

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**BOARD APPOINTMENT SUMMARY**

**Meeting Date:** December 21, 2010

**Department:** Fire-Rescue

**Advisory Board Name:** Fire Code Board of Appeals and Adjustments

**1. Executive Brief**

**Motion and Title:** Staff recommends motion to approve: one (1) appointment to Seat No. 2 to the Fire Code Board of Appeals and Adjustments Committee beginning on December 21, 2010, through May 17, 2013.

**Appoint:**

<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
David Woodside	Municipal Fire Representative	2	Commissioner Taylor Commissioner Abrams Commissioner Marcus

**Summary:** This appointment is to fill the vacancy left by Mr. Troy Perry, Fire Chief of the City of Riviera Beach who resigned from his position with the city on August 30, 2010. The Fire Code Board of Appeals and Adjustments is maintained in accordance with the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Ordinance 2008-045). On October 20, 2010, a memo was distributed to the Commissioners requesting nominations to this nine (9)-member board (At-Large).

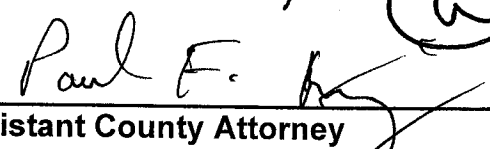
This board is appointed by the Board of County Commissioners and members serve three (3) year terms, with no limit on the number of terms an individual may serve. No other nominations were received. **Countywide (PK)**

**Background and Justification:** The Fire Code Board of Appeals and Adjustments requires the appointment by the County Commission of individuals working in specific, related fields that are knowledgeable to make decisions on Fire Code appeals, and to make recommendations for changes to the Fire Code to the Board of County Commissioners and Fire-Rescue. The current ethnic diversity breakdown of the board is four (4) Caucasian males and one (1) No. 2 position to be filled.

**Attachments:**

1. Board Appointment Nominee Information Form(s)
2. Biography for Nominee – David Woodside
3. Member List – Fire Code Board of Appeals and Adjustments
4. Ordinance No. 2008-045, Fire Code Board of Appeals and Adjustments
5. Sunshine Amendment and Code of Ethics Acknowledgement of Receipt
6. Code of Ethics Acknowledgement of Receipt
7. Memo dated October 20, 2010 to Commissioners requesting nominations.

**Recommended By:**  12/6/10  
Department Director (Circled A) Date

**Approved By:**  12/8/10  
Assistant County Attorney Date

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
ADVISORY BOARD NOMINEE INFORMATION FORM**

*The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or résumé to this form.*

**Part I (to be filled out by Department):** (Please Print)

Board Name: Fire Code Board of Appeals and Adjustments

☒ At Large Appointment      or      ☐ District Appointment

Term of Appointment: N/A Years.      From: Dec. 21, 2010 To: May 17, 2013

Seat Requirement: Municipal Fire Representative      Seat #: 2

☐ \*Reappointment      or      ☐ New Appointment

or ☒ to complete the term of Troy Perry      Due ☒ resignation ☐ other to: May 17, 2013  
Completion of term to expire on: \_\_\_\_\_

**\*When a person is being considered for re-appointment, the number of previous disclosed voting conflicts shall be considered by the Board of County Commissioners.**

0 Number of previously disclosed voting conflicts during the previous term

**Part II (to be filled out and signed by Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: WOODSIDE      DAVID      \_\_\_\_\_  
Last      First      Middle

Occupation/Affiliation: FIRE RESCUE PREVENTION

Business Name: CITY OF BOCA RATON

Business Address: 6500 CONGRESS AVE. SUITE 200

City & State: BOCA RATON, FL      Zip Code: 33487

Residence Address: 2641 W 28<sup>th</sup> STREET

City & State: RIVIERA BEACH FL      Zip Code: 33404

Home Phone: (561) 881-8074      Business Phone: (561) 982-403 Ext.

