

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

Meeting Date: January 24, 2012

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. 4 to the Fire Code Board of Appeals and Adjustments beginning on January 24, 2012 through January 23, 2015.

Appoint:

Nominee

Steve Soderlund

Category

Architect

Seat No.

4

Nominated By

Commissioner Marcus
Commissioner Burdick
Commissioner Aaronson

Summary: 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 2011-038). The appointment of Mr. Soderlund will fill the unexpired term of Mr. Goodstein who resigned on August 8, 2011, as he no longer resides in Palm Beach County. On October 11, 2011, a memo was distributed to the Commissioners requesting nominations to this eight (8) 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 (SB)

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 five (5) Caucasian males and one (1) African-American male.

Attachments:

1. Board Appointment Nominee Information Form(s)
2. Bio/Resume for Nominee – Steve Soderlund
3. Member List – Fire Code Board of Appeals and Adjustments
4. Ordinance No. 2011-038 Fire Code Board of Appeals and Adjustments
5. Memo dated October 11, 2011 to Commissioners requesting nominations
6. Fire Code Board of Appeals and Adjustment meeting dates 2012

Recommended By:



Department Director

1-11-12

Date

Approved By:



Assistant County Attorney

1-13-12

Date

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION**

*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 resume to this form.*

Section I (Department): (Please Print)

Board Name: Fire Code Board of Appeals and Adjustments Advisory ☐ Not Advisory ☒

☒ At Large Appointment or ☐ District Appointment / District #: _____

Term of Appointment: 3 Years. From: 1/24/2012 To: 1/23/2015 2

Seat Requirement: Architect Seat #: 4

☐ *Reappointment or ☐ New Appointment

or ☒ to complete the term of Ronald Goodstein Due to: ☒ resignation ☐ other

Completion of term to expire on: May 17, 2012

*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: _____

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Soderlund Steve Roger
Last First Middle

Occupation/Affiliation: Architect

Owner ☒ Employee ☐ Officer ☐

Business Name: Soderlund Architecture and Design

Business Address: 19369 Colorado Cir.

City & State: Boca Raton FL Zip Code: 33434

Residence Address: 19369 Colorado Cir.

City & State: Boca Raton FL Zip Code: 33434

Home Phone: () Business Phone: () Ext. _____

Cell Phone: (954) 260 3452 Fax: ()

Email Address: steve@soderlundarchitecture.com

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: ☒ Male ☐ Female
☐ Native-American ☐ Hispanic-American ☐ Asian-American ☐ African-American ☒ Caucasian

Section II Continued:

CONTRACTUAL RELATIONSHIPS: Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)

OR ☒ NONE

All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the Guide to the Sunshine Amendment prior to appointment/reappointment. Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Keep in mind this requirement is on-going.

☒ By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

☒ By watching the training program on the Web, DVD or VHS
☐ By attending a live presentation given on _____, 20____

AND

☒ By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

*Applicant's Signature: [Signature] Printed Name: Steve R. Soderlund Date: 10.05.2011

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website www.palmbeachcountyethics.com or contact us via email at ethics@palmbeachcountyethics.com or (561) 233-0724.

Return this FORM to:
Darlene Miller, Palm Beach County Fire Rescue
405 Pike Road, West Palm Beach, FL 33411

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

01/24/2012

Commissioner's Signature: Cindy DeZelleppo for Date: 10/27/11
Comm. Karen T. Marcus

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 08/01/2011

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION**

*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 resume to this form.***

Section I (Department): (Please Print)

Board Name: Fire Code Board of Appeals and Adjustments Advisory ☐ Not Advisory ☒

☒ At Large Appointment or ☐ District Appointment / District #: _____

Term of Appointment: 3 Years. From: 1/24/2012 To: 1/23/2015

Seat Requirement: Architect Seat #: 4

☐ *Reappointment or ☐ New Appointment

or ☒ to complete the term of Ronald Goodstein Due to: ☒ resignation ☐ other

Completion of term to expire on: May 17, 2012

*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: _____

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Soderlund Steve Roger
Last First Middle

Occupation/Affiliation: Architect

Owner ☒ Employee ☐ Officer ☐

Business Name: Soderlund Architecture and Design

Business Address: 19369 Colorado Cir.

