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1 **ARTICLE I. - IN GENERAL**
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3 Sec. 6-8. Fire department to review plans for compliance with the Florida Fire Prevention
4 Code. ~~fire extinguishers and location of connections~~

5 Prior to the issuance of any building permit for public or commercial building
6 construction, building alterations, or the like, a member of the fire department delegated
7 by the fire chief shall review any and all plans submitted, which fall under the
8 compliance requirements of the Florida Fire Prevention Code, to evaluate for compliance
9 with the current, or applicable, edition of the Florida Fire Prevention Code as required by
10 Florida State Statute 633. The fee for this plan review shall be established by Resolution
11 adopted by City Commission. ~~fire extinguishers and approve the location of fire~~
12 ~~department connections as listed in the building code.~~

13
14 Sec. 6-12. Inspections for fire hazards.

15 It shall be the duty of the chief of the fire department to inspect, or cause to be
16 inspected by the officers or members of his department, as often as may be necessary, all
17 buildings, premises and public thoroughfares, except the interior of private dwellings
18 (unless invited by the owner or occupant), for the purpose of ascertaining and causing to
19 be corrected any condition liable to cause fire, or any violation of the provisions or intent
20 of the ordinances of the city affecting fire hazards.

21 (Code 1960, § 7-3.1)

22 Sec. 6-12.1. Fire inspection fees and reporting requirements.

23 (a) *Periodic fire inspections.*

24 (1) Commercial, industrial, institutional and multi-family residential properties
25 may be inspected annually by the fire rescue department. The fee for fire
26 inspections is established by Resolution adopted by City Commission. ~~at~~
27 ~~no charge.~~

28 (2) Single-family and duplex residential properties may be inspected by the fire
29 rescue department upon request. The fee for fire inspections is established
30 by Resolution adopted by City Commission. ~~at no charge.~~

31 (3) Other Fire Inspection and Prevention fees shall be established by Resolution
32 adopted by City Commission. ~~Alarm systems, extinguishing systems or~~
33 ~~standpipe systems requiring a witnessed test:~~

1 Minimum fee (up to one (1) hour) \$50.00
2 Each additional hour, per hour 50.00
3 (4) ~~Pre sale, or like inspections, will be charged at a rate of twenty five dollars~~
4 ~~(\$25.00) per hour or portion thereof.~~
5 ~~(b) Plans examination fees:~~
6 (1) ~~Single family and duplex residential structures, new construction, per~~
7 ~~structure \$30.00~~
8 (2) ~~Commercial and residential structures (other than single family or duplex~~
9 ~~residential):~~
10 Minimum fee 40.00
11 New construction, additions, and alterations: per floor, per square foot 0.015
12 (3) ~~Sprinkler, alarm, mechanical systems requiring fire rescue department~~
13 ~~review shall be charged at the same rate as the plumbing, electrical or~~
14 ~~mechanical permit fees as currently adopted.~~
15 (4) ~~Land development permit/order Fire Rescue Department review 55.00~~
16 (5) ~~Re examination of plans. If plans must be re-examined because of changes~~
17 ~~or alterations not based on city requirements, a fee equal to one half (1/2) the~~
18 ~~original plan review fee shall be charged for each such review.~~
19 (6) ~~Plan review fees include required site inspections. If a re inspection is~~
20 ~~required due to a missed scheduled appointment, non-compliance with~~
21 ~~plans, etc. a re-inspection fee of forty dollars (\$40.00) shall be charged.~~
22 ~~(c) Annual hazardous materials permit fee. A hazardous materials permit is required for~~
23 ~~more than ten (10) gallons of liquid material, or ten (10) pounds of gaseous or solid~~
24 ~~material, or any combination of liquid/gaseous/solid material whose total~~
25 ~~volume/weight exceeds ten (10) gallon/pounds with a NFPA 704 hazard rating in~~
26 ~~any category of two (2) or greater as shown on the material's Material Safety Data~~
27 ~~Sheet (MSDS). A hazardous materials permit is required for any quantity of material~~
28 ~~with a NFPA 704 reactivity or health hazard rating of three (3) or greater.~~
29 Minimum fee \$40.00
30 Per hazardous material (up to ten (10)) 10.00
31 Per additional hazardous material (ten (10) or more) 1.00
32 When the total quantity of liquid hazardous materials exceeds one hundred (100)
33 gallons, or one hundred (100) pounds of a gaseous or solid hazardous material, or any
34 combination of materials whose total volume/weight exceeds one hundred (100)
35 gallons/pounds, an additional fee of ten dollars (\$10.00) for each additional one hundred
36 (100) gallons/pounds or portion thereof shall be charged.

