

# **2021 City of Riviera Beach Property Maintenance Code**



## **CITY OF RIVIERA BEACH**

**Department of Development Services**

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## **CHAPTER 1 ADMINISTRATION**

### **101 GENERAL**

#### **101.1 Title**

These regulations shall be known as the *City of Riviera Beach Property Maintenance Code*, hereinafter referred to as “this code”, and are based on the 2018 International Property Maintenance Code amended for local conditions and conformance with existing codes.

#### **101.2 Scope**

The provisions of this code shall apply within the City of Riviera Beach (“City”) to all existing structures, both residential and nonresidential, and to all existing premises, and shall constitute minimum requirements and standards for premises, properties, structures, equipment, and facilities for light, ventilation, space, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators, and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

#### **101.3 Intent**

This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

#### **101.4 Severability**

If a section, subsection, sentence, clause, or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

### **102 APPLICABILITY**

#### **102.1 General**

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

#### **102.2 Maintenance**

Equipment, systems, devices and safeguards required by this code or a previous regulation or code, under which the structure or premises was constructed, altered or repaired, shall be maintained in good working order including all electrical, gas, mechanical, and plumbing systems and all parts thereof. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied building, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner’s designated agent shall be responsible for the maintenance of buildings, structures and premises.

### **102.3 Application of Other Codes**

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Florida Building Code and the City Amendments to the Florida Building Code, the Florida Fire Prevention Code as amended by the City, the City's Code of Ordinances, and any other codes or laws adopted by the City. Nothing in this code shall be construed to cancel, modify or set aside any provisions of the aforementioned laws and regulations.

### **102.4 Existing Remedies**

The provisions in this code shall not be construed to abolish or impair existing remedies of the City relating to the abatement, removal or demolition of any structure which is dangerous, unsafe and unsanitary.

### **102.5 Workmanship**

Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

### **102.6 Historic Buildings**

The provisions of this code shall not be mandatory for existing buildings or structures designated by the State of Florida or the City of Riviera Beach as historic buildings when such buildings or structures are judged by the building official to be safe and in the public interest of health, safety and welfare.

### **102.7 Referenced Codes and Standards**

Other reference codes and standards per this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the most stringent provision shall apply or as determined by the building official.

#### **Exceptions:**

1. Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.
2. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

### **102.8 Requirements Not Covered By Code**

Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the Building Official .

## **103 ORGANIZATION AND VIOLATIONS**

### **103.1 General**

The Department of Development Services shall have the responsibility for the enforcement of this code.

### **103.2 Violations**

Any violations of this code shall be a violation of the City's Code of Ordinances and may be

enforced by the Building Official; by the City's Code Compliance Division; and/or by any other legal means of enforcement, at the option of the City.

## **104 DUTIES AND POWERS OF THE BUILDING OFFICIAL**

**Reserved**

## **105 APPROVAL**

**Reserved**

## **106 VIOLATIONS**

**Reserved**

## **107 NOTICES AND ORDERS**

**Reserved**

## **108 UNSAFE STRUCTURES AND EQUIPMENT**

### **108.1 General**

When a structure or equipment is found by the building official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code, the City's Amendments to the Florida Building Code, and/or section 22-35 of the City's Code of Ordinances.

#### **108.1.1 Unsafe Structures**

Under this code, an unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment, or is severely damaged, decayed, dilapidated, or structurally unsafe as determined by the building official, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

#### **108.1.2 Unsafe Equipment**

Under this code, unsafe equipment includes any appliance, boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

#### **108.1.3 Structures unfit for Human Occupancy**

Under this code, a structure is unfit for human occupancy whenever the building official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

#### **108.1.4 Unlawful Structure**

Under this code, an unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code (see table 404.5) or was erected, altered or occupied contrary to law.

#### **108.1.5 Dangerous Structure or Premises**

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof this is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the building official to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to

constitute such building or portion thereof as an attractive nuisance or hazard to the public.

## **108.2 Closing of Vacant Structures**

If a structure is vacant and/or unfit for human habitation and occupancy it shall comply with the provisions of Chapter 22, Article V, "Boarding of Vacant Buildings or Structures" of the City's Code of Ordinances. The building official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the building official, with the concurrence of the City Manager, may cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons, and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

### **108.2.1 Authority to Disconnect Service Utilities**

The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The code official shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

## **108.3 Notice**

Whenever the building official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 22-35 of the City's Code of Ordinances. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the general form prescribed in Section 22-35 of the City's Code of Ordinances.

## **108.4 Placarding**

Upon failure of the owner or person responsible to comply with the notice provisions within the time given under this code, the building official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

## **108.5 Prohibited Occupancy**

Any occupied structure condemned and placarded by the building official under this code shall be vacated as ordered by the code official. Any person who shall occupy a placarded premise or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premise or operate placarded equipment shall be liable for the penalties provided by this code.

## **108.6 Removal of Placard**

The building official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. No other person may deface or remove a condemnation placard without the express approval of the building official.

## **109 EMERGENCY MEASURES**

### **109.1 Imminent Danger**

When, in the opinion of the building official, there is imminent danger in or around a building or structure or to those in the proximity of any structure, the building official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith under this code. The building official shall cause to be posted at each entrance to such structure a notice reading as follows: "THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE BUILDING OFFICIAL." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

### **109.2 Temporary Safeguards**

Notwithstanding other provisions of this code, whenever, in the opinion of the building official, there is imminent danger due to an unsafe condition, the building official, with the concurrence of the City Manager, may order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted, and shall cause such other action to be taken as the building official deems necessary to meet such emergency.

### **109.3 Closing Streets**

When necessary for public safety, the building official may temporarily close structures and, with the concurrence of the City Manager, may temporarily close sidewalks, streets, public ways and places adjacent to unsafe structures and prohibit the same from being utilized.