City & State: Boca Raton, FL Zip Code: 33434

Residence Address: 19369 Colorado Cir.

City & State: Boca Raton, FL Zip Code: 33434

Home Phone: () Business Phone: () Ext. _____

Cell Phone: (954) 260 3452 Fax: () _____

Email Address: steve@soderlundarchitecture.com

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: ☒ Male ☐ Female
☐ Native-American ☐ Hispanic-American ☐ Asian-American ☐ African-American ☒ Caucasian

Section II Continued:

CONTRACTUAL RELATIONSHIPS: Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)

OR ☒ NONE

All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the Guide to the Sunshine Amendment prior to appointment/reappointment. Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Keep in mind this requirement is on-going.

☒ By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

☒ By watching the training program on the Web, DVD or VHS
☐ By attending a live presentation given on _____, 20____

AND

☒ By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

*Applicant's Signature: Steve R. Soderlund Printed Name: Steve R. Soderlund Date: 10.05.2011

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website www.palmbeachcountyethics.com or contact us via email at ethics@palmbeachcountyethics.com or (561) 233-0724.

Return this FORM to:
Darlene Miller, Palm Beach County Fire Rescue
405 Pike Road, West Palm Beach, FL 33411

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: 01-24-2012

Commissioner's Signature: Paul H. Burdick Date: 10/31/2011

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 08/01/2011

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION**

*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 resume to this form.*

Section I (Department): (Please Print)

Board Name: Fire Code Board of Appeals and Adjustments Advisory ☐ Not Advisory ☒

☒ At Large Appointment or ☐ District Appointment / District #: _____

Term of Appointment: 3 Years. From: Jan. 24, 2012 To: Jan/RB/15

Seat Requirement: Architect Seat #: 4

☐ *Reappointment or ☐ New Appointment

or ☒ to complete the term of Ronald Goodstein Due to: ☒ resignation ☐ other

Completion of term to expire on: May 17, 2012

*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: _____

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Soderlund Steve Roger
Last First Middle

Occupation/Affiliation: Architect

Owner ☒ Employee ☐ Officer ☐

Business Name: Soderlund Architecture and Design

Business Address: 19369 Colorado Cir.

City & State: Boca Raton FL Zip Code: 33434

Residence Address: 19369 Colorado Cir.

City & State: Boca Raton, FL Zip Code: 33434

Home Phone: () Business Phone: () Ext. ()

Cell Phone: (954) 260 3452 Fax: ()

Email Address: steve@SODERLUNDArchitecture.com

Mailing Address Preference: ☒ Business ☐ Residence

Have you ever been convicted of a felony: Yes _____ No X

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

Minority Identification Code: ☒ Male ☐ Female
☐ Native-American ☐ Hispanic-American ☐ Asian-American ☐ African-American ☒ Caucasian

Section II Continued:

CONTRACTUAL RELATIONSHIPS: Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)

OR ☒ NONE

All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the Guide to the Sunshine Amendment prior to appointment/reappointment. Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Keep in mind this requirement is on-going.

☒ By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

☒ By watching the training program on the Web, DVD or VHS
☐ By attending a live presentation given on _____, 20____

AND

☒ By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

*Applicant's Signature: [Signature] Printed Name: Steve R. Soderlund Date: 10.05.2011

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website www.palmbeachcountyethics.com or contact us via email at ethics@palmbeachcountyethics.com or (561) 233-0724.

Return this FORM to:
Darlene Miller, Palm Beach County Fire Rescue
405 Pike Road, West Palm Beach, FL 33411

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: 01-24-2012

Commissioner's Signature: [Signature] Date: 11-1-11

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 08/01/2011

STEVE R. SODERLUND, AIA, LEED A.P.

19369 Colorado Circle, Boca Raton Florida, 33434, ph. 954.260.3452

steve@soderlundarchitecture.com

PROFESSIONAL REGISTRATION:

Florida Licensed Architect AR95106

Received LEED accreditation in 2006

PROFESSIONAL EXPERIENCE:

Soderlund Architecture + Design, P.A., Boca Raton, Florida

March 2009 – Current

Design Principal.