Cell Phone: (561) 239-4174      Fax: (561) 982-4015

Email Address: dwoodsides@myboca.us

Mailing Address preference: ☒ Business      ☐ Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No ☒

If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

**Minority Identification Code:**

<input type="checkbox"/> IF (Native-American Female)	<input type="checkbox"/> IM (Native-American Indian Male)
<input type="checkbox"/> AF (Asian-American Female)	<input type="checkbox"/> AM (Asian-American Male)
<input type="checkbox"/> BF (African-American Female)	<input checked="" type="checkbox"/> BM (African-American Male)
<input type="checkbox"/> HF (Hispanic-American Female)	<input type="checkbox"/> HM (Hispanic-American Male)
<input type="checkbox"/> WF (Caucasian Female)	<input type="checkbox"/> WM (Caucasian Male)

Applicant's Signature: [Signature]      Date: 10-8-10

**Part III (to be filled out by Commissioner):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: [Signature]      Date: 10-29-2010



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## Revised 1/2010



The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or résumé to this form.

# David Woodside

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2641 W 28<sup>th</sup> Street

Riviera Beach, FL 33404

561 881-8074

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## EMPLOYMENT HISTORY:

**City of Boca Raton Fire Rescue**, 201 W Palmetto Park Rd., Boca Raton, FL 33431

Assistant Fire Chief, 1989 to present

**South Tech Education Center**, 1300 SW 30<sup>th</sup> Avenue, Boynton Beach, FL 33426

EMT Instructor, 1991 to 1999

**Palm Beach Community College**, 4200 Congress Ave., Lake Worth, FL 33461

Adjunct Faculty, 1993 to 1995

**Riviera Beach Fire Department**, 600 W Blue Heron Blvd, Riviera Beach, FL 33404

Firefighter/Paramedic, 1984 to 1989

## EDUCATION:

**B.S., Management**, Nova Southeastern University, Ft. Lauderdale, FL 2000

**A.S., Fire Science**, Broward Community College, Ft Lauderdale, FL 1994

**Paramedic**, Palm Beach Community College, Lake Worth, FL 1987

## LICENCES

American Heart Association BLS Instructor

Florida State Firefighter

Florida State Paramedic

Florida State Firesafety Inspector

Florida State Fire Instructor III

Florida State Hazardous Material Technician

## REFERENCES

**Deputy Fire Chief Glenn Joseph** 6500 Congress Ave. Suite 200, Boca Raton, FL 33487

Phone 561 982-4000 email: [gjoseph@myboca.us](mailto:gjoseph@myboca.us)

**Ret Fire Chief Sam Brandsma** 534 Potomac Dr, Tiger GA 30576

Phone 706 212-0621

**Norm Currington** 1195 SE Kirk St. Stuart, FL 34997

Phone (772) 341-8026 email: [ncurrington@yahoo.com](mailto:ncurrington@yahoo.com)

Woodside, Resume



**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
FIRE CODE BOARD OF APPEALS & ADJUSTMENTS**

**I. AUTHORITY :**

Ordinance No. 92-18, Section 105.1, Fire Code Ordinance; amended by Ordinance No. 94-12; amended by Ordinance No. 2001-101 and Administrative Order 03-03 on January 1, 2004; amended by Ordinance No. 2004-073; adopted on December 29, 2004.

**II. APPOINTING BODY :**

Board of County Commissioners

**III. COMPOSITION, QUALIFICATIONS, TERMS & REMOVAL :**

The Board is composed of nine (9) individuals appointed at-large. The composition is as follows: one (1) registered engineer, practicing in the mechanical field; one (1) registered engineer, practicing in the fire protection field; one (1) Florida or Palm Beach County certified general contractor; one (1) representative of the insurance field; one (1) certified fire sprinkler contractor; one (1) citizen of Palm Beach County, not eligible under other membership categories; one (1) registered architect; one (1) Palm Beach County municipal building official and one (1) Palm Beach County municipal fire service representative. Where a member is required to be registered or certified, same shall be issued by the State of Florida unless otherwise specified.

The initial terms of the appointments shall be as follows: one year: Architect, General Contractor and Fire Protection Engineer; two years: Mechanical Engineer, Building Official; and Fire Sprinkler Industry Representative and three years: Municipal Fire Representative, Insurance Industry Representative and Citizen Representative. Thereafter all appointments will be for three years and there will be no limit on the number of terms an individual may serve. Any member may be removed at any time without stated cause, by the BCC of PBC, and new members appointed by said BCC shall serve the remainder of the vacant term. Members serve at the pleasure of the BCC. All members must reside within Palm Beach County at the time of the appointment and while serving on the Board and shall be qualified electors of Palm Beach County. The Board shall adopt rules and regulations for conducting its business. A quorum for said Board shall be a majority total membership of the Board. The AHJ shall designate a representative to act as Secretary to the Board.