### **109.4 Emergency Repairs**

For the purpose of this section, the building official shall, with the concurrence of the City Manager, employ the necessary labor and materials to perform the required work as expeditiously as possible.

### **109.5 Costs of Emergency Repairs**

Costs incurred in the performance of emergency work shall be paid by the City. The City may institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

### **109.6 Hearing**

Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appropriate board, be afforded a hearing as described in section 22-35 of the City's Code of Ordinances.

## **110 DEMOLITION**

**Reserved**

## **111 MEANS TO APPEAL**

**Reserved**

## **112 STOP WORK ORDER**

**112.1 Authority.** Whenever the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the building official is authorized to issue a stop work order.

**112.2 Issuance.** A stop work order shall be in writing and shall be given to the owner of the property, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**112.3 Emergencies.** Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work.

## **CHAPTER 2**

### **DEFINITIONS**

#### **201 GENERAL**

##### **201.1 Scope**

Unless otherwise expressly stated, the following terms shall, solely for the purpose of this code, have the meanings shown in this chapter.

##### **201.2 Interchangeability**

Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

##### **201.3 Terms Defined in Other Codes**

Where terms are not defined in this code and are defined in the Florida Building Code, the Florida Fire Prevention Code, the National Electrical Code, City Amendments to those codes, or the City Code of Ordinances, such terms shall have the meanings ascribed to them as in those codes.

##### **201.4 Terms Not Defined**

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

##### **201.5 Parts**

Whenever the words "dwelling unit," "dwelling," "premises," "building," "structure," "property," "rooming house," "rooming unit," "house keeping unit," or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."

#### **202 GENERAL DEFINITIONS**

**ANCHORED.** Secured in a manner that provides positive connection

**APPROVED:** Approved by the building official or other authority having jurisdiction.



**BASEMENT:** That portion of a building which is partly or completely below grade.

**BATHROOM:** A room containing plumbing fixtures including a bathtub or shower.

**BEDROOM:** Any room or space used or intended to be used for sleeping purposes.

**BUILDING OFFICIAL:** The official who is charged with the administration of the City's Building Division.

**CONDEMN:** To adjudge unfit for occupancy.

**COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS.** The costs shall include the actual costs of the demolition or repair of the structure less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a building *official*, the governing body or board of appeals.

**DETERIORATION.** To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

**EQUIPMENT SUPPORT.** Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

**EXTERIOR PROPERTY:** The open space on the premises and on adjoining property under the control of owners or operators of such premises.

**EXTERMINATION:** The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poisoning, spraying, fumigating, trapping or by any other approved pest elimination methods.

**GARBAGE:** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**GUARD or GUARDRAIL:** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

**HABITABLE SPACE:** Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not generally considered habitable spaces.

**HISTORIC BUILDING.** Any building or structure that is one or more of the following:

1. Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
2. Designated as historic under an applicable state or local law.

3. Certified as a contributing resource within a National Register or state or locally designated historic district.

**HOUSEKEEPING UNIT:** A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

**IMMINENT DANGER:** A condition which could cause serious or life-threatening injury or death at any time.

**INFESTATION:** The presence, within or contiguous to, a structure or premises, of insects, rats, vermin or other pests.

**INOPERABLE MOTOR VEHICLE:** A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**LABELED:** Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

**LET FOR OCCUPANCY OR LET:** To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**OCCUPANCY:** The purpose for which a building or portion thereof is utilized or occupied.

**OCCUPANT:** Any individual living, sleeping or working in a building, or having possession of a space within a building.

**OPENABLE AREA:** That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

**OPERATOR:** Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

**OWNER:** Any person, agent, operator, firm or corporation having legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**PERSON:** An individual, corporation, partnership or any other group acting as a unit.

**PREMISES:** A lot, plot or parcel of land, easement or public way, including any structures thereon.

**PUBLIC WAY:** Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

**ROOMING HOUSE:** A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one or two-family dwelling.

**ROOMING UNIT:** Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH:** Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

**STRICT LIABILITY OFFENSE:** An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**STRUCTURE:** That which is built or constructed or a portion thereof, whether fixed or portable, attached or detached, whether a main structure or an accessory structure, that includes but is not limited to all buildings, dwellings, garages, sheds, pools, fences, walls, screen rooms, screen enclosures, and other enclosures.

**TENANT:** A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

**TOILET ROOM.** A room containing a water closet or urinal but not a bathtub or shower.

**ULTIMATE DEFORMATION.** The deformation at which failure occurs and that shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

**VENTILATION:** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**WORKMANLIKE:** Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

**YARD:** An open space on the same lot with a structure.

## **CHAPTER 3**

### **GENERAL REQUIREMENTS**

#### **301 GENERAL**

##### **301.1 Scope**

The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property under this code.

### **301.2 Responsibility**

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming house or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming house or housekeeping unit, or premises which they occupy and control.

### **301.3 Vacant Structures and Land**

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

## **302 EXTERIOR PROPERTY AREAS**

### **302.1 Safety and Sanitation**

All exterior property and premises shall be maintained in a clean, orderly, safe and sanitary condition. Accordingly, the following is prohibited:

- 1.The outdoor storage, presence, accumulation, display, or otherwise keeping of any debris, appliances, tools, equipment, chemicals, automotive parts, furniture, building materials, household items, or other similar goods that are not designed for outside use, including without limitation, any abandoned, discarded, or tangible personal property in a state of disrepair.;
- 2.The outdoor storage, presence, accumulation, display, or otherwise keeping of any debris, appliances, tools, equipment, chemicals, automotive parts, building material, or other material of any kind on the ground, leaning against any building or structure, or upon the roof or top of any building or structure.