Schematic design for various residential and commercial projects. Preparation of proposals, construction documents, and shop drawing review for the projects. Computer renderings for both client, and municipal review boards.

RLC Architects, Boca Raton , Florida

September 2003 – January 2009

Job Captain.

Coordination and participation in the production of various multi-family residential, commercial, parking garage, industrial, and mixed-use projects from schematic design to construction administration, including shop drawing review and RFI replies. Collaboration with consultants and Code compliance/quality control check sets for construction documents. Template submittals for commercial LEED CS projects. Prepared marketing and DRC presentation submittals. Attended meetings with city officials during site plan approval and permitting process. Prepared BOMA calculations for various commercial projects.

Robert G. Currie Partnership, Delray Beach, Florida

June 2003 – September 2003

Intern Architect.

Preparation of construction documents and shop drawing review for municipal projects.

Architectural Dimensions

January 2003 - March 2003

Freelance position

Autocad drafting, assisted in compiling specifications, as-built drawings for a residence.

EDUCATION:

Florida Atlantic University, Fort Lauderdale, Florida

Bachelor of Architecture

May 2002

Florida State University, Tallahassee, Florida

Associate of Arts

May 1998

Florida A & M University, Tallahassee, Florida

Architectural classes attended during dual enrolment at F.S.U.

OTHER EXPERIENCE:

Florida Atlantic University; Computer Lab Assistant

June 2000 - March 2003

Assistance and supervision of computer lab users. Installing and management of computer hardware and software. Participation in the design and furniture layout of the new computer lab facility.

Western Pennsylvania Conservatory; Model Builder

October 2001 - December 2001

Commissioned to build a physical model of Fallingwater illustrating the method used in correcting structural problems as a learning tool on display in the living room of the famous house designed by Frank Lloyd Wright.

SKILLS:

Proficient in ACAD 2011 drafting and 3 D rendering, ADT, Photoshop, Microsoft office suite, strong general computer skills. Good working knowledge of current Florida Building Code and NFPA regulations.

**References available upon request.*



**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 ^{eight} ~~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 :

<u>LIAISON DEPARTMENT</u>	<u>CONTACT PERSON</u>	<u>ADDRESS</u>
Fire Rescue	Jeff P. Collins	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
Appointed By : AT Large									
1	Vacant	Member			--	General Contractor			
NOMINATED BY :									
2	David Woodside City of Boca Raton 6500 Congress Ave Ste 200 Boca Raton FL 33487	Member	AA	M	561-982-4030	Municipal Fire Representative	12/21/2010		05/17/2013
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
NOMINATED BY :									
4	Ronald Goodstein Ronald Goodstein AIA 712 U.S. Highway One Ste 30 North Palm Beach FL 33408	Member	CA	M	561-881-9990	Architect	05/19/2009		05/18/2012
NOMINATED BY :									

Appoi. By : AT Large

5	John Whitehead J.W. Fire Sprinkler, Inc. 5730 Columbia Cir West Palm Beach FL 33407	Member	CA	M	561-863-8161	Fire Sprinkler Contractor	10/05/2010	05/17/2012
---	---	--------	----	---	--------------	---------------------------	------------	------------

NOMINATED BY :

6	Vacant	Member				Fire Protection Engineer		
--------------	-------------------	-------------------	--	--	--	-------------------------------------	--	--

NOMINATED BY :

6.1	Roy Pollack C-Stay Safe Enterprises 1721 Farmington Cir Wellington FL 33414	Member	CA	M	561-779-7199	Fire Alarm Contractor	05/18/2005	06/07/2011	06/06/2014
-----	--	--------	----	---	--------------	-----------------------	------------	------------	------------

NOMINATED BY :

7.1	Daniel Thompson C-Thompson & Youngross Engineering Consulting Engineers 112 SE 10th St Delray Beach FL 33483	Member	CA	M	561-274-0200 X11	Mechanical Engineer	06/07/2011	06/06/2014
-----	---	--------	----	---	------------------	---------------------	------------	------------

NOMINATED BY :

