

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

BOARD APPOINTMENT SUMMARY

Meeting Date: May 21, 2013

Department: Fire-Rescue

Advisory Board Name: Fire Code Board of Appeals and Adjustments

1. Executive Brief

Motion and Title: Staff recommends motion to approve: Two (2) reappointments to Seat No. 2 and Seat No. 8 to the Fire Code Board of Appeals and Adjustments Committee beginning on May 21, 2013 through May 20, 2016.

Appoint:

<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
David Woodside	Municipal Fire Representative	2	Commissioner Valeche Commissioner Taylor Commissioner Abrams Commissioner Burdick Commissioner Berger
Kerry Koen	Citizen	8	Commissioner Valeche Commissioner Taylor Commissioner Abrams Commissioner Berger

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). On March 20, 2013 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 (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 six (6) Caucasian males and one (1) African-American male.

Attachments:

1. Board/Committees Application Form(s)
2. Bio/Resume for Nominees – Kerry Koen, David Woodside
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 March 20, 2013 to Commissioners requesting nominations
6. Meeting dates scheduled for 2013.

Recommended By:

Jeffery P. Collins
Department Director

4/22/2013
Date

Approved By:

Paul F. [Signature]
Assistant County Attorney

4/24/13
Date

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

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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: 5/18/2013 5/21/13 To: 5/17/2016 5/20/2016

Seat Requirement: Municipal Fire Representative Seat #: 2

*Reappointment or New Appointment

or to complete the term of _____ Due to: resignation other
Completion of term to expire on: _____

*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: 0

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: WOODSIDE DAVID
Last First Middle

Occupation/Affiliation: BOCA RATON FIRE RESCUE SQUAD
Owner Employee Officer

Business Name: _____

Business Address: 6500 CONGRESS AVE. SUITE 200
City & State: BOCA RATON, FL Zip Code: 33487

Residence Address: 2641 W 28th ST
City & State: LAKE WORTH, FL Zip Code: 33404

Home Phone: (561) 881-8074 Business Phone: (561) 982-4054

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

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

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_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)

OR NONE

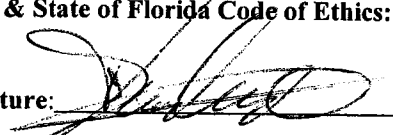
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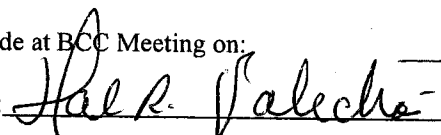
*Applicant's Signature:  Printed Name: DAVID WOODSIDE Date: 3-17-13

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Return this FORM to:
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 {Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

Commissioner's Signature:  Date: 3/27/13

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Revised 08/01/2011

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 Residence Address: 2641 W 28th ST
 City & State: MIAMI BEACH, FL Zip Code: 33104
 Home Phone: (305) 881-8074 Business Phone: (305) 982-9000
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 Email Address: dwoodsides@myboca.us
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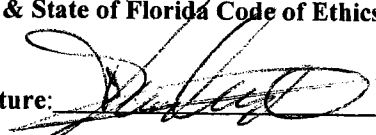
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At Large Appointment

or

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From:

5/21/2013

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City & State: KLINGMAN BRANCH, FL Zip Code: 33404

Home Phone: (813) 881-8074 Business Phone: (813) 982-9054

Cell Phone: (813) 239-4174 Fax: ()

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Minority Identification Code:

Male

Female

Native-American

Hispanic-American

Asian-American

African-American

Caucasian

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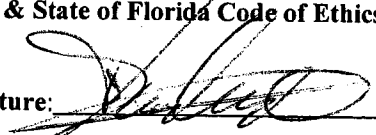
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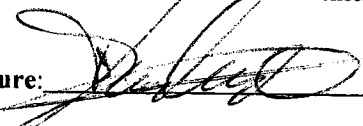
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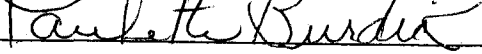
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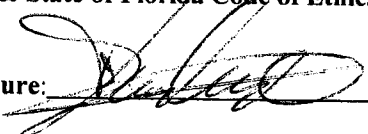
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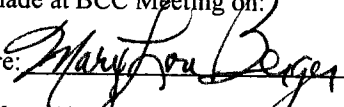
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Name: KOEN, KERRY B.
Last First Middle

Occupation/Affiliation: Retired
Owner Employee Officer

Business Name: _____

Business Address: _____

City & State: _____ Zip Code: _____

Residence Address: 1140 S.W. 15 ST.