### **302.2 Grading and Drainage**

All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

**Exception:** Approved retention areas and reservoirs.

### **302.3 Sidewalks and Driveways**

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept free of debris, stains, mold, discoloration and deterioration, they shall be kept in a proper state of repair, free of all obstacles and maintained free from hazardous conditions.

#### **302.3.1**

Public sidewalks shall be maintained by the property owners who are adjacent to the sidewalk. (The maintenance of sidewalks is intended to include sweeping or cleaning and keeping the sidewalks free from obstacles. Maintenance would only include repairing or replacing cracked or broken sidewalks if the property owner was directly responsible for the damage.) Grassed areas between sidewalks and the edge of roadway pavement, or between lot line and edge of pavement if a sidewalk does not exist, shall also be maintained by the adjacent property owners and kept free and clear of trees, shrubs, and other obstructions except trees and shrubs approved by the City, and which are not located in a safe sight visibility area and which do not

interfere with underground or aboveground utilities or use of the roadway or sidewalk may remain provided that they are maintained by the adjacent property owner (See Sections 31-607 and 11-31 of the City's Code of Ordinances). Unobstructed passage through road and alley right-of-way shall be provided.

### **302.4 Uncontrolled Growth of Vegetation**

All premises and exterior of properties shall be maintained free from weeds or similar plant growth in excess of 12 inches (one foot) in height. All noxious weeds and invasive species are prohibited (See City's Code of Ordinances, Chapter 31, Article VIII, appendix A (a.1 and A.2)).

#### **302.4.1 Stagnant Water**

The exterior of all properties shall be maintained free of all collection of water in which mosquitos breed or are likely to breed.

**Exception:** Approved retention areas, reservoirs and other similar areas required for proper stormwater management or other purposes as approved by the building official.

### **302.5 Rodent Harborage**

All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

### **302.6 Exhaust Vents**

Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

### **302.7 Accessory Structures**

All accessory structures, including detached garages, sheds, fences, walls, portable carports screen rooms, screen enclosures, and other enclosures shall be maintained structurally sound, in good repair, and have their exterior coatings and coverings maintained in a sound and uniform appearance free from algae, mildews, molds, dirt or other stains.

#### **302.7.1 Storage /Shipping Containers**

The use of shipping containers, portable storage containers or any type or brand of portable/mobile storage container shall not be located on any property without first obtaining permission from the City by way of the permitting process as provided in Section 31-558 of the City's Code of Ordinances.

### **302.8 Motor Vehicles**

Except as provided for in the City's Code of Ordinances, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

**Exception:** A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes, and is not otherwise violating any other code or ordinance.

### **302.9 Parking**

Motor vehicles are to be parked in a garage/carport or on a driveway that has been designed

and permitted for that purpose (See City's Code of Ordinances, Sections 31-570 and 31-579). Motor vehicles may not be parked on lawns or on areas designed and planned for vegetation or in front or side yards unless part of an approved driveway system.

**302.9.1** Motor vehicles may not be parked across public sidewalks; public sidewalks are to remain open for pedestrian traffic at all times.

### **302.10 Defacement of Property**

No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

## **303 SWIMMING POOLS, SPAS AND HOT TUBS**

### **303.1 Swimming pools**

Swimming pools, spas, portable spas and hot tubs shall be maintained in a clean and sanitary condition, and in good repair.

### **303.2 Enclosures**

Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall have barriers per the Florida Building Code. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

## **304 EXTERIOR STRUCTURE**

### **304.1 General**

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary, so as not to pose a threat to the public health, safety or welfare.

#### **304.1.1 Unsafe conditions.**

Under this code, the following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the Florida Building Code or the Florida Building Code Existing Building as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight.
5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects.
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects.
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted when approved by the building official.

**304.2 Protective Treatment**

All exterior surfaces, including but not limited to, walls, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition and generally accepted uniform appearance. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, moldy, severely chalked, deteriorated, dirty, stained or chipped paint or other coating shall be eliminated and surfaces repainted or recoated. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designated for stabilization by oxidation are exempt from the requirement.

**304.3 Premises Identification**

Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 3 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm) or as specified in other related codes.

#### **304.4 Structural Members**

All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

#### **304.5 Foundation Walls**

All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

#### **304.6 Exterior Walls**

All exterior walls, on main structures and accessory structures, shall be free from holes, breaks, mold, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

#### **304.7 Roofs and Drainage**

The roof and flashing shall be sound, tight and not have defects that are a detriment to the roof's effectiveness or appearance. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water including ac condensate shall not be discharged in a manner that creates a public nuisance.

#### **304.8 Decorative Features**

All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in safe condition.

#### **304.9 Overhang Extensions**

All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

#### **304.10 Stairways, decks, porches and balconies**

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

#### **304.11 Chimneys and Towers**

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

#### **304.12 Handrails and Guardrails**

1. Every handrail and guardrail shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
2. Every exterior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall be not less than 30 inches (762 mm) in height



above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

**Exception:** *Guards* shall not be required where exempted by the Florida Building Code.

### **304.13 Window, Skylight and Door Frames**

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

#### **304.13.1 Glazing**

All glazing materials shall be maintained free from cracks and holes.

#### **304.13.2 Openable Windows**

Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

#### **304.13.3 Shutters and Impact Protection**

Hurricane protective devices on all occupied buildings must be removed no later than fourteen (14) days after the termination of the hurricane event (watch, warning, actual hurricane or tornado) unless another hurricane event is predicted to occur within the fourteen (14) day time period.

### **304.14 Insect Screens**

Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging screened door shall have a self-closing device in good working condition.

**Exception:** Screens and screen doors shall not be required where other approved means, such as air curtains or insect repellant fans, are employed.