- 1 ~~(1) Copies of MSDS sheets for materials on premise must be supplied to the~~
2 ~~fire rescue department when requested at the expense of the business owner.~~
- 3 ~~(2) Occupancies with over one hundred (100) gallons of gasoline or fuel oil, or~~
4 ~~over one hundred (100) pounds of natural, propane or compressed gas in~~
5 ~~any combination will be charged a flat fee of one hundred dollars(\$100.00)~~
6 ~~per business location per year.~~
- 7 ~~(3) Occupancies housing five (5) or more hazardous materials exclusively~~
8 ~~packaged and offered for retail sale, will be charged a flat fee of fifty dollars~~
9 ~~(\$50.00) per business location per year.~~
- 10 ~~(4) Each occupancy applying for a hazardous material permit is required to~~
11 ~~submit a complete inventory of all chemical and trade names with the~~
12 ~~highest volume or amount on hand, or expected to be on hand at any one~~
13 ~~time. This amount is the basis for the annual hazardous material permit fee.~~
- 14 ~~(5) The hazardous materials permit fee shall be doubled for occupancies failing~~
15 ~~to obtain a hazardous material permit as required, or for occupancies~~
16 ~~housing quantities of hazardous materials in excess of the maximum~~
17 ~~amounts shown on the hazardous materials permit.~~
- 18 ~~(d) Hydrant flow tests:~~
- 19 ~~Per test \$75.00~~
- 20 ~~(e) Other fees:~~
- 21 ~~(1) Special event permit (carnivals, circuses, open burning, tents,~~
22 ~~etc.) 110.00~~
- 23 ~~(2) Minor event permit (canopy, sparkler sales, etc.) \$55.00~~
- 24 ~~(3) Fire watch for events, inoperable systems, hazardous conditions, etc. (to be~~
25 ~~paid in advance of fire watch), per person, per hour 50.00~~
- 26 ~~Unpaid fire watch fees become a lien on the property at the time of the fire watch.~~
- 27 ~~(4) Preparation for and appearance before code enforcement board, special~~
28 ~~master, or other board or court for code enforcement action 100.00~~
- 29 ~~This fee charged only if party is determined by the board or court to be in violation.~~
- 30 ~~(f) Uses of fees. Ten (10) percent off all fees listed in subsections (a) (e)~~
31 ~~which are collected shall be used for the professional development of fire~~
32 ~~rescue department personnel. This includes expenses related to training,~~
33 ~~education, educational and reference materials, training equipment,~~
34 ~~memberships, seminars, and conferences which specifically enhance the~~
35 ~~knowledge, productivity, or abilities of fire rescue department personnel, as~~
36 ~~may be recommended by the fire chief and approved by the city manager.~~
37
38

1 **ARTICLE III. – FIREWORKS**
2

3 Sec. 6-66. Bond or insurance for public displays.

4 At the time of the issuance of a permit under this article for a public display of
5 fireworks, the permittee shall furnish a bond or public liability and property damage
6 insurance in an amount established by City policy or Resolution adopted by City
7 Commission of \$100,000.00/\$300,000.00 for the payment of all damages which may be
8 caused either to a person or to property by reason of the permitted display, and arising
9 from any acts of the permittee, his agent, employees or subcontractors.

10
11 **ARTICLE IV. – HAZARDOUS SUBSTANCES**
12

13 Sec. 6-69. Hazardous substances; recovery of costs.

14 (a) *Definitions.* As used in this section, the following terms shall be defined as follows:

15 *Costs* mean those necessary and reasonable costs incurred by the City of
16 Oakland Park in connection with investigating, mitigating, minimizing, removing or
17 abating discharges of hazardous substances including, but not limited to, the
18 following: actual labor costs of city personnel or its authorized agents, costs of
19 equipment operation and rental, cost of expendable items including, but not limited
20 to, fire-fighting foam, chemical extinguishing agents, absorbent material, sand,
21 recovery drums, acid suits, acid gloves, goggles and protective clothing.