\*NOTE: When sitting solely in its advisory capacity, the Board shall be known as the Fire Code Advisory Board and shall be composed of the same members as the Board of Appeals & Adjustments. Persons appointed to the Board of Appeals & Adjustments shall be deemed to be likewise appointed to the Fire Code Advisory Board. Each member shall have a full vote. All members are subject to the rules, adopted by the Board of County Commissioners, governing Board participation and attendance. When sitting solely in its advisory capacity, the Board shall be known as

**EXTENDED COMPOSITION :**

the Fire Code Advisory Board and shall be composed of the same members as the Board of Appeals and Adjustments. Persons appointed to the Board of Appeals and Adjustments shall be deemed to be likewise to the Fire Code Advisory Board.

**IV. MEETINGS :**

Meetings are scheduled on a monthly basis, or as needed for resolution of pending appeals. Upon receipt of the notice of appeal by the Board, a hearing shall be held at the next regularly scheduled meeting of the Board, with notice to the appellant, the AHJ, and the members of the Board, at least five (5) working days prior to said hearing. Special meetings may also be called by the Board provided that five (5) working days notice is given to both parties.

V. FUNCTIONS :

1) The Board shall review the Fire Code and make recommendations, in the form of specific amendments, to the Board of County Commissioners for corrections, additions, substitutions or deletions to said Code for the purposes of clarification, applicability, public safety, and changes in technology, so as to maintain this Code as an effective and responsive document; 2) To entertain appeals or decisions made jointly by the local AHJ and the local building official, in accordance with Section 553.73(8), Florida Statutes; 3) To resolve conflicts between the building code and the fire code, in accordance with Section 553.73(8), Florida Statutes.

VI. LIAISON INFORMATION :

LIAISON DEPARTMENT

Fire Rescue

CONTACT PERSON

Jeff P. Collins

ADDRESS

405 Pike Rd  
West Palm Beach FL 33411  
Phone # 561-616-7031





# FIRE CODE BOARD OF APPEALS & ADJUSTMENTS

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE CODE	GENDER	BUSINESS / HOME PHONE	SEAT REQUIREMENT	APPOINT DATE	RE-APPOINT DATE	EXPIRE DATE
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Appointed By : AT Large

1	Vacant	Member	UN	M	--	General Contractor			
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FL

NOMINATED BY :

2	Troy Perry City of Riviera Beach 600 W Blue Heron Blvd Riviera Beach FL 33404	Member	AA	M	561-845-4104	Municipal Fire Representative	08/17/2010		05/17/2013
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NOMINATED BY :

3	Jacek Tomasik Village of Wellington 12794 W Forest Hill Blvd St St Wellington FL 33414	Member	CA		561-753-2505	Building Official	05/19/2009		05/18/2012
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NOMINATED BY :

4	Ronald Goodstein Ronald Goodstein AIA 712 U.S. Highway One Ste 31 North Palm Beach FL 33408	Member	CA	M	561-881-9990	Architect	05/19/2009		05/18/2012
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NOMINATED BY :



Appointed By : AT Large

5    Vacant                      Member    UN        M        --                      Fire Sprinkler Contractor

FL

NOMINATED BY :

6    Vacant                      Member    UN        M        --                      Fire Protection Engineer

FL

NOMINATED BY :

7    Roy Pollack                      Member    UN                      954-926-5200    Fire Alarm Contractor                      05/18/2005    05/18/2008    05/17/2011  
Guardian International  
3880 N 28th Ter  
Hollywood FL 33020

NOMINATED BY :

8    Vacant                      Member    UN        M        --                      Mechanical Engineer

FL

NOMINATED BY :

Appointed : AT Large

9	Kerry Koen	Member	CA	M	561-368-5411	Resident of Palm Beach County	10/20/2009	05/18/2010	05/17/2013
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1140 SW 15th St  
Boca Raton FL 33486 6723

NOMINATED BY :