### **304.15 Doors**

All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

### **304.16 Building Security**

Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

#### **304.16.1 Doors**

Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt locks shall be operated only by the turning of a knob or a key and shall have a lock throw of not less than 1-inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order. All deadbolt locks required by this section shall be designed and installed in such a manner so as to be operable inside of the dwelling unit, rooming unit or housekeeping unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

### **304.16.2 Windows**

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with window sash locking devices.

### **304.17 Skirting**

#### **304.17.1**

Existing skirting shall be maintained free from broken or missing sections, pieces or cross members. Skirting shall be securely attached and sized from the ground to the lower outside perimeter of the structure.

#### **304.17.2**

Replacement or new skirting shall be constructed of materials intended for exterior use and properly sized and mounted to prevent free access to the crawl space of the structure. Crawl space access grille or door and ventilation grilles shall be sized according to building code requirements.

### **304.19 Gates.**

Exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

## **305 INTERIOR STRUCTURE**

### **305.1 General**

The interior of a structure and the equipment therein shall be maintained in good repair, structurally sound, and in a sanitary condition.

#### **305.1.1 Unsafe conditions.**

Under this code, the following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the Florida Building Code or the Florida Building Code Existing Building as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Structural members are incapable of supporting nominal loads and load effects.
5. Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

#### **Exceptions:**

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted where approved by the building official.

### **305.2 Structural Members**

All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

### **305.3 Interior Surfaces**

All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, dirty, stained or abraded paint or other coatings shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

### **305.4 Stairs and Walking Surfaces**

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

### **305.5 Handrails and Guardrails**

1. Every handrail and guardrail shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

2. Every interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall be not less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

**Exception:** *Guards* shall not be required where exempted by the Florida Building Code.

### **305.6 Interior Doors**

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

## **306 Component Serviceability**

### **306.1 General**

The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

#### **305.1.1 Unsafe conditions.**

Under this code, where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the Florida Building Code or the Florida Building Code Existing Building as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
  - 1.1.Collapse of footing or foundation system.
  - 1.2.Damage to footing, foundation, concrete or other structural element due to soil expansion.
  - 1.3.Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil.
  - 1.4.Inadequate soil as determined by a geotechnical investigation.

- 1.5. Where the allowable bearing capacity of the soil is in doubt.
- 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
  - 2.1. Deterioration.
  - 2.2. Ultimate deformation.
  - 2.3. Fractures.
  - 2.4. Fissures.
  - 2.5. Spalling.
  - 2.6. Exposed reinforcement.
  - 2.7. Detached, dislodged or failing connections.
3. Aluminum that has been subjected to any of the following conditions:
  - 3.1. Deterioration.
  - 3.2. Corrosion.
  - 3.3. Elastic deformation.
  - 3.4. Ultimate deformation.
  - 3.5. Stress or strain cracks.
  - 3.6. Joint fatigue.
  - 3.7. Detached, dislodged or failing connections.
4. Masonry that has been subjected to any of the following conditions:
  - 4.1. Deterioration.
  - 4.2. Ultimate deformation.
  - 4.3. Fractures in masonry or mortar joints.
  - 4.4. Fissures in masonry or mortar joints.
  - 4.5. Spalling.
  - 4.6. Exposed reinforcement.
  - 4.7. Detached, dislodged or failing connections.
5. Steel that has been subjected to any of the following conditions:
  - 5.1. Deterioration.
  - 5.2. Elastic deformation.
  - 5.3. Ultimate deformation.
  - 5.4. Metal fatigue.
  - 5.5. Detached, dislodged or failing connections.
6. Wood that has been subjected to any of the following conditions:
  - 6.1. Ultimate deformation.
  - 6.2. Deterioration.
  - 6.3. Damage from insects, rodents and other vermin.
  - 6.4. Fire damage beyond charring.
  - 6.5. Significant splits and checks.
  - 6.6. Horizontal shear cracks.
  - 6.7. Vertical shear cracks.
  - 6.8. Inadequate support.
  - 6.9. Detached, dislodged or failing connections.
  - 6.10. Excessive cutting and notching.

**Exceptions:**

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted where approved by the building official.

## **307 RUBBISH AND GARBAGE**

### **307.1 Accumulation of Rubbish or Garbage**

All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. (See Sections 8-32 through 8-35 and Chapter 17.5 of the City's Code of Ordinances).

### **307.2 Disposal of Rubbish**

Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

#### **307.2.1 Rubbish Storage Facilities**

The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

#### **307.2.2 Refrigerators**

Refrigerators and similar appliances and equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors. Refrigerators and other household appliances not in operation shall not be stored on the exterior of a property or in an open carport or patio. All refrigerators and other household appliances shall be installed protected from the weather and per manufacturers' specifications and recommendations.

### **307.3 Disposal of Garbage**

Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers. Garbage containers placed at the curb for curbside pickup may be set out no earlier than 12 hours prior to 6am of the day of the designated and scheduled collection for the site. Containers must be removed from curbside and returned to a point at the side or rear of the residence no later than 12:01am of the day of collection.

#### **307.3.1 Garbage Facilities**

The owner of every dwelling shall supply an approved leak-proof, covered, outside garbage container.

#### **307.3.2 Containers**

The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak-proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

#### **307.3.3 Solid Waste Collection Requirements**

All of the provisions of Chapter 17.5 of the City's Code of Ordinances shall apply to the collection and disposal of solid waste within the City of Riviera Beach.

## **308 EXTERMINATION**

### **308.1 Infestation**

All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.

### **308.2 Owner**

The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

## **CHAPTER 4**

### **LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS**

#### **401 GENERAL**

##### **401.1 Scope**

The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

##### **401.2 Responsibility**

The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.

##### **401.3 Alternative Devices**

In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Florida Building Code shall be permitted.

#### **402 LIGHT**

##### **402.1 Habitable Spaces**

Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

**Exception:** Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m<sup>2</sup>). The exterior glazing area shall be based on the total floor area being served.

##### **402.2 Common Halls and Stairways**

Every common hall and stairway in residential occupancies, other than in one and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways shall be illuminated at all times the building space served by the means of egress is occupied, with a minimum of 1

footcandle (11 lux) at floors, landings and treads.

### **402.3 Other Spaces**

All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

## **403 VENTILATION**

### **403.1 Habitable Spaces**

Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.

**Exception:** Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m<sup>2</sup>). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

### **403.2 Bathrooms and Toilet Rooms**

Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be re-circulated.

### **403.3 Cooking Facilities**

Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

**Exception:** Where specifically approved in writing by the building official.

### **403.4 Process Ventilation**

Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be re-circulated to any space.

### **403.5 Clothes Dryer Exhaust**

Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions.

**Exception:** Listed and *labeled* condensing (ductless) clothes dryers.

## **404 OCCUPANCY LIMITATIONS**

### **404.1 Privacy**

Dwelling units, hotel units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

### **404.2 Minimum Room Widths**

A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan

dimension unless otherwise approved by the Florida Building Code and/or the building official. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls.

#### **404.3 Minimum Ceiling Heights**

Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear height of not less than 7 feet (2134 mm).

##### **Exceptions:**

1. In one and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
2. Basement rooms in one and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.
4. As otherwise authorized by the Florida Building Code.

#### **404.4 Bedroom Requirements**

Every bedroom shall comply with the requirements of Section 404.4.1 through 404.4.6.

##### **404.4.1 Area for Sleeping Purposes**

Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m<sup>2</sup>) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m<sup>2</sup>) of floor area for each occupant thereof.

##### **404.4.2 Access from Bedrooms**

Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

**Exception:** Units that contain fewer than two bedrooms.

##### **404.4.3 Water Closet Accessibility**

Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

##### **404.4.4 Prohibited Occupancy**

Kitchens and non-habitable spaces shall not be used for sleeping purposes.

##### **404.4.5 Other Requirements**

Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.



#### 404.5 Overcrowding

Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

**Table 404.5 Minimum Area Requirements**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 OCCUPANTS	3-5 OCCUPANTS	6 OR MORE OCCUPANTS
Living Room a,b	No requirements	120	150
Dining Room a,b	No requirements	80	100
Kitchen b	50	50	60
Bedrooms	Shall comply with Section 404.4		

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

##### 404.5.1 Sleeping area

The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

##### 404.5.2 Combined Spaces

Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living/dining room.

#### 404.6 Efficiency Unit

Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m<sup>2</sup>). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m<sup>2</sup>). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory, and bathtub or shower.
4. The maximum number of occupants shall be three.

#### 404.7 Food Preparation

All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare, and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

##### 404.7.1 Kitchen Facilities

Every dwelling unit shall contain a kitchen equipped with the following minimum facilities:

1. Food preparation surfaces impervious to water and free of defects which could trap food or liquid.

2. Shelving, cabinets, or drawers for the storage of food and cooking and eating utensils, all of which shall be maintained in good repair.
3. Freestanding or permanently installed cookstove. Portable electric cooking equipment shall not fulfill this requirement. Portable cooking equipment employing flame shall be prohibited.
4. Mechanical refrigeration equipment for the storage of perishable foodstuffs.

**Exception:** Nothing herein shall preclude a written agreement between an owner and tenant that the tenant will furnish mechanical refrigeration equipment and/or a cookstore as required in this section. It shall be an affirmative defense available to an owner charged with a violation of this section if such an agreement exists.

## **CHAPTER 5**

### **PLUMBING FACILITIES AND FIXTURE REQUIREMENTS**

#### **501 GENERAL**

##### **501.1 Scope**

The provisions of this chapter shall govern the minimum plumbing systems, facilities, and plumbing fixtures to be provided.

##### **501.2 Responsibility**

The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.

#### **502 REQUIRED FACILITIES**

##### **502.1 Dwelling Units**

Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet, and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

##### **502.2 Rooming Houses**

At least one water closet, lavatory, and bathtub or shower shall be supplied for each four rooming units.

##### **502.3 Hotels**

Where private water closets, lavatories, and baths are not provided, one water closet, one lavatory, and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.

##### **502.4 Employees' Facilities**

A minimum of one water closet, one lavatory, and one drinking facility shall be available to

employees.

#### **502.4.1 Drinking Facilities**

Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler, or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

#### **502.5 Public Facilities**

A minimum of one water closet and one lavatory shall be available to the public and such public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the Florida Building Code Plumbing. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises

### **503 TOILET ROOMS**

#### **503.1 Privacy**

Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

#### **503.2 Location**

Toilet rooms and bathrooms serving hotel units, rooming units, dormitory units, or housekeeping units shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

#### **503.3 Location of Employee Toilet Facilities**

Toilet facilities shall have access from within the employees' regular working area. The required toilet facilities shall be located not more than one story above or below the employees' regular working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

**Exception:** Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease, or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

#### **503.4 Floor Surface**

In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, non-absorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

### **504 PLUMBING SYSTEMS AND FIXTURES**

#### **504.1 General**

All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks, and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary, and functional condition.

#### **504.2 Fixture Clearances**

Plumbing fixtures shall have adequate clearances for usage and cleaning.

### **504.3 Plumbing System Hazards**

Where it is found that a plumbing system for a structure or premises constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back-siphonage, improper installation, deterioration or damage or for similar reasons, the building official shall require the defects to be corrected to eliminate the hazard.

## **505 WATER SYSTEM**

### **505.1 General**

Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the Florida Building Code, Plumbing.