Appoi By : AT Large

8.8

Kerry Koen

Member

CA

M

561-368-5411

Resident of Palm Beach County

10/20/2009

05/18/2010

05/17/2013

1140 SW 15th St
Boca Raton FL 33486 6723

NOMINATED BY :

ORDINANCE NO. 2011- 038

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 2008-045) 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 effective December 31, 2011, known as the Florida Fire Prevention Code, which incorporates Florida editions of NFPA 1 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 2008-045) 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" effective December 31, 2011, 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 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, including within the boundaries of any municipality that is included within the MSTU by duly enacted ordinances of the municipality and the County; 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 2008-045 (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.

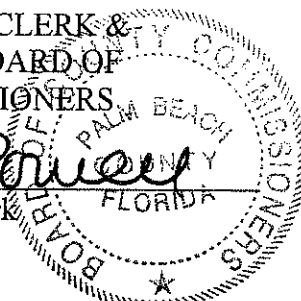
SECTION 9. Effective Date: The provisions of this Ordinance shall become effective on December 31, 2011.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on the 20th day of December, 2011.

SHARON R. BOCK, CLERK &
COMPTROLLER, BOARD OF
COUNTY COMMISSIONERS

By: Sharon Bock

Deputy Clerk



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

By: Shelley Vana

Shelley Vana, Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: Sharon Bock

County Attorney

Filed with the Department of State on the 28th day of December, 2011.

The AHJ's decision may be appealed by the challenging party to the Fire 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 eight (8) 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) Florida or Palm Beach County certified general contractor.
- c. One (1) certified fire alarm contractor.
- d. One (1) certified fire sprinkler contractor.
- e. One (1) citizen of Palm Beach County, not eligible under other membership categories.
- f. One (1) registered architect.
- g. One (1) Palm Beach County municipal building official.
- h. 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.

1.12.6.4 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 Section 1.10 shall apply.

1.14.1 Plan Review. The AHJ shall examine or cause to be examined all plans for construction, alteration or remodeling of any structure, except one and two family detached dwellings, including any installed system, and shall



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**

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

County Administrator

Robert Weisman

To: The Honorable Karen Marcus, Chair and Members of the Board of County Commissioners

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

Date: October 11, 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. We are currently filling a vacancy of Seat #4 the Architect Representative position. The previous incumbent, Mr. Ronald Goodstein sent a resignation letter August 8, 2011 notifying us that he moved out of Palm Beach County which made him ineligible to serve on the Board.

Mr. Steven Soderlund of Soderlund Architecture and Design has requested to sit on this board. Mr. Soderlund has completed and signed the Advisory Board Nomination Form and signed and returned the Acknowledgement of Receipt for the Palm Beach County Code of Ethics Training.

If you would like to nominate the above listed applicant please sign the attached Advisory Board Nomination Form. If you would like to make a nomination for appointment or reappointment please forward the information to the office of Deputy Chief Jeffrey Collins, Palm Beach County Fire Marshal. Please submit your nominations by November 16, 2011.

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

Attachment: Board Appointment Information Form

cc: Jeffrey P. Collins, P.E., Deputy Chief

PALM BEACH COUNTY FIRE-RESCUE
Bureau of Safety Services
405 Pike Road
West Palm Beach, FL 33411
(561) 616-7030

PALM BEACH COUNTY FIRE CODE
BOARD OF APPEALS AND ADJUSTMENTS

(Third Wednesday of the Month)

2012 MEETING SCHEDULE

Date	Room
January 18	Everglades Conference Room
February 15	Everglades Conference Room
March 21	Everglades Conference Room
April 18	Everglades Conference Room
May 16	Everglades Conference Room
June 20	Everglades Conference Room
July 18	Everglades Conference Room
August 15	Everglades Conference Room
September 15	Everglades Conference Room
October 19	Everglades Conference Room
November 17	Everglades Conference Room
December 19	Everglades Conference Room

- X Meetings will be held, as needed, at Fire-Rescue Headquarters, Everglades Conference Room, 2nd Floor at **9:00 a.m.**
- X Please contact Darlene Miller at 561-616-7030 if you are unable to attend