ORDINANCE NO. 2008-045

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, PROVIDING THAT THE UPDATED FLORIDA FIRE PREVENTION CODE SHALL BE DEEMED ADOPTED; PROVIDING FOR LOCAL AMENDMENTS TO THE FLORIDA FIRE PREVENTION CODE; REPEALING AND REPLACING CHAPTER 12, ARTICLE IV OF THE PALM BEACH COUNTY CODE (CODIFYING ORDINANCE 2004-073) IN ITS ENTIRETY; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 633, Florida Statutes, the State Fire Marshal has adopted by rule an updated statewide minimum firesafety code, known as the Florida Fire Prevention Code, which incorporates Florida editions of NFPA 1 Uniform Fire Code and NFPA 101 Life Safety Code; and

WHEREAS, Chapter 633, Florida Statutes, requires local governments with firesafety responsibilities to enforce the Florida Fire Prevention Code as the minimum firesafety code; and

WHEREAS, Chapter 633, Florida Statutes, authorizes local governments to adopt more stringent local amendments to the Florida Fire Prevention Code which strengthen the requirements of the minimum firesafety code; and

WHEREAS, the Palm Beach County Fire Code Advisory Board has recommended that the Board of County Commissioners adopt local amendments to the Florida Fire Prevention Code as set forth in Appendix A attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

**SECTION 1.** Chapter 12, Article IV of the Palm Beach County Code (codifying Palm Beach County Ordinance 2004-073) is hereby repealed and replaced in its entirety by the provisions set forth in this Ordinance and Appendix A attached hereto and incorporated herein.

**SECTION 2.** In accordance with Sections 633.0215 and 633.025, Florida Statutes, the updated "Florida Fire Prevention Code" adopted by the State Fire Marshal in Rule Chapter 69A-60 of the Florida Administrative Code, as may be amended, including the Florida editions



of NFPA 1 Uniform Fire Code and NFPA 101 Life Safety Code, is deemed adopted by reference as the minimum firesafety code, and is hereby amended by the local amendments set forth in Appendix A attached hereto and incorporated herein. The local amendments adopted by this Ordinance shall be known as the "Palm Beach County Local Amendments to the Florida Fire Prevention Code." The updated Florida Fire Prevention Code as amended by the Palm Beach County Local Amendments to the Florida Fire Prevention Code may be hereinafter referred to as "this Code."

**SECTION 3. Legislative Findings:** The Board of County Commissioners hereby determines that the local amendments set forth in Appendix A are more stringent than the minimum firesafety code and strengthen the minimum firesafety code in accordance with Sections 633.025 and 633.0215, Florida Statutes.

**SECTION 4. Applicability:** The provisions of this Ordinance shall be in full force and effect in Palm Beach County within the boundaries of any Fire-Rescue municipal service taxing unit (MSTU) established by ordinance, and within any municipality that has entered into an interlocal agreement for fire protection services from Palm Beach County Fire-Rescue and enacted an ordinance to adopt the Palm Beach County Local Amendments within the municipality, unless otherwise provided by the interlocal agreement.

**SECTION 5. Repeal of Laws in Conflict:** Any laws or ordinances in conflict with this Ordinance which Palm Beach County is authorized to repeal are hereby repealed to the extent of such conflict.

**SECTION 6. Savings Clause:** Notwithstanding the provisions of Sections 1 and 5 of this Ordinance, all provisions of Palm Beach County Ordinance 2004-073 (codified at Chapter 12, Article IV of the Palm Beach County Code) as originally enacted and amended are specifically preserved, and shall remain in full force and effect, for the limited purpose of enforcing any alleged violations of said law which occurred prior to its repeal or replacement.

**SECTION 7. Severability:** If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be

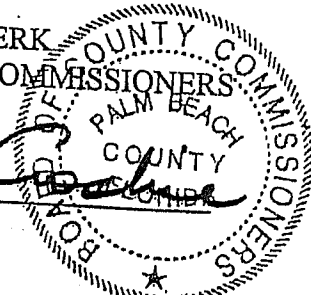
unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

**SECTION 8. Inclusion in the Code of Laws and Ordinances:** The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**SECTION 9. Effective Date:** The provisions of this Ordinance shall become effective on December 31, 2008.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on the 18th day of November, 2008.

SHARON R. BOCK, CLERK  
BOARD OF COUNTY COMMISSIONERS  
By: Judith Bock  
Deputy Clerk



PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

By: Shelley Vana  
Chairman  
Shelley Vana for  
John F. Roons Chairman

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

BY: Sharon Burnas  
County Attorney

Filed with the Department of State on the 24th day of November, 2008.