### **505.2 Contamination**

The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

### **505.3 Supply**

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices, and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

### **505.4 Water Heating Facilities**

Water heating facilities shall be properly installed, maintained, and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower, and laundry facility at a temperature or not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom, or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

### **505.5 Nonpotable water reuse systems.**

Nonpotable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with Section 505.5.1.

#### **505.5.1 Abandonment of systems.**

Where a nonpotable water reuse system or a rainwater collection and distribution system is not maintained or the owner ceases use of the system, the system shall be abandoned in accordance with Section 1301.10 of the Florida Building Code Plumbing.

## **506 SANITARY DRAINAGE SYSTEM**

### **506.1 General**

All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

### **506.2 Maintenance**

Every plumbing stack, vent, waste, and sewer line shall function properly and be kept free from obstructions, leaks, and defects.

### **506.3 Grease interceptors.**

Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of maintenance, cleaning and repairs shall be available for inspection by the building official.

## **507 STORM DRAINAGE**

### **507.1 General**

Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

## **CHAPTER 6**

## **MECHANICAL AND ELECTRICAL REQUIREMENTS**

### **601 GENERAL**

#### **601.1 Scope**

The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

#### **601.2 Responsibility**

The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter.

### **602 HEATING FACILITIES**

#### **602.1 Residential Occupancies**

Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms based on the winter outdoor

design temperature for the locality indicated in Appendix D of the Florida Building Code, Plumbing. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

### **602.2 Heat Supply**

Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory, or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from November 15th through March 15th to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

**Exception:** When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the Florida Building Code, Plumbing.

### **602.3 Occupiable Work Spaces**

Indoor occupiable work spaces shall be supplied with heat during the period from November 15th through March 15th to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

**Exceptions:**

1. Processing, storage, and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

### **602.4 Room Temperature Measurement**

The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

## **603 MECHANICAL EQUIPMENT**

### **603.1 Mechanical Appliances**

All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances, and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

### **603.2 Removal of Combustion Products**

All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

**Exception:** Fuel-burning equipment and appliances which are labeled for unvented operation.

### **603.3 Clearances**

All required clearances to combustible materials shall be maintained.

### **603.4 Safety Controls**

All safety controls for fuel-burning equipment shall be maintained in effective operation.

### **603.5 Combustion Air**

A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

### **603.6 Energy Conservation Devices**

Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

## **604 ELECTRICAL FACILITIES**

### **604.1 Facilities Required**

Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

### **604.2 Service**

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

### **604.3 Electrical System Hazards**

Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason in inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the building official shall require the defects to be corrected to eliminate the hazard.

#### **604.3.1 Abatement of electrical hazards associated with water exposure.**

The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

##### **604.3.1.1 Electrical equipment.**

Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the Florida Building Code.

**Exception:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated not more than 600 volts or less.
2. Busway, rated not more than 600 volts.
3. Panelboards, rated not more than 600 volts.
4. Switchboards, rated not more than 600 volts.
5. Fire pump controllers, rated not more than 600 volts.
6. Manual and magnetic motor controllers.
7. Motor control centers.
8. Alternating current high-voltage circuit breakers.
9. Low-voltage power circuit breakers.
10. Protective relays, meters and current transformers.
11. Low- and medium-voltage switchgear.
12. Liquid-filled transformers.
13. Cast-resin transformers.
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water.

15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water.
16. Luminaires that are listed as submersible.
17. Motors.
18. Electronic control, signaling and communication equipment.

#### **604.3.2 Abatement of electrical hazards associated with fire exposure.**

The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

##### **604.3.2.1 Electrical equipment.**

Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the Florida Building Code.

**Exception:** Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

### **605 ELECTRICAL EQUIPMENT**

#### **605.1 Installation**

All electrical equipment, wiring, and appliances shall be properly installed and maintained in a safe and approved manner. All required electric shall be maintained in working order. All unused or abandoned electric including wiring shall be removed from the building or structure.

#### **605.2 Receptacles**

Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter if within six ft. from a sink. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

#### **605.3 Lighting Fixtures**

Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, and mechanical room shall contain not less than one electric luminaire. Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

#### **605.4 Wiring.**

Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

### **606 ELEVATORS, ESCALATORS AND DUMBWAITERS**

#### **606.1 General**

Elevators, dumbwaiters, and escalators shall be maintained to sustain safely all imposed loads,



to operate properly, and to be free from physical and fire hazards and follow all local, state and federal laws, rules and regulations.

#### **606.2 Elevators**

In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

**Exception:** Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing and servicing.

### **607 DUCT SYSTEMS**

#### **607.1 General**

Duct systems shall be maintained free from obstructions and shall be capable of performing the required function.

## **CHAPTER 7**

### **FIRE SAFETY REQUIREMENTS**

#### **701 GENERAL**

##### **701.1 Scope**

The provisions of this chapter shall govern minimum conditions and standards for fire safety relating to existing structures and exterior premises, including fire safety facilities and equipment to be provided.

##### **701.1.1**

In the event of a conflict between this chapter and the FFPC, NFPA, or the Life Safety Code, the FFPC, NFPA, or the Life Safety Code shall govern.

##### **701.2 Responsibility**

The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another to occupy any premises that do not comply with the requirements of this chapter.

#### **702 MEANS OF EGRESS**

##### **702.1 General**

All required exits shall be maintained to provide a safe, continuous, and unobstructed path of travel from any point in a building or structure to the public way.

##### **702.2 Aisles**

The required width of aisles in accordance with the FFPC shall be unobstructed.

##### **702.3 Locked Doors**

All means of egress doors shall be readily openable from the side from which egress is to be made, without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the FBC or the FFPC.

#### **702.4 Emergency Escape Openings**

Required emergency escape openings shall be maintained in accordance with the Florida Building Code, Existing Building , and the following; Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grills, grates, or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool, or force greater than that which is required for normal operation of the escape and rescue opening.

### **703 FIRE-RESISTANCE RATING**

#### **703.1 Fire-Resistance-Rated Assemblies**

The provisions of this chapter shall govern maintenance of the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.

#### **703.2 Unsafe conditions.**

Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the building was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with Section 111.1.1 of the Florida Fire Prevention Code. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed or altered. Where the condition of components is such that any building, structure or portion thereof presents an imminent danger to the occupants of the building, structure or portion thereof, the fire code official shall act in accordance with Section 111.2 of the Florida Fire Prevention Code.

#### **703.3 Maintenance.**

The required fire-resistance rating of fire-resistance-rated construction, including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and joint systems, shall be maintained. Such elements shall be visually inspected annually by the owner and repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the owner unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer and any other reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.

##### **703.3.1 Fire blocking and draft stopping.**

Required fire blocking and draft stopping in combustibile concealed spaces shall be maintained to provide continuity and integrity of the construction.

### **703.3.2 Smoke barriers and smoke partitions.**

Required smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke. Openings protected with approved smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.

### **703.3.3 Fire walls, fire barriers, and fire partitions.**

Required fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Openings protected with approved doors or fire dampers shall be maintained in accordance with NFPA 80.

### **703.4 Opening Protectives**

Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. The application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the approved third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced whenever fused or damaged. Fire door assemblies shall not be modified.

#### **703.4.1 Signs.**

Where required by the building official or fire department, a sign shall be permanently displayed on or near each fire door in letters not less than 1 inch (25 mm) high to read as follows:

1. For doors designed to be kept normally open: FIRE DOOR – DO NOT BLOCK.
2. For doors designed to be kept normally closed: FIRE DOOR – KEEP CLOSED.

#### **703.4.2 Hold-open devices and closers.**

Hold-open devices and automatic door closers shall be maintained. During the period that such a device is out of service for repairs, the door it operates shall remain in the closed position.

#### **703.4.3 Door operation.**

Swinging fire doors shall close from the full-open position and latch automatically. The door closer shall exert enough force to close and latch the door from any partially open position.

### **703.5 Ceilings.**

The hanging and displaying of salable goods and other decorative materials from acoustical ceiling systems that are part of a fire-resistance-rated horizontal assembly shall be prohibited.

### **703.6 Testing.**

Horizontal and vertical sliding and rolling fire doors shall be inspected and tested annually to confirm operation and full closure. Records of inspections and testing shall be maintained.

### **703.7 Vertical shafts.**

Interior vertical shafts, including stairways, elevator hoistways and service and utility shafts, which connect two or more stories of a building shall be enclosed or protected as required in Chapter 11 of the Florida Fire Prevention Code. New floor openings in existing buildings shall comply with the Florida Building Code.

### **703.8 Opening protective closers.**

Where openings are required to be protected, opening protectives shall be maintained self-closing or automatic-closing by smoke detection. Existing fusible-link-type automatic door-closing devices shall be replaced if the fusible link rating exceeds 135°F (57°C).

## **704 FIRE PROTECTION SYSTEMS**

### **704.1 Inspection, testing and maintenance.**

Fire detection, alarm and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in accordance with the Florida Fire Prevention Code in an operative condition at all times, and shall be replaced or repaired where defective.

#### **704.1.1 Installation.**

Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered or enlarged. Alterations to fire protection systems shall be done in accordance with applicable standards.

#### **704.1.2 Required fire protection systems.**

Fire protection systems required by this code, the Florida Fire Prevention Code or the Florida Building Code shall be installed, repaired, operated, tested and maintained in accordance with this code. A fire protection system for which a design option, exception or reduction to the provisions of this code, the Florida Fire Prevention Code or the Florida Building Code has been granted shall be considered to be a required system.

#### **704.1.3 Fire protection systems.**

Fire protection systems shall be inspected, maintained and tested in accordance with the following the Florida Fire Prevention Code requirements.

1. Automatic sprinkler systems, see Section 903.5.
2. Automatic fire-extinguishing systems protecting commercial cooking systems, see Section 904.12.5.
3. Automatic water mist extinguishing systems, see Section 904.11.
4. Carbon dioxide extinguishing systems, see Section 904.8.
5. Carbon monoxide alarms and carbon monoxide detection systems, see Section 915.6.
6. Clean-agent extinguishing systems, see Section 904.10.
7. Dry-chemical extinguishing systems, see Section 904.6.
8. Fire alarm and fire detection systems, see Section 907.8.
9. Fire department connections, see Sections 912.4 and 912.7.
10. Fire pumps, see Section 913.5.
11. Foam extinguishing systems, see Section 904.7.
12. Halon extinguishing systems, see Section 904.9.
13. Single- and multiple-station smoke alarms, see Section 907.10.
14. Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.
15. Smoke control systems, see Section 909.20.
16. Wet-chemical extinguishing systems, see Section 904.5.

**704.2 Standards.**

Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section.

**TABLE 704.2  
FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS**

<b>SYSTEM</b>	<b>STANDARD</b>
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

**704.2.1 Records.**

Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.

#### **704.2.2 Records information.**

Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

#### **704.3 Systems out of service.**

Where a required fire protection system is out of service, the fire department shall be notified immediately and, where required by the fire marshal, either the building shall be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and shall not have duties beyond performing constant patrols of the protected premises and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the the Florida Fire Prevention Code to bring the systems back in service.

#### **704.3.1 Emergency impairments.**

Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the Florida Fire Prevention Code 704.4 Removal of or tampering with equipment.

