

ORDINANCE NO. 2021-2223

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF CHAPTER 8, SECTION 8-1, OF THE NEW PORT RICHEY CODE OF ORDINANCES, PERTAINING TO ADOPTION OF FIRE PREVENTION CODES; PROVIDING FOR ADOPTION OF FIRE PREVENTION CODES AS AMENDED AND UPDATED; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, fire is a detriment to the public health, safety, welfare and quality of life of the residents of the City;

WHEREAS, the City Council has adopted various fire prevention codes;

WHEREAS, said fire prevention codes have been updated and amended;

WHEREAS, City Council wishes to update the Code of Ordinances to incorporate the amended and restated fire prevention codes; and

WHEREAS, it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City in accordance with the City's police powers.

NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

SECTION 1. Chapter 8, Section 8-1, of the Code of Ordinances, pertaining to codes adopted for fire prevention and protection, providing as follows, is hereby amended as follows (strikeout text is deleted and underlined text is added):

Sec. 8-1. - Adoption of Life Safety Code, Fire Prevention Codes and Florida Building Code.

(a) There is hereby adopted, by the City of New Port Richey, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, those certain codes known as:

- (1) The National Fire Protection Association (NFPA) 101, Life Safety Code;
- (2) The National Fire Protection Association (NFPA) 1 Fire Prevention Code;
- (3) Florida Fire Prevention Code; and

(4) The Florida Building Code.

Copies of such codes shall be kept on file in the office of Fire Administration in City Hall, and said codes, as amended from time to time, are hereby adopted and incorporated as if fully set forth herein, and the provisions thereof shall be controlling within the limits of the City.

(b) If any conflict occurs between this section and any other applicable state or county law, City ordinance, rule or regulation, the more stringent requirement shall apply.

~~Sec. 8-1. Codes Adopted.~~

~~(a) There is hereby adopted by the city council the "National Fire Codes," 1991 Edition and any subsequent editions and amendments and addenda thereto published thereafter, as published by the National Fire Protection Association and amendments and addenda thereto save and except such portions that may be in conflict with the remaining provisions in this chapter. A copy of these codes and standards is filed in the office of the bureau of fire prevention of the city and the same are hereby adopted and incorporated in this chapter as fully and completely as if set forth in this chapter.~~

~~(b) There is hereby specifically adopted by the city council the "Code for Safety to Life from Fire in Buildings and Structures, N.F.P.A. 101" commonly referred to as the Life Safety Code being particularly the 1991 Edition as published by the National Fire Protection Association and all amendments and addenda thereto and all future editions upon publication and the whole thereof save and except such portions that may be in conflict with the remaining provisions in this chapter, of which code a copy has been and now is filed in the office of the bureau of fire prevention of the city. The same are hereby adopted and incorporated in this chapter as fully and completely as set forth in this chapter.~~

~~(c) There is hereby adopted by the city council the 1991 Edition of the Standard Fire Prevention Code as published by the Southern Building Code Congress, 1991 Edition and all amendments and addenda thereto and all future editions upon publication and the whole thereof save and except such portions that may be in conflict with the remaining provisions in this chapter, of which code a copy has been and now is filed in the office of the bureau of fire prevention of the city. The same are hereby adopted and incorporated in this chapter as fully and completely as set forth in this chapter.~~

~~(d) There is hereby adopted by the city council the "Fire Safety Rules and Standards", of the State of Florida Department of Insurance Division of the State Fire Marshall, 1991 Edition and all amendments and addenda thereto and all future editions upon publication and the whole thereof save and except such portions that may be in conflict with the remaining provisions in this chapter, of which code a copy has been and now is filed in the office of the bureau of fire prevention of the city. The same are hereby adopted and incorporated in this chapter as fully and completely as is set forth in this chapter.~~

SECTION 2. Enforcement. The provisions of this Ordinance shall be enforced as otherwise provided in the Code of Ordinances.

SECTION 3. Conflict with Other Ordinances and Codes. All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

SECTION 4. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

SECTION 5. Effective Date. This ordinance shall take effect immediately upon its adoption as provided by law.

The foregoing Ordinance was duly read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 16th day of March, 2021, and read and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 6th day of April, 2021.

ATTEST:

By: _____
Judy Meyers, CMC, City Clerk

By: _____
Robert Marlowe, Mayor-Council Member

(Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE SOLE
USE AND RELIANCE OF THE CITY OF NEW PORT RICHEY,
FLORIDA:

Timothy P. Driscoll, City Attorney

CA Approved 3-4-21