Code Board of Appeals and Adjustments within thirty (30) days after the AHJ's issuance of a written order. Such appeal shall not be a hearing de novo. The appeal shall be limited to appellate review of the record created before the AHJ. The Board shall reverse the decision of the AHJ only if it determines that there is no substantial competent evidence to support the AHJ's decision.

If the written order of the AHJ or the Board of Appeals and Adjustments determines that the challenged Local Amendment or any part thereof does not comply with the applicable statutory requirements, then said Local Amendment or part thereof shall be deemed void effective as of the date of the written order. Such holding shall not affect the remainder of the Local Amendments or this Code.

The decision of the Board of Appeals and Adjustments shall be final action which may be appealed by the challenging party to the State Department of Financial Services in accordance with Section 633.025(4) (d), Florida Statutes.

#### **1.10 Board of Appeals and Adjustments.**

**1.10.1 General.** Whenever it is claimed that the provisions of this Code do not apply or have been misapplied, or when it is claimed that the true intent and meaning of this Code or any of the regulations there under have been misconstrued or misapplied, or when it is claimed that a decision is unreasonable or arbitrary as it applies to alternatives, the owner or his duly authorized agent may appeal the decision of the AHJ to the Board of Appeals and Adjustments. Notice of appeal shall be in writing and filed with the AHJ within thirty (30) days after the decision is rendered by the AHJ. Appeals shall be on forms provided by the AHJ.

#### **1.10.2 Board of Appeals and Adjustments Created.**

There is hereby created a Fire Code Board of Appeals and Adjustments, herein after referred to as the "Board", consisting of nine (9) members who are qualified by training and experience to vary the application of the provisions of this code, and act on related matters, and to perform such other duties as established herein. The Board shall be appointed by the Board of County Commissioners. All members must reside within Palm Beach County at the time of appointment and while serving on the Board and shall be qualified electors of Palm Beach County. The Board shall adopt rules and regulations for conducting its business. A quorum for said Board shall be 5 members of the Board. The AHJ shall designate a



representative to act as Secretary to the Board. Public Notice of all Board meetings shall be provided. All Board meetings shall be open to the public and shall comply with the applicable requirements of the Florida "Government in the Sunshine" and "Public Records" laws. Minutes shall be taken at each meeting.

**1.10.3 Recommendations to Board of County Commissioners.** The Board shall review this Code and make recommendations, in the form of specific amendments, to the Board of County Commissioners for corrections, additions, substitutions or deletions to said Code for the purposes of clarification, applicability, public safety, and changes in technology, so as to maintain this Code as an effective and responsive document.

**1.10.4 Composition.** The composition of the Board of Appeals and Adjustments shall be as follows:

- a. One (1) registered engineer, practicing in the mechanical field.
- b. One (1) registered engineer, practicing in the fire protection field.
- c. One (1) Florida or Palm Beach County certified general contractor.
- d. One (1) certified fire alarm contractor.
- e. One (1) certified fire sprinkler contractor.
- g. One (1) citizen of Palm Beach County, not eligible under other membership categories.
- h. One (1) registered architect.
- i. One (1) Palm Beach County municipal building official.
- j. One (1) Palm Beach County municipal fire service representative.

Where a member is required to be registered or certified, same shall be issued by the State of Florida unless otherwise specified.

**1.10.5 Vote Calculation.** Each member shall have a full vote.

**1.10.6 Term.** The members shall serve three (3) year terms. There shall be no limit on the number of terms an individual may serve.

**1.10.7 Removal/Absences.** All members shall be subject to the rules, adopted by the Board of County Commissioners, governing Board

participation and attendance.

**1.10.8 Fire Code Advisory Board.** When sitting solely in its advisory capacity, the Board shall be known as the Fire Code Advisory Board and shall be composed of the same members as the Board of Appeals and Adjustments. Persons appointed to the Board of Appeals and Adjustments shall be deemed to be likewise appointed to the Fire Code Advisory Board.

