

**CITY OF FLORENCE, KENTUCKY
ORDINANCE O-4-22**

AN ORDINANCE AMENDING ORDINANCE NO. O-22-14 TO ADOPT THE NFPA 1 FIRE CODE, 2018 EDITION (THE “CODE”).

WHEREAS, it is the purpose and policy of the City of Florence to protect and promote the public health, safety and welfare of its citizens and to establish rights and obligations, and

WHEREAS, minimum requirements and standards are necessary to establish a reasonable level of fire safety and property protection from hazards created by fire and explosions, and

WHEREAS, to further these ends, this Ordinance provides for penalties for failure to abide by reasonable standards as set forth in the NFPA 1 Uniform Fire Code of 2018, and

WHEREAS, the City Council elected to enforce the provisions of this Ordinance by classifying a violation thereof as a civil offense; by establishing civil fines to be imposed for such violations; and by providing that the City of Florence Code Enforcement Board (the “Board”) shall have the power to issue remedial orders and impose civil fines to enforce the provisions of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION A

Section I of Ordinance No. O-22-14 is hereby amended to read as follows:

SECTION I - ADOPTION

That pursuant to KRS 83A.060(5) the *NFPA 1 Fire Code ~~2012~~ 2018 Edition*, as published by the National Fire Protection Association, Inc., and approved as an American National Standard on ~~June 20, 2014~~ September 6, 2017, the provisions of which are incorporated herein by reference, be and is hereby adopted as the Fire Prevention Code of the City of Florence (the “Code”), except as same is hereinafter amended. A copy of the Code shall accompany this Ordinance and is made a part of the permanent records of the City.

SECTION B - AMENDMENTS TO CHAPTER 1

Section 1.10 of Chapter 1 entitled “Board of Appeals” is hereby excluded in its entirety.

SECTION C

The following codes and references are excluded from the Code:

- ! **NFPA 4023, Guide for Aircraft Rescue and Fire Fighting Operations, 2002 2018 edition;**
- ! ~~**NFPA 472, Standard for Professional Competence of Responders to Hazardous Materials Incidents, 2002 edition;**~~
- ! **NFPA 1031, Standard for Professional Qualifications for Fire Inspectors and Plan Examiner, 2003 2014 edition;**
- ! **NFPA 1192, Standard on Recreational Vehicles, 2018 edition;**
- ! **NFPA 1194, Standard for Recreational Vehicle Parks and Campgrounds, 2018 edition;**
- ! **NFPA 1901, Standard for Automotive Fire Apparatus, 2016 edition;**
- ! **NFPA 1906, Standard for Wildland Fire Apparatus, 2016 edition;**
- ! **NFPA 1925, Standard on Marine Fire-Fighting Vessels, 2013 edition;**
- ! **NFPA 1963, Standard for Fire Hose Connections, 2014 edition;**
- ! **NFPA 2113, Standard on Selection, Care, Use, and Maintenance of Flame-Resistant Garments for Protection of Industrial personnel Against Short-Duration Thermal Exposures from Fire, 2015 edition;**
- ! **NFPA 5000, Building Construction and Safety Code, 2012 2018 edition;**
- ! **Code reference 1.7.2 Minimum Qualifications to Enforce this Code;**
- ! **Code reference 10.2.7, Minimum Fire Prevention Inspection Frequencies for Existing Occupancies;**
- ! **Code reference 13.3.2.26, High Rise Buildings; and**

- ! Code reference 13.3.2.8, Existing Assembly Occupancies;
- ! Code Reference 13.6 Portable Extinguishers, which if required, shall be modified to exclude the provisions for installation of portable extinguishers in the occupancies listed in Table 13.6. Portable extinguishers shall be installed as required in the occupancy chapters of NFPA 101, Life Safety Code, ~~2012~~ 2018 Edition;
- ! Code reference ~~10.10.411.8.3~~ 10.10.411.8.3 Open Burning;
- ! Code reference 18.5.3 18.5.7 Fire Hydrant Clearance; Clear Space Around Hydrants;
- ! Code reference 1.13.2; and
- ! Code reference 1.16 through Code reference 1.16.4.45 Penalties.

SECTION F - VIOLATIONS DESIGNATED AS CIVIL OFFENSE

All violations of this Code are designated as civil offenses and enforced by imposing civil fines as set out in Ordinance No. O-7-02. The City of Florence Code Enforcement Board shall have the power to issue remedial orders and impose civil fines to enforce this Code.

SECTION G - APPLICATION FOR APPEAL

(A) Any person directly affected by a decision of the Code Official, or Notice, or Order issued under this Code shall have the right to appeal to the City of Florence Code Enforcement Board, provided that a written application for appeal is filed with the City Clerk within 7 days after the date the Decision, Notice, or Order was served. An application for appeal shall include a request for hearing as described in Ordinance No. O-7-02, Section VIII (F). An application for appeal shall be based on claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully

apply, the requirements of this Code are adequately satisfied by other means, or that the strict application of any requirement of this Code would cause an undue hardship.

(B) Appeal Procedure:

Appeals under this section shall be heard by the Board following the procedure for hearing set forth in Ordinance No. O-7-02. At the conclusion of such hearing, the Board shall issue a finding granting or denying the appeal and such other remedy or penalty orders as are necessary to enforce the provisions of this Code.

SECTION H - SEVERABILITY

If any section, paragraph or clause of this Ordinance be held by a proper Court to be invalid, such invalidity shall not affect the remaining sections, paragraphs or clauses, it being hereby expressly declared that the remainder of this Ordinance would have been passed despite such invalidity.

SECTION I

This Ordinance shall be published by posting on the City's internet website.

PASSED AND APPROVED ON FIRST READING THIS 19th DAY OF APRIL, 2022.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 26th DAY OF APRIL, 2022.

APPROVED:

/s/ Diane E. Whalen
Diane E. Whalen, Mayor

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk