

DESTIN FIRE CONTROL DISTRICT

RESOLUTION 23-02

A RESOLUTION OF THE DESTIN FIRE CONTROL DISTRICT, OKALOOSA COUNTY, FLORIDA, AMENDING RESOLUTION 11-04 AND RESOLUTION 15-02, WHICH CREATED FIRE AND LIFE SAFETY INSPECTION FEES FOR THE SERVICES PROVIDED TO INSPECT COMMERCIAL AND MULTI FAMILY RESIDENTIAL PROPERTIES TO DETERMINE COMPLIANCE WITH THE FLORIDA FIRE PREVENTION CODE, TO PROVIDE FOR THE FOLLOWING CHANGES AND ADDITIONS

WHEREAS, the Destin Fire Control District Board of Fire Commissioners is given the power pursuant to Section 633.208, Florida Statutes (2022) and Florida Administrative Code Chapter 69A-60, to enforce the Florida Fire Prevention Code; and

WHEREAS, Section 191.009(3)(d), Florida Statutes (2022), authorized the Destin Fire Control District Board of Fire Commissioners to collect user fees, for inspection structures, plans, and equipment to determine compliance with fire safety codes and standards, as may be authorized by a resolution of the Destin Fire Control District Board of Fire Commissioners; and

WHEREAS, Section 633.216(1), Florida Statutes (2022), authorizes the Destin Fire Control District Board of Fire Commissioners to provide a schedule of fees to pay the costs of inspections conducted pursuant to Section 633.216(1), Fla. Stat., as well as administrative expenses; and

WHEREAS, the Destin Fire Control District Board of Fire Commissioners finds that Resolution 23-02, and the terms contained therein, are in the best interest for the health, safety, and welfare of the public.

NOW THEREFOER, BE IT SO RESOLVED, by the Destin Fire Control District Board of Fire Commissioners of Okaloosa County, Florida, state as follows:

SECTION 1: DEFINITIONS

As used in this regulation the following words and terms shall have the following meanings:

- a. **Fire Marshall:** Means an individual certified by the Destin Fire Control District, officially assigned the duties of conducting fire safety inspections of buildings and facilities on a recurring or regular basis, investigating civil infractions relating to fire safety, and issuing citations pursuant to this section on behalf of the state or any county, municipality, or special district with fire safety responsibilities
- b. **Inspection:** Means the initial Fire and Life Safety Inspection by the Fire Marshall or designee.
- c. **Re-Inspection:** Means a follow up to a previous Inspection where a violation has been noted.

- d. **Fee:** Means the assessment of a monetary charge, as authorized pursuant to this Resolution.

SECTION 2: FEE SCHEUDLE

- A. The following fees shall apply to each Inspection and Re-Inspection. A fee will be charged for every Re-Inspection in which the violation is not corrected.

Initial Inspection	No Charge
1 st Re-Inspection – All violations cleared	No Charge
1 st Re-Inspection – Violations remain	No Charge
2 nd Re-Inspection – Violations remain	\$150
3 rd Re-Inspection – Violations remain	\$200
4 th Re-Inspection – Violations remain	\$250

- B. Any Re-Inspections after the 4th Re-Inspection will be charged at a rate double the previously charged fee.
- C. In the event all violations have not been cleared, the corresponding fee shall be applied, and legal action may be taken to close the business(es) which are in violation until all violations have been corrected.
- D. The Fire Marshall or their designee may, at his/her discretion, allow an extension to the Re-Inspection when work order approval documentation has been received from the property indicating that repairs have been approved by the property, but the contractor has not yet performed the approved repairs.
- E. Inspection Schedule:
 - a. 1st Re-Inspection will occur on or after 30 calendar days past initial Inspection.
 - b. All subsequent Re-Inspections will occur on or after 14 calendar days past previous Re-Inspection.
- F. All Re-Inspection Fees must be paid prior to the Re-Inspection being performed. All Inspections and Re-Inspections must be scheduled with the Fire Marshall at least 48 hours in advance unless agreed upon by the Inspector.
- G. Cancellation: Any Inspection or Re-Inspection cancelled less than 24 hours prior to the scheduled Inspection or Re-Inspection will still be charged the Fee.

SECTION 3: LIMITATIONS AND RESTRICITONS:

- a. The Destin Fire Control District's limits and restrictions are set forth in Florida Statutes.

SECTION 4: COLLECTION AND ENFORCEMENT

- a. The Destin Fire Control District shall collect and account for the Fees imposed by this Resolution, and may establish such documents and procedures reasonably necessary to carry out the intent of this Resolution.
- b. The Destin Fire Control District may take all means necessary under Florida law to collect outstanding Fees.
- c. The Fees collected under this Resolution shall be general revenue of the Destin Fire Control District.

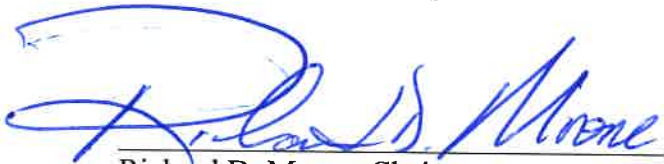
SECTION 5: EFFECTIVE DATE

- a. The charges allowed hereunder will become EFFECTIVE January 1, 2023.
- b. All resolutions or parts of resolutions in conflict with Resolution 23-02 are hereby repealed and replaced.

PASSED AND ADOPTED ON SECOND READING BY THE BOARD OF THE DESTIN FIRE CONTROL DISTRICT ON THE 13 DAY OF December, 2022.

DESTIN FIRE CONTROL DISTRICT
Board of Commissioners

ATTEST:


Richard D. Moore, Chairman


Kathryn L. Wagner, District Clerk