**1.10.9 Procedures on Appeal.**

**1.10.9.1 Hearing.** Upon receipt of the notice of appeal by the AHJ, a hearing shall be held at the next regularly scheduled meeting of the Board, with notice to the appellant, the AHJ, and the members of the Board, at least five (5) working days prior to said hearing. Special meetings may also be called by the Board provided that five (5) working days notice is given to both parties. If the applicant requires a special meeting to be called, the appeal fee shall be One Hundred Dollars (\$100.00). Both the appellant and the AHJ, or their representatives, shall attend the hearing and may present evidence at same. The Board shall consider each appeal on its own merits and shall base its decision only on the evidence presented at said hearing.

**1.10.9.2 Board Action.** The Board, upon an affirmative vote of a majority of the votes present, shall either 1) affirm the decision of the AHJ; 2) modify the decision of the AHJ; or 3) reverse the decision of the AHJ and affirm the appellant's position. The Board's decision, with the reasons therefore, shall be transcribed in writing and a copy shall be mailed, by certified mail, to the appellant, within ten (10) days after the hearing. All such decisions shall be final, subject to judicial review as provided by law.

**1.10.9.3 Tie Vote.** In the event the Board is deadlocked in a tie vote, the appellant may request the Board to defer final action until the next regular meeting date or a specific date certain. The appellant shall be entitled to one (1) such deferral as of right. The matter shall be deferred and heard de novo, unless the majority then present at the time deferral is requested vote for the matter to be determined upon the record only at the upcoming hearing after deferral.

**1.10.10 Decisions.**

**1.10.10.1** The Board shall provide for reasonable interpretation of the provisions of this Code and rule on appeals from decisions of the AHJ. The Board may approve an equivalent alternative in accordance with Section 1.4 of this Code.

**1.10.10.2 Action.** The Board shall, in every case, reach a decision without unreasonable or unnecessary delay. If a decision of the Board reverses or modifies a refusal, order, or disallowance of the AHJ, the AHJ shall immediately take action in accordance with such decision.

**1.10.11 Fire Marshal Order Stayed, Exception.** Pending the disposition of an appeal scheduled for hearing, the order or decision of the AHJ sought to be appealed shall be stayed unless the AHJ certifies under oath, based upon available data, that an extreme danger to life or property exists, warranting immediate compliance under this Code. Said certification must be included in the order and be filed with the Board within ten (10) days after the notice of appeal is filed.

**1.10.12 Conflict Resolution**

**1.10.12.1** Any conflict between the Florida Building Code and the Florida Fire Prevention Code and Life Safety Code as applied to a specific project shall be resolved in accordance with Section 553.73(10), Florida Statutes.

**1.10.12.2** The Fire Code Board of Appeals and Adjustments is hereby designated and authorized to perform the local administrative board functions set forth in Section 553.73(10), Florida Statutes. In accordance with Section 553.73(10), Florida Statutes, the duties and functions of the Fire Code Board of Appeals and Adjustments shall include the following:

- a. To hear and render decisions in appeals of conflict decisions made jointly by the local AHJ and the local building official, in accordance with Section 553.73(10), Florida Statutes.
- b. To resolve conflicts between the building code and the fire code, in accordance with Section 553.73(10), Florida Statutes, in those instances where the local AHJ and the local building official are unable to agree on a resolution of said conflict.

**1.10.12.3** If the County has, or does, designate another local board to perform the functions set out in Section 553.73(10), Florida Statutes, then said board and the Fire Code Board of Appeals and Adjustments shall rotate the duty to fulfill the functions as set forth in this Section 1.10.12 and in Section 553.73(10), Florida Statutes, on an annual basis or as otherwise agreed to by the AHJ and the local building official.



**1.10.12.4** Any conflict between the Building Code and the Fire Code that involves the County's local amendments to either Code shall likewise be resolved in the manner set forth in Section 553.73(10), Florida Statutes, and this Section 1.10.12.

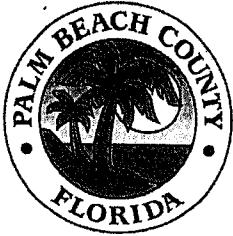
**1.10.13 Additional Powers and Functions.** The Board of Appeals and Adjustments is hereby authorized and empowered to: 1) hear and rule upon appeals from orders of the AHJ in Local Amendment challenges brought pursuant to Section 633.025(4) (d), Florida Statutes, and in accordance with Section 1.7.19 of this Code; 2) hear and rule upon appeals from decisions of the AHJ relating to false alarms as set forth in Section 10.7.6 of this code; 3) perform any other functions authorized for the Board by this Code.

