

**CITY OF FLORENCE, KENTUCKY
ORDINANCE O-5-22**

AN ORDINANCE AMENDING ORDINANCE NO. O-23-14 TO ADOPT THE NFPA 101 LIFE SAFETY CODE, 2018 EDITION (THE “CODE”).

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

WHEREAS, minimum requirements and standards are needed in order to minimize danger to life from fire, including smoke, fumes or panic and to permit prompt escape of occupants from buildings, or, where desirable, into safe areas within buildings, and

WHEREAS, the NFPA 101 Life Safety Code, 2018 Edition, supersedes the NFPA 101 Life Safety Code, 2012 Edition, which was adopted by Ordinance No. O-23-14, and

WHEREAS, the City Council has 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-23-14 is hereby amended to read as follows:

SECTION I - ADOPTION

Pursuant to KRS 83A.060(5) the NFPA 101 Life Safety Code ~~2012~~ 2018 Edition, effective ~~August 31, 2014~~ September 6, 2017, as published by the National Fire Protection Association and approved as an American National Standard, the provisions of which are incorporated herein by reference, be and is hereby adopted as the Life Safety Code of the City of Florence, Kentucky (the “Code”), except as same is hereinafter amended. A copy of the Code shall accompany this Ordinance and be made a part of the permanent records of the City.

SECTION B - EXCLUSIONS FROM THE CODE

The following codes and sections shall be excluded from the Code for the purposes of this Ordinance:

- a) ~~NFPA 5000, Building Construction and Safety Code, 2012 edition,~~
and Code Section 13.3.5, Extinguishment Requirements.

SECTION C - VIOLATIONS DESIGNATED AS CIVIL OFFENSES

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 D - 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 a 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 E - 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 F

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