

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Donald DiPetrillo, Fire Chief
797-1213

SUBJECT: Resolution

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING FIRE SAFETY LEGISLATION AUTHORIZING LOCAL FIRE MARSHALS AND FIRE DEPARTMENTS TO ENFORCE APPLICABLE FIRE SAFETY CODES AND REGULATIONS AT PUBLIC SCHOOL FACILITIES.

REPORT IN BRIEF:

Recent state legislative changes have mandated that local Fire Marshals inspect but not enforce fire safety standards at public school. This resolution would support a legal remedy for the lack of enforcement authority of the fire safety codes in public schools to protect lives and property.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT:

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Motion to approve the resolution

Attachment(s):

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING
FIRE SAFETY LEGISLATION AUTHORIZING LOCAL FIRE MARSHALS
AND FIRE DEPARTMENTS TO ENFORCE APPLICABLE FIRE SAFETY
CODES AND REGULATIONS AT PUBLIC SCHOOL FACILITIES.

WHEREAS, Present state law mandates that local jurisdictions perform fire safety inspections at public school facilities, but allows fire inspectors and fire marshals to merely make recommendations or file reports in the event that applicable fire code violations and/or safety hazards are discovered; and

WHEREAS, Florida law currently precludes local fire inspectors or fire marshals from taking enforcement action with regard to uncorrected fire safety code violations at public school facilities; and

WHEREAS, School Boards in Florida have exercised sole and exclusion authority over compliance with safety codes at public school facilities for many years;

WHEREAS, Many public school facilities throughout the State of Florida were allowed to fall into severe conditions of disrepair, and at literally hundreds of public school facilities, applicable fire safety code violations and hazardous conditions were ignored year after year despite school authorities' knowledge of the conditions and of the need for corrective actions; and

WHEREAS, The present state system of laws and regulations pertaining to fire safety at public school facilities has failed to provide for an adequate level of safety, accountability, or credibility pertaining to the crucial issue of protecting lives and property at such facilities; and

WHEREAS, Fire Marshals and fire inspectors have authority to require compliance with and enforce the provisions of applicable fire safety codes in all buildings and at all facilities with the exception of public school facilities which house children, teachers and staff; such facilities are occupied by invaluable lives and publicly owned property that should be properly protected against risk of needless tragedy, loss and disaster.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That the Town endorses fire safety reform legislation for enactment by the Florida Legislature in 2002 to enable and authorize local fire marshals and fire inspectors to enforce compliance with applicable fire safety codes at public school facilities, and urges all legislative and executive officers of the State of Florida to support such legislation to provide for safety and accountability at all public school facilities.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2001

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001