**1.10.14 Fireworks Board of Appeals.** The members of the Fire Code Board of Appeals and Adjustments shall serve ex-officio as members of the Fireworks Board of Appeals and perform the functions of that Board, all as set forth in Palm Beach County Ordinance No. 2004-020, as it may be amended from time to time.

**1.10.15** Any decision of the Fire Code Board of Appeals and Adjustments shall be final and reviewable in the manner and within the time provided by the Florida Rules of Appellate Procedure only by a petition for writ of certiorari filed with the Circuit Court in Palm Beach County.

**1.12 Permits and Approvals.**

**1.12.19.4** Any permit authorized to be issued by the AHJ pursuant to this Code shall be subject to immediate suspension, revocation or denial by the AHJ upon the AHJ's determination that conditions exist which make the permitted activity imminently dangerous to life or property. The AHJ's order immediately suspending or revoking a permit shall cite with particularity the facts supporting the suspension or revocation. The suspension or revocation shall be effective immediately upon notice to the permittee at the location indicated on the permittee's application. Upon such immediate suspension or revocation of a permit, the permittee shall be entitled to appeal the decision of the AHJ at a subsequent hearing of the Board of Appeals and Adjustments. Upon the Board's receipt of a written notice requesting a hearing with respect to an immediate permit suspension or revocation, the Board shall set such a hearing for a date no later than five (5) working days from the Board's receipt of the written notice. The Board's written decision shall be mailed by certified mail to the permittee within two (2) working days after the hearing. In all other respects, the procedures of



**Fire Rescue**  
Chief Steven B. Jerauld  
405 Pike Road  
West Palm Beach, FL 33411  
(561) 616-7000  
www.pbcgov.com

**Palm Beach County  
Board of County  
Commissioners**

Burt Aaronson, Chair  
Karen T. Marcus, Vice Chair  
Shelley Vana  
Steven L. Abrams  
Jess R. Santamaria  
Priscilla A. Taylor

**County Administrator**

Robert Weisman

*"An Equal Opportunity  
Affirmative Action Employer"*

Official Electronic Letterhead

**TO: ADVISORY BOARD MEMBERS**  
**FROM: ROBERT WEISMAN**  
**COUNTY ADMINISTRATOR**  
**RE: STATE GUIDE TO THE SUNSHINE**  
**AMENDMENT & CODE OF ETHICS**

As an appointee to a Palm Beach County Advisory Board, you must familiarize yourself with the State Guide to the Sunshine Amendment and Code of Ethics. The purpose of this guide is to ensure adherence to the highest standards of ethics, protect the integrity of County government and foster public confidence.

This guide addresses conflict of interest, disclosure, acceptance and reporting of gifts, use of position or property, voting conflicts, political activities, prohibition against misuse of the code, and enforcement. This Guide also addresses conflicts, prohibitions on doing business with the County or having conflicting employment or contractual relationships. The Guide can be found on the web at:  
<http://www.pbcgov.com/ethics/advisory.htm>

Please read and make yourself familiar with the Guide and return the acknowledgment form below to: Darlene Miller, Palm Beach County Fire Rescue, 405 Pike Road, West Palm Beach, FL 33411. If you cannot access this document on the web, please contact Darlene Miller at 561-616-7030 for other arrangements.

**Acknowledgment of Receipt**

NAME: DAVID WOODSIDE  
Print or Type

**ADVISORY BOARD(S): Fire Code Board of Appeals and Adjustments**

I acknowledge that I have read the State of Florida Guide to the Sunshine Amendment and the Code of Ethics. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: [Signature] Date: 10-8-10

Revised 3/15/10

**ATTACHMENT #5**



TO: ADVISORY BOARD MEMBERS

FROM: ROBERT WEISMAN  
COUNTY ADMINISTRATOR

RE: PALM BEACH COUNTY CODE OF ETHICS

Effective May 1, 2010, contractual relationships between Palm Beach County government and advisory board members, their employers, or businesses, are prohibited conflicts of interest as set forth in the Palm Beach County Code of Ethics, Ordinance 2009-051. This conflict of interest must be waived by an affirmative vote of five (5) members of the Board of County Commissioners upon full disclosure at a public meeting in order to accept appointment to an advisory board. In the space provided below, please identify any such contractual relationships, or verify that none exist at this time. The Ordinance (2009-051) and the training requirement can be found on the web at: <http://www.pbcgov.com/ethics/advisory.htm>

