL IN CHAPTER 69A-60 OF THE FLORIDA ADMINISTRATIVE CODE WITH LOCAL AMENDMENTS, NATIONAL FIRE PROTECTION ASSOCIATION NATIONAL FIRE CODE – N.F.P.A. 1, FLORIDA CURRENT EDITION; AND NATIONAL FIRE PROTECTION ASSOCIATION LIFE SAFETY CODE - N.F.P.A. 01, FLORIDA CURRENT EDITION; INCLUDING AMENDMENTS TO SECTIONS 46-32, 46-33, 46-36, 46-66, 46-68, 46-69, 46-70, 46-71, 46-72, 46-73, 46-74, 46-75, 46-76, 46-77, 46-78, 46-80, AND 46-82 ALL AS PROVIDED IN EXHIBIT A ATTACHED; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, it is necessary that Chapter 46, Fire Prevention and Protection be amended to maintain the three year cycle mandated by the State of Florida in Chapter 633.202 and 633.208, Florida Statutes, requiring local governments to enforce statewide Florida Administrative Code Chapter 69A-60, the Florida Fire Prevention Code, as adopted by the State of Florida Fire Marshal, with Local Amendments, as the minimum Fire Safety Code, including NFPA 1, the Fire Code, Florida Current Edition and NFPA 101, the Life Safety Code, Florida Current Edition; and

WHEREAS, these amendments will give the Fire Rescue Department the necessary tools to enforce fire, life and safety issues within the Town of Palm Beach;

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 of the Town Code of Ordinances relating to Fire Prevention and Protection is hereby amended at Sections 46-32, 46-33, 46-36, 46-66, 46-68, 46-69, 46-70, 46-71, 46-72, 46-73, 46-74, 46-75, 46-76, 46-77, 46-78, 46-80, and 46-82 all as provided in the attached Exhibit A.

**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 immediately upon its passage and approval, as provided by law.

**PASSED AND ADOPTED** in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 14th day of November, 2023, and for second and final reading on this 9th day of January, 2024.

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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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Kelly Churney, Acting Town Clerk

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Lewis S.W. Crampton, Town Council Member