

ORDINANCE NO. 31

AN ORDINANCE ADOPTING A FIRE PREVENTION CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, PROVIDING FOR THE ENFORCEMENT, AND PENALTIES FOR THE VIOLATION OF THE PROVISIONS THEREOF, AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA:

SECTION 1. ADOPTION OF FIRE PREVENTION CODE.

There is hereby adopted by the City Commission of the City of Port St. Joe for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code, Abbreviated Edition, recommended by the American Insurance Association, being particularly the 1965 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended (by Section 5 of this Ordinance), of which code not less than three(3) copies have been and now are filed in the office of the City Clerk of the City of Port St. Joe, Florida, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Port St. Joe, Florida.

SECTION 2. ENFORCEMENT.

The code hereby adopted shall be enforced by the Chief of the Fire Department.

SECTION 3. DEFINITION.

Wherever the word "Municipality" is used in the code hereby adopted, it shall be held to mean the City of Port St. Joe, Florida.

SECTION 4. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS, STORAGE OF FLAMABLE LIQUIDS IN OUTSIDE ABOVE-GROUND TANKS, AND BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED.

The limits referred to in Section 53b of the code hereby adopted, in which storage of explosives and blasting agents is prohibited, the limits referred to in Section 74a of the code hereby adopted in which storage of Class I liquids in outside aboveground tanks is prohibited, and the limits referred to in Section 114 of the code hereby adopted, in which bulk storage of liquefied petroleum gas is restricted are hereby established according to the provisions and limitations contained in Chapter 5-A - 16.22 of the State Fire Marshall Rules and Regulations, not less than three (3) copies have been and now are filed in the office of the City Clerk of the City of Port St. Joe, Florida, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Port St. Joe, Florida.

SECTION 5. AMENDMENTS MADE IN THE CODE HEREBY ADOPTED.

The code hereby adopted may be amended in accordance with provisions set out in City Charter for the amendment of Ordinances.

SECTION 6. MODIFICATIONS.

The Chief of the Fire Department shall have power to modify any of the provisions of the code hereby adopted upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Fire Department thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

SECTION 7. APPEALS.

Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the City Commission of the City of Port St. Joe, within thirty (30) days from the date of the decision appealed. Should the decision of the Chief of the Fire Department be upheld and sustained by the City Commission, the applicant may appeal therefrom within thirty (30) days to a Court of Competent Jurisdiction.

SECTION 8. PENALTIES.

A. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which