<u>Type of Contract</u>	<u>Which Department/Division</u>	<u>Effective Date</u>	<u>Term</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

\_\_\_\_\_ Yes, submit a waiver to the Board of County Commissioners, since I or my employer have/has the above named contract(s);

OR

☒ At this time, I nor my employer have contract(s) with the Board of County Commissioners

As a (current or potential) advisory board member you are required to receive training on the PBC Code of Ethics and acknowledge that you have read and understand the PBC Code of Ethics Ordinance.

If you are unable access the training and/or Ordinance on the web, please contact Darlene Miller at (561) 616-7030 for other arrangements.

Acknowledgment of Receipt

NAME: DAVID WOODSIDE  
Print or Type

FIRM/COMPANY/ORGANIZATION: CITY OF BOCA RATON

ADVISORY BOARD(S): Fire Code Board of Appeals and Adjustments

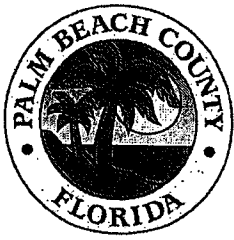
I acknowledge that I have taken the required training; and read and understand the Palm Beach County Code of Ethics Ordinance, the provisions of which are effective May 1, 2010. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: [Signature] Date: 10-8-10

Please sign and return this FORM to Darlene Miller, Palm Beach County Fire Rescue, 405 Pike, Road, West Palm Beach, Fl 33411. A self-addressed envelope has been provided for your convenience.

ATTACHMENT #6





**Fire Rescue**

Chief Steven B. Jerauld  
405 Pike Road  
West Palm Beach, FL 33411  
(561) 616-7000  
www.pbcgov.com



**Palm Beach County  
Board of County  
Commissioners**

Burt Aaronson, Chair  
Karen T. Marcus, Vice Chair  
Shelley Vana  
Steven L. Abrams  
Jess R. Santamaria  
Priscilla A. Taylor

**County Administrator**

Robert Weisman

*"An Equal Opportunity  
Affirmative Action Employer"*

Official Electronic Letterhead

**To:** The Honorable Burt Aaronson, Chair and Members of the Board of County Commissioners

**From:** Steven B. Jerauld, Administrator  
Fire-Rescue Department

**Date:** October 20, 2010

**Subject:** Fire Code Board of Appeals and Adjustments

The Fire Code Board of Appeals and Adjustments is an advisory board appointed by the County Commission to review the Fire Code, hear appeals, and make recommendations to the Commission on fire and life safety issues. This Board, established in 1984, is required by the County Fire Code, Palm Beach County Ordinance 2008-045.

Each position on the Board is representative from a segment of the fire protection community. Mr. Troy Perry, Fire Chief of the City of Riviera Beach was appointed on August 17, 2010 to the Municipal Fire Representative seat. Mr. Perry resigned from his position with the City of Riviera beach on August 30, 2010.

Mr. David Woodside, Assistant Fire Chief of the City of Boca Raton Fire Prevention Bureau has agreed to sit on the Board to fill this vacant position. He will complete Mr. Perry's term which expires on May 17, 2013.

Mr. Woodside has completed and signed the Advisory Board Nomination Form, the Palm Beach County Code of Ethics Acknowledgment of Receipt and the State Guide to the Sunshine Amendment and Code of Ethics Acknowledgment of Receipt.

If you would like to nominate this applicant, please sign the attached Advisory Board Nomination Form. If you would like to make a different nomination for appointment of this position, please forward the information to the office of Deputy Chief Jeff Collins, Palm Beach County Fire Marshal. Please submit your nominations by November 1, 2010.

Thank you for your interest and assistance in this appointment process. If there are any questions reference this process, please contact Jeff Collins at 616-7030 or my office at 616-7001.

**Attachment:** Board Appointment Information Form  
Biography

**cc:** Jeffrey P. Collins, P.E., Fire Marshal

**ATTACHMENT # 7**