

**ORDINANCE NO. 2021-013**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 9, "FIRE PREVENTION AND PROTECTION," ARTICLE V, "FIRE DEPARTMENT FEES," TO RENAME THE ARTICLE AS "FIRE RESCUE DEPARTMENT FEES," DELETE FIRE DEPARTMENT FEES, PROVIDE APPROPRIATE AUTHORITY TO THE FIRE RESCUE DEPARTMENT FOR BILLING AND COLLECTING FEES, AND AUTHORIZE THE SETTING OF FIRE AND RESCUE FEES BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City is in the process of establishing the Coconut Creek Fire Rescue Department; and

**WHEREAS**, the current Fire Administration Department will include fire, community risk reduction, and emergency medical services (EMS) response as of October 1, 2021, and, as provided in proposed Ordinance No. 2021-014, will be known as the Coconut Creek Fire Rescue Department; and

**WHEREAS**, the City desires to remove fire inspection and fire safety public education fees from the Code of Ordinances and provide authority for the City Commission to set and amend fire inspection, community risk reduction, and fire safety public education fees by resolution; and

**WHEREAS**, with the addition of EMS to those services provided by the Fire Rescue Department, the City desires to provide the authority to establish emergency medical services transport fees.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:**

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**Section 1: Ratification.** That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

**Section 2: Amendment.** That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 9, "Fire Prevention and Protection," Article V, "Fire Department Fees," to rename the Article to "Fire Rescue Department Fees" and amend the Article to read as follows:

**CHAPTER 9 – FIRE PREVENTION AND PROTECTION**

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**ARTICLE V. - FIRE RESCUE DEPARTMENT FEES**

**Sec. 9-50. ~~Fee schedule.~~ Reserved.**

~~(a) Fire inspection of residential buildings having two (2) or more adjoining units:~~

- ~~(1) One dollar and seventy-five cents (\$1.75) per residential dwelling unit;~~
- ~~(2) Thirty-five dollars (\$35.00) for each fire alarm by system, fire suppression system, fire pump, and for chemical storage or use exceeding fifty (50) gallons capacity;~~
- ~~(3) Minimum total fee of forty-five dollars (\$45.00) and a maximum total fee of five hundred dollars (\$500.00) per detached building per year.~~

~~(b) Fire inspection of commercial buildings:~~

- ~~(1) One dollars and seventy-five cents (\$1.75) per one thousand (1,000) square feet;~~
- ~~(2) Thirty-five dollars (\$35.00) for each fire alarm system, fire suppression system, fire pump, and for chemical storage or use exceeding fifty (50) gallons capacity;~~
- ~~(3) Minimum total fee of forty-five dollars (\$45.00) and a maximum total fee of five hundred dollars (\$500.00) per detached building per year.~~

~~(c) Re-inspection fee:~~

- ~~(1) Seventy-five (75) percent of the original annual fire inspection fee for each re-inspection needed to achieve compliance.~~

~~(d) Plan review and construction inspection fee:~~

- ~~(1) One dollar and five cents (\$1.05) per square foot for all plans reviewed by the fire department.~~

~~(e) Construction re-inspection fee:~~

- ~~(1) Fifty dollars (\$50.00) will be charged for each construction re-inspection.~~

~~(f) Stand-alone fire alarm and/or fire sprinkler system plan reviews and testing:~~

- (1) ~~Two cents (\$0.02) per square foot;~~
- (2) ~~Maximum charge is four hundred dollars (\$400.00) per system.~~
- (3) ~~One hundred dollars (\$100.00) for single location non-water fire suppression systems.~~
- (g) ~~Fire plan review and construction inspections for propane tanks, generators, pool heaters, and other miscellaneous single stand-alone permits excluding fire system user permits:~~
  - (1) ~~Fifty dollars (\$50.00).~~
- (h) ~~Fire inspector or fire plans examiner fee to attend pre-construction meetings at the request of the owner or developer:~~
  - (1) ~~Thirty five dollars (\$35.00) per hour.~~
- (i) ~~Open burning permit fees—Fee schedule. All open burning permit applicants shall pay the following fees prior to issuance of the permit:~~
  - (1) ~~One hundred dollars (\$100.00) per acre of area to be cleared; and~~
  - (2) ~~Two hundred dollars (\$200.00) per day of open burning.~~

~~Per acre to be cleared shall mean the acreage of property that will actually be cleared, not the total acreage of the subject parcel.~~
- (j) ~~Fire system user fees. The building owners and/or occupants shall pay a fire system user permit fee of one hundred dollars (\$100.00) per building per year at the time of annual fire inspection. In addition, the building owners and/or occupants shall pay a one hundred dollar (\$100.00) "fire system failure response fee" each time a fire emergency response is required, and the fire system is found to be in the "trouble mode" and/or not operational. The fire system user permit fee shall be waived provided that the system certification is current pursuant to the current edition of the Florida Fire Prevention Code, and that a twenty-four-hour emergency service contract with a licensed fire system contractor is maintained, and provided that all emergency call-out personnel names and phone numbers are kept current, and further that emergency call-out personnel arrive at the building within thirty (30) minutes each and every time requested by the fire department during the prior twelve (12) calendar months.~~

**Sec. 9-51. – Fire, rescue and community risk reduction fees. Fire safety public education.**

- (a) The City shall establish and may amend, by resolution of the City Commission, fire inspection fees, fire system user fees, fire safety public education fees and such other related user fees as are necessary to provide essential fire, emergency medical services transportation, and community risk reduction services.

- (b) All consumers of emergency medical services transportation, or the responsible party, will be required when possible to provide information regarding available insurance coverage as part of the patient intake process administered by the City of Coconut Creek for emergency medical services transportation.
- (c) The city, either directly or through a contractor, shall bill and collect emergency medical services transport fees. Said fees shall be established, and may be amended by, resolution of the city commission.
- (d) Invoices for emergency medical transport and related services shall be submitted to patients, Medicare, Medicaid, insurance companies or other third party payors. In the event that monies due the city for services rendered are not paid, city may take any necessary action in order to effectively collect fees.

~~Residents and employees of businesses located within the City of Coconut Creek shall be permitted to attend fire safety public education classes at no charge. Non-resident adults (eighteen (18) years and older) shall pay a fire safety public education fee of twenty-five dollars (\$25.00) per person, per class. Non-resident students (seventeen (17) years of age and younger) shall pay a fire safety public education fee of fifteen dollars (\$15.00) per person, per class, with valid student identification card or other acceptable documentation.~~

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**Section 3: Conflicts.** That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 4: Severability.** That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

**Section 5: Codification.** That the provisions of this ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

**Section 6: Effective Date.** That this ordinance shall become effective upon its passage on second and final reading.

**PASSED FIRST READING THIS 10<sup>TH</sup> DAY OF JUNE, 2021.**

**PASSED SECOND READING THIS 24<sup>TH</sup> DAY OF JUNE, 2021.**

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\_\_\_\_\_  
Rebecca A. Tooley, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>
Tooley	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>
Railey	<u>Aye</u>	<u>Aye</u>

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