It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system or other fire appliance required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

#### **704.4.1 Removal of or tampering with appurtenances.**

Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the fire department shall not be removed, unlocked, destroyed or tampered with in any manner.

#### **704.4.2 Removal of existing occupant-use hose lines.**

The fire marshal is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:

1. The installation is not required by the the Florida Fire Prevention Code or the Florida Building Code.
2. The hose line would not be utilized by trained personnel or the fire department.
3. The remaining outlets are compatible with local fire department fittings.

#### **704.4.3 Termination of monitoring service.**

For fire alarm systems required to be monitored by the the Florida Fire Prevention Code, notice shall be made to the fire department whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

#### **704.5 Fire department connection.**

Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire department.

##### **704.5.1 Fire department connection access.**

Ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the fire chief.

**Exception:** Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the Florida Fire Prevention Code and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and maintained operational at all times.

##### **704.5.2 Clear space around connections.**

A working space of not less than 36 inches (914 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections.

#### **704.6 Single- and multiple-station smoke alarms.**

Single- and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 704.6.1 through 704.6.3.

##### **704.6.1 Where required.**

Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Sections 704.6.1.1 through 704.6.1.4. Interconnection and power sources shall be in accordance with Sections 704.6.2 and 704.6.3.

##### **Exceptions:**

1. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
2. Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.
3. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.

##### **704.6.1.1 Group R-1.**

Single- or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.
2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
3. In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm

installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

#### **704.6.1.2 Groups R-2, R-3, R-4 and I-1.**

Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

#### **704.6.1.3 Installation near cooking appliances.**

Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by Section 704.6.1.1 or 704.6.1.2.

1. Ionization smoke alarms shall not be installed less than 20 feet (6096 mm) horizontally from a permanently installed cooking appliance.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.
3. Photoelectric smoke alarms shall not be installed less than 6 feet (1829 mm) horizontally from a permanently installed cooking appliance.

#### **704.6.1.4 Installation near bathrooms.**

Smoke alarms shall be installed not less than 3 feet (914 mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 704.6.1.1 or 704.6.1.2.

#### **704.6.2 Interconnection.**

Where more than one smoke alarm is required to be installed within an individual dwelling or sleeping unit, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

##### **Exceptions:**

1. Interconnection is not required in buildings that are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.

#### **704.6.3 Power source.**

Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be



connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

**Exceptions:**

1. Smoke alarms are permitted to be solely battery operated in existing buildings where construction is not taking place.
2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for building wiring without the removal of interior finishes.

**704.6.4 Smoke detection system.**

Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements in Section 907 of the Florida Fire Prevention Code.
2. Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the dwelling or sleeping unit in accordance with Section 907.5.2 of the Florida Fire Prevention Code.
3. Activation of a smoke detector in a dwelling or sleeping unit shall not activate alarm notification appliances outside of the dwelling or sleeping unit, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.6 of the Florida Fire Prevention Code.

**704.7 Single- and multiple-station smoke alarms.**

Single- and multiple-station smoke alarms shall be tested and maintained in accordance with the manufacturer's instructions. Smoke alarms that do not function shall be replaced. Smoke alarms installed in one- and two-family dwellings shall be replaced not more than 10 years from the date of manufacture marked on the unit, or shall be replaced if the date of manufacture cannot be determined.

## **SECTION 705**

### **CARBON MONOXIDE ALARMS AND DETECTION**

**705.1 General.**

Carbon monoxide alarms shall be installed in dwellings in accordance with Section 1103.9 of the Florida Fire Prevention Code, except that alarms in dwellings covered by the Florida Residential Code shall be installed in accordance with Section R315 of that code.

**705.2 Carbon monoxide alarms and detectors.**

Carbon monoxide alarms and carbon monoxide detection systems shall be maintained in accordance with NFPA 720. Carbon monoxide alarms and carbon monoxide detectors that become inoperable or begin producing end-of-life signals shall be replaced.

## CHAPTER 8

### REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this document. The application of the referenced standards shall be specified in Section 102.7.

Standard Reference	Title
FBC/B	Florida Building Code, Building Volume
FBC/P	Florida Building Code, Plumbing Volume
FBC/M	Florida Building Code, Mechanical Volume
NEC	National Electrical Code; FBC/B Chapter 27
FFPC	Florida Fire Prevention Code

ASME American Society of Mechanical Engineers, Two Park Avenue New York, NY10016-5990

ASME A17.1—2016/CSA B44—16 Safety Code for Elevators and Escalators 606.1

ASTM ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959

F1346—91 (2010) Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs 303.2

NFPA National Fire Protection Association, 1 Batterymarch, Park Quincy, MA 02169-7471

10—17 Standard for Portable Fire Extinguishers Table 704.2

12—15 Standard on Carbon Dioxide Extinguishing Systems Table 704.2

12A—15 Standard on Halon 1301 Fire Extinguishing Systems Table 704.2

17—17 Standard for Dry Chemical Extinguishing Systems Table 704.2

17A—17 Standard for Wet Chemical Extinguishing Systems Table 704.2

25—17 Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems Table 704.2

70—17 National Electrical Code 102.3201.3604.2

72—16 National Fire Alarm and Signaling Code Table 704.2

80—16 Standard for Fire Doors and Other Opening Protectives 703.3.3703.4

105—16 Standard for Smoke Door Assemblies and Other Opening Protectives 703.3.2

204—15 Standard for Smoke and Heat Venting Table 704.2

720—15 Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment [F] 705.2

750—14 Standard on Water Mist Fire Protection Systems Table 704.2

2001—15 Standard on Clean Agent Fire Extinguishing Systems Table 704.2

UL Underwriters Laboratories, LLC, 333 Pfingsten Road, Northbrook IL 60062  
268—09 Smoke Detectors for Fire Alarm Systems 704.6.4