22 *Discharge* means any intentional or unintentional action or omission resulting
23 in the releasing, spilling, pumping, pouring, emitting, emptying or dumping of a
24 hazardous substance upon public or private property located within the corporate
25 limits of the city.

26 *Hazardous substances* mean any substances or materials in a quantity or form
27 which, in the determination of the chief of fire rescue department and/or emergency
28 management coordinator, or his/her authorized designee, poses an unreasonable and
29 imminent risk to the life, health, safety or welfare of persons or property within the
30 city and shall include, but not be limited to, those hazardous substances listed in the
31 "N.F.P.A. Guide on Hazardous Materials" or the E.P.A.'s list of extremely hazardous
32 substances, or the "Florida Substance List" promulgated by the department of labor
33 and employment security.

34 *Person* means one (1) or more individuals, partnerships, corporations, joint
35 ventures, associations, or any other entities or any combination thereof.
36

- 1 (b) *Abatement, removal; liability for costs; records; exempt costs.*
- 2 (1) *Abatement, removal.* The City of Oakland Park Fire Rescue Department is
- 3 hereby authorized to take such steps as necessary to clean up, remove or
- 4 abate the effects of any hazardous substances discharged upon or into public
- 5 or private property or facilities located within the corporate limits of the city
- 6 including, but not limited to, requested assistance through assistance from
- 7 private sector contractors.
- 8 (2) *Liability for costs.* Any person or persons responsible for causing or
- 9 allowing an unauthorized discharge of hazardous substances that requires
- 10 emergency action by the city fire rescue department or its authorized agents
- 11 in order to protect the public health, safety or welfare shall be jointly and
- 12 severally liable to the city for the costs incurred by the city in investigating,
- 13 mitigating, minimizing, removing and abating any such discharge.
- 14 (3) *Record of costs.* When responding to the emergency caused by the
- 15 unauthorized discharge of hazardous substances, the city park fire rescue
- 16 department shall keep a detailed record of the costs attributable thereto.
- 17 (4) *Exempt costs.* The authority to recover costs under this section shall not
- 18 include costs incurred for actual fire suppression services which are
- 19 normally or usually provided by the city fire rescue department or its
- 20 authorized agents.
- 21 (c) *Reimbursement of costs; penalties, remedies for failure to reimburse.*
- 22 (1) *Reimbursement.* Any person or persons responsible for causing or allowing
- 23 an unauthorized discharge of hazardous substances shall reimburse the city
- 24 for the full amount of all costs, as defined herein, associated with the
- 25 investigating, mitigating, minimizing, removing and abating of any such
- 26 discharge within a period of thirty (30) days after receipt of an itemized bill
- 27 for such costs from the city.
- 28 (2) *Penalties.* Any person or persons responsible for causing or allowing an
- 29 unauthorized discharge of hazardous substances and who fails to reimburse
- 30 the city within the time set forth in subsection (c)(1) hereof shall be subject
- 31 to a fine established by Resolution adopted by City Commission ~~equal to~~
- 32 ~~the greater of one hundred dollars (\$100.00) per day or ten (10) percent of~~
- 33 ~~the total amount of the bill for each additional day that the bill for such~~
- 34 costs which remains unpaid.
- 35 (3) *Remedies.* The remedy provided for in this section shall be supplemental to
- 36 and in addition to all other available remedies at law and equity.
- 37

1 (d) *Cost recovery.*

- 2 (1) *Generally.* Any person(s) responsible for causing or allowing a discharge or
3 threatened discharge of any hazardous substances which require response
4 actions by the city fire rescue department and/or regional hazardous
5 materials response team, in order to protect the public health, safety,
6 welfare, or the environment shall be required to reimburse the city for the
7 full amount of the cost of any and all response actions. When responding to
8 an emergency caused by a discharge or threatened discharge of hazardous
9 substances, the responding regional hazardous materials team shall keep a
10 detailed record of the costs of all response actions. The cost of all response
11 actions shall be calculated in accordance with the following scheduled.
- 12 (2) For all incidents of less than one-hour duration, the responsible party shall
13 reimburse the city for the costs of all expendable supplies used during
14 response actions, including, but not limited to: Firefighting foam, chemical
15 extinguishing agents, recovery drums, absorbent materials, protective
16 clothing, gloves and testing equipment.
- 17 (3) For all incidents of one (1) hour or greater in duration, the responsible party
18 shall reimburse the city for the costs of all expendable supplies used during
19 response actions, the costs of equipment and apparatus used during response
20 actions and the actual labor costs of personnel assigned to the responding
21 regional hazardous materials response team. The cost of equipment and
22 apparatus shall be calculated in accordance with the current resource typing
23 rate schedule, as listed by the Federal Emergency Management Agency and
24 as periodically amended.
- 25 (4) Further, the city may invoice the responsible party for the allowable cost of
26 those municipal services which were required to support the emergency
27 response team its emergency response actions, including, but not limited to,
28 law enforcement and public works services.
- 29 (5) For the purpose of this article, "duration" shall be considered as the time
30 period beginning with the arrival on scene of the first emergency response
31 team member and ending with the release of the last emergency response
32 team member from the scene and the return to their home station.