City & State: Boca Raton, FL Zip Code: 33486

Home Phone: 561 368-5411 Business Phone: () Ext.

Cell Phone: 561 789-0438 Fax: () NA

Email Address: koenk@bellsouth.net

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
	NA		

(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 March 13, 2012

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: KERRY TS. KOEN Date: February 1, 2013

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:
{Insert Liaison Name Here}, {Insert Department/Division Here}
{Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

Commissioner's Signature: [Signature] Date: 3/27/13

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 résumé 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: 5/18/2013 5/21/13 To: 5/17/2016 5/20/2016

Seat Requirement: Citizen Seat #: 8

*Reappointment or New Appointment

or to complete the term of _____ Due to: resignation other
Completion of term to expire on: _____

*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: 0

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: KOEN, KERRY B.
Last First Middle

Occupation/Affiliation: Retired
Owner Employee Officer

Business Name: _____

Business Address: _____

City & State: _____ Zip Code: _____

Residence Address: 1140 S.W. 15 ST.

City & State: Boca Raton, FL Zip Code: 33486

Home Phone: 561 368-5411 Business Phone: () Ext. _____

Cell Phone: 561 789-0438 Fax: () NA

Email Address: koenk@bellsouth.net

Mailing Address Preference: Business Residence

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

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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.

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Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
	NA		

(Attach Additional Sheet(s), if necessary)

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AND

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Revised 08/01/2011

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BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION**

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Seat Requirement: Citizen Seat #: 8

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APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

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Last First Middle

Occupation/Affiliation: Retired
Owner Employee Officer

Business Name: _____

Business Address: _____

City & State: _____ Zip Code: _____

Residence Address: 1140 S.W. 15 ST.

City & State: Boca Raton, FL Zip Code: 33486

Home Phone: 561 368-5411 Business Phone: () Ext. _____

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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.

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Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
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{Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

Commissioner's Signature: [Signature] Date: 4/1/13

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Revised 08/01/2011

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

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 Seat Requirement: Citizen Seat #: 9
 *Reappointment or New Appointment
 or to complete the term of _____ Due to: resignation other
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Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: KOEN, KERRY, B.
Last First Middle
 Occupation/Affiliation: Retired
 Owner Employee Officer
 Business Name: _____
 Business Address: _____
 City & State: _____ Zip Code: _____
 Residence Address: 1140 S.W. 1555.
 City & State: Boca Raton, FL Zip Code: 33486
 Home Phone: 561 368-5411 Business Phone: () Ext. _____
 Cell Phone: 561 789-0438 Fax: () NA
 Email Address: KOENK@bellsouth.net

Mailing Address Preference: Business Residence

Have you ever been convicted of a felony: Yes _____ No
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Minority Identification Code: Male Female
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<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
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NA

(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.

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By watching the training program on the Web, DVD or VHS
 By attending a live presentation given on March 13, 2012

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: Kerry S. Koen Printed Name: KERRY S. KOEN Date: February 4, 2013

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:
{Insert Liaison Name Here}, {Insert Department/Division Here}
{Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: Mayor Lon Bigh Date: 5-6-13

David Woodside

2641 W 28th Street

Riviera Beach, FL 33404

561 881-8074

OBJECTIVE:

To continue to participate in the development and growth of Palm Beach County by serving on the Fire Code Board of Adjustment and appeals.

