

1 A bill to be entitled
 2 An act relating to firesafety for agricultural
 3 buildings; amending s. 633.202, F.S.; providing
 4 definitions; exempting certain nonresidential farm
 5 buildings from the Florida Fire Prevention Code under
 6 specified circumstances; exempting agricultural pole
 7 barns from the Florida Fire Prevention Code; amending
 8 s. 633.208, F.S.; authorizing local fire officials to
 9 consider specific chapters of the Florida Fire
 10 Prevention Code to find alternative low-cost
 11 reasonable options for firesafety for certain
 12 buildings; providing an effective date.

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 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Subsection (16) of section 633.202, Florida
 17 Statutes, is amended to read:

18 633.202 Florida Fire Prevention Code.—

19 (16) (a) As used in this subsection, the term:

20 1. "Agricultural pole barn" means a nonresidential farm
 21 building in which 90 percent or more of the perimeter walls are
 22 permanently open and allow free ingress and egress.

23 2. "Nonresidential farm building" has the same meaning as
 24 provided in s. 604.50.

25 (b) A nonresidential farm building structure, located on
 26 property that is classified for ad valorem purposes as

27 ~~agricultural, which is part of a farming or ranching operation,~~
 28 in which the occupancy is limited by the property owner to no
 29 more than 35 persons, and which is not used by the public ~~for~~
 30 ~~direct sales or~~ as an educational outreach facility, is exempt
 31 from the Florida Fire Prevention Code, including the national
 32 codes and Life Safety Code incorporated by reference. ~~This~~
 33 ~~paragraph does not include structures used for residential or~~
 34 ~~assembly occupancies, as defined in the Florida Fire Prevention~~
 35 ~~Code.~~

36 (c) Notwithstanding any other provision of law, a
 37 nonresidential farm building is exempt from the Florida Fire
 38 Prevention Code, including the national codes and the Life
 39 Safety Code incorporated by reference, if the following
 40 conditions are met:

41 1. The owner of the property notifies the local fire
 42 official of each occupancy that meets the conditions of this
 43 section at least 7 days before the occupancy. The local fire
 44 official shall not require a filing fee for the notification.

45 2. The nonresidential farm building is used by the owner
 46 only for the following secondary purposes: assembly, business,
 47 or mercantile occupancy, as defined in the Florida Fire
 48 Prevention Code, no more than 20 times per year, and is not used
 49 for lodging purposes.

50 3. Each occupancy lasts no longer than 72 consecutive
 51 hours and has no more than 150 persons in attendance at one
 52 time.

53 4. There are at least two means of egress or openings of
 54 at least 36 inches in width and 80 inches in height that open in
 55 the direction of the exit travel.

56 5. The nonresidential farm building provides at least 7
 57 square feet per person in attendance if the building is
 58 unconcentrated with chairs, tables, or other obstacles and 15
 59 square feet per person in attendance if the building is
 60 concentrated with chairs, tables, or other obstacles.

61 6. The storage of combustible or flammable liquids inside
 62 the nonresidential farm building during each occupancy is not
 63 permitted.

64 (d) Notwithstanding any other provision of law, an
 65 agricultural pole barn is exempt from the Florida Fire
 66 Prevention Code, including the national fire codes and the Life
 67 Safety Code incorporated by reference.

68 Section 2. Subsection (5) of section 633.208, Florida
 69 Statutes, is amended to read:

70 633.208 Minimum firesafety standards.—

71 (5) With regard to existing buildings, the Legislature
 72 recognizes that it is not always practical to apply any or all
 73 of the provisions of the Florida Fire Prevention Code and that
 74 physical limitations may require disproportionate effort or
 75 expense with little increase in fire or life safety. Before
 76 ~~Prior to~~ applying the minimum firesafety code to an existing
 77 building, the local fire official shall determine that a threat
 78 to lifesafety or property exists. If a threat to lifesafety or

79 | property exists, the fire official shall apply the applicable
80 | firesafety code for existing buildings to the extent practical
81 | to ensure ~~assure~~ a reasonable degree of lifesafety and safety of
82 | property or the fire official shall fashion a reasonable
83 | alternative that ~~which~~ affords an equivalent degree of
84 | lifesafety and safety of property. The local fire official may
85 | consider the firesafety evaluation system found in the current
86 | edition of the National Fire Protection Association, "NFPA 101A:
87 | Guide on Alternative Solutions to Life Safety" as adopted by the
88 | State Fire Marshal, to identify acceptable low-cost
89 | alternatives. The decision of the local fire official may be
90 | appealed to the local administrative board described in s.
91 | 553.73.

92 | Section 3. This act shall take effect July 1, 2015.