33 (e) *Authority to recover costs.* The City of Oakland Park is hereby authorized to
34 invoice and collect the emergency response costs from the responsible party. In the
35 event that the responsible party does not reimburse the city for the recoverable costs,
36 the city is authorized to seek reimbursement consistent with the applicable provisions
37 of the City of Oakland Park Code of Ordinances or any other lawful means.
38
39

1 **ARTICLE V. – FIRE RESCUE USER FEES FOR AMBULANCE SERVICE**

2
3 Sec. 6-70. ~~Ambulance~~ Fire Rescue user fees.

4 (a) The fee for fire rescue services is established by Resolution adopted by City
5 Commission. ~~ambulance services provided by the city are as follows:~~

6 ~~Basic life support ambulance transport service (per transport/per patient \$670.00~~

7 ~~Advanced life support 1 ambulance transport service (per transport/per~~
8 ~~patient) 700.00~~

9 ~~Advanced life support 2 ambulance transport service (per transport/per~~
10 ~~patient) 750.00~~

11 ~~Transport mileage (per mile) 10.00~~

12 ~~Administration of IV solution 32.00~~

13 ~~Cardiac monitor 25.00~~

14 ~~Cervical collar and/or backboard 25.00~~

15 ~~Intubation 25.00~~

16 ~~Medications (other than oxygen) 27.50~~

17 ~~Oxygen 28.50~~

18 Amounts paid by Medicaid, Medicare or private insurance toward the cost of ambulance
19 services shall be accepted by the city as partial payment.

20
21 (b) The city manager is authorized to approve any and all adjustments and settlements
22 as may be presented by the finance director. Each adjustment or settlement shall be
23 based on the merits of that account or patient and shall have no bearing on other
24 accounts or patients.

25
26 **SECTION 3.** If any clause, section or other part of this Ordinance shall be held
27 by any Court of competent jurisdiction to be unconstitutional or invalid, such
28 unconstitutional or invalid part shall be considered as eliminated and in no way affecting
29 the validity of the other provisions of this Ordinance.

30
31 **SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are
32 hereby repealed to the extent of such conflicts.

1 **SECTION 5.** It is the intention of the City Commission of the City of Oakland
2 Park, that the provisions of this Ordinance shall become and be made a part of the Code
3 of Ordinances of the City of Oakland Park, Florida, and the Sections of this ordinance
4 may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section,"
5 "Article," or such other word or phrase in order to accomplish such intention.

6
7 **SECTION 6.** This Ordinance shall be effective upon its passage and adoption by
8 the City Commission of the City of Oakland Park.

1 **PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,**
2 **FLORIDA, ON FIRST READING, THIS 6th DAY OF OCTOBER 2021.**

3
4
5 J. BOLIN YES
6 M. CARN YES
7 A. GORDON YES
8 M. ROSENWALD YES
9 M. SPARKS YES

10
11
12 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF**
13 **OAKLAND PARK, FLORIDA, ON SECOND READING, THIS 20th DAY OF**
14 **OCTOBER 2021.**

15
16 CITY OF OAKLAND PARK, FLORIDA

17
18
19
20 _____
21 MAYOR JANE BOLIN

22
23 J. BOLIN _____
24 M. CARN _____
25 A. GORDON _____
26 M. ROSENWALD _____
27 M. SPARKS _____
28

29 ATTEST:

30
31
32
33 _____
34 RENEE M. SHROUT, CMC, CITY CLERK

35
36 LEGAL NOTE:

37 I hereby certify that I have approved the form of this Ordinance (O-2021-XXX):
38
39

40 _____
41 DONALD J. DOODY, CITY ATTORNEY