PROFESSIONAL SKILLS

ADMINISTRATION:

Currently, supervise three to seven operational employees coordinating their daily, weekly, and monthly activities. Oversee the SCBA maintenance and repair program for Boca Fire Rescue. Serve as the coordinator of the physical fitness program for Boca Raton Fire Rescue. Coordinate community BLS training activities for the American Heart Association and Boca Raton Fire Rescue. Serve as Medic team leader, coordinator, and administrator for the fire department's SWAT Medic program. Serve as a Fire Department representative on the American Heart Association Community heart board. Served as President of the Fire Marshals Association from December 2009. Served as the S.E. Regional Director of the Florida Fire Marshals and Inspectors from December 2010.

COMMUNICATION:

Conduct Regional Instructor training for BLS instructors. Teach various training courses from CPR to EMT. Gave lectures within the community on diverse topics, from EMS, drowning, and accident prevention. Write policy and procedures in relation to my area of responsibilities including the SCBA and SWAT medic program. Wrote and conducted training classes within the city departments for different OSHA compliant issues. Participate in the local AHA speaker's bureau.

PLANNING:

Coordinate the SCBA maintenance program for Boca Fire Rescue. Submit fiscal budget request for the SCBA program and participate in the budget planning process for the fire depart. Participate in the Strategic Planning Process for Fire Rescue. Coordinate the BLS program at Palm Beach Community College.

David Woodside

2641 W 28th Street

Riviera Beach, FL 33404

561 881-8074

WORK HISTORY:

Assistant Fire Chief, Boca Raton Fire Rescue, 2006 to present.

EMT Instructor, South Tech Education Center, 1991 to 1999.

Adjunct Faculty, Palm Beach Community College, 1993.

Firefighter/Paramedic, Riviera Beach Fire Department, 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

PERSONAL:

Married for twenty three years with three children. Actively participate in several community and church activities.

Kerry B. Koen
1140 S.W. 15th Street
Boca Raton, Florida

Professional Summary

City of Delray Beach, Florida 2001 to 2007

- Served again as Fire Chief and a senior department head with responsibilities for emergency and administrative services in fire suppression, emergency medical services and patient transport, tactical rescue, life safety inspections, public safety education, regional hazardous materials response, and community emergency management. Responsible for a staff of 154 and an annual operating budget of 22.1 million dollars. Provided comprehensive Fire-Rescue and Emergency Management services for Delray Beach, Highland Beach and Gulf Stream. Retired September 28, 2007.

Municipal Government Management Consultant1998 to 2001

City of Boca Raton, Florida1994 to 1998

- Served as Fire Chief and a member of the City's senior staff charged with providing a full range of administrative, safety, regulatory and emergency services, including internationally recognized ALS level emergency Medical Services, and emergency management. Managed a staff of more than 160 and an operating budget of 13 million dollars. Retired March 13, 1998.

City of Delray Beach, Florida1985 to 1994

- Served as Fire Chief and a senior department head with responsibilities for emergency and administrative services in fire suppression, emergency medical services, heavy rescue, life safety inspections, public safety education, and hazardous materials response. Managed a staff of 138 and an annual operating budget of 8.5 million dollars.

Public Technology, Incorporated, Washington, DC1984 to 1985

- Served as Fire Service Program Director, with responsibilities for client services in the United States and Canada with emphasis on efficient resource allocation and effective facility location.

City of Memphis, Tennessee1974 to 1984

- Served as Assistant to the Director of Fire Services, Deputy Fire Marshal for Engineering Services, and Divisional Planning Officer in a metropolitan setting of more than 700,000 population with responsibility for long range planning, annexation and growth impact analysis; capital improvement budget development, regulatory standards for new construction, technical research, and various administrative/staff responsibilities.

City of Boca Raton, Florida1967 to 1974

- Served as Fire Marshal, Lieutenant, and Fire Fighter providing regulatory, property safety and emergency response services.

State of Illinois1965 to 1966

- Served as Deputy State Fire Marshal providing technical safety inspections and investigatory functions within multi-county regions in East-Central and Southern Illinois.

Education

University of Memphis, Memphis, Tennessee
Bachelor's in Professional Studies - *Magna Cum Laude* - 1985
National Fire Academy, Emmitsburg, Maryland
Executive Fire Officer - 1989
University of Maryland, College Park, Maryland
Staff and Command Program - 