



REVISED
5-4-18

CAPE CORAL FIRE DEPARTMENT
OFFICE OF THE INTERIM FIRE CHIEF

TO: Mayor Coviello and Council Members

FROM: John Szerlag, City Manager *JS*
Ryan W. Lamb, Acting Interim Fire Chief *RWL*

DATE: May 4, 2018

SUBJECT: Ordinance 9-18: Amend City of Cape Coral Code of Ordinances Chapter 8;
Introduction at the Regular Council Meeting on May 7, 2018

The reason for this action is to request approval to amend the City of Cape Coral Code of Ordinances, Chapter 8, Fire Prevention and Emergency Management, addressing the following: adoption of the Florida Fire Prevention Code; establishment of Burn Ban implementation procedures; and amendments to states of local emergency.

Below is a summary of several areas included in the requested amendments to Chapter 8:

1. Adoption of the Florida Fire Prevention Code:
The City adopts the current Florida Fire Prevention Code every three years, in accordance with Florida State Statute 633.0215 (3)(b). Ordinance 9-18 will amend Code of Ordinances, Chapter 8, Article II, Section 8-10, to adopt the current Florida Fire Prevention Code, 6th Edition.
2. Establishment of Burn Ban Implementation Procedures:
Ordinance 9-18 will amend Code of Ordinances, Chapter 8, Article II, establishing Section 8-14, Burn Ban Implementation Procedures. The Burn Ban will allow the City Manager to sign an Executive Order prohibiting all open burning in the City when dry weather conditions result in a Keetch-Byram Drought Index reading at 600 or higher, and will also allow for the enforcement of the ban. Prohibition of open burning will not include barbecue grills or pits when conducted safely and on the owner's property, provided the fuel area does not exceed three (3) feet in diameter and two (2) feet in height.
3. Amendments to States of Local Emergency:
A review of approximately sixty (60) municipalities was conducted to determine best practices during states of local emergency. Ordinance 9-18 will amend Code of

Ordinances, Chapter 8, Article IV, to be in-line with other local governments. The revisions include, but are not limited to:

- **Language clean-up**
- **Clarification of intent**
- **Section 8-25 will authorize the City Manager to declare a state of local emergency in preparation for or response to all potential local emergencies or disasters, at any time (no longer limited to hurricanes between June 1 and November 30)**
- **Section 8-28 will include beer in the alcoholic beverage prohibition**
- **Section 8-31 will expand the types of debris and the timeframe within which the City Manager may authorize its collection, thus expediting the process to return the City to normalcy**
- **Section 8-33 will align Chapter 8 with Florida Statutes to terminate a state of local emergency, when declared in the event of overt acts of violence or the imminent threat of such violence, 72 hours from its commencement**

If you have questions or require additional information, please contact Acting Interim Fire Chief Lamb at 242-3601 (x3601).

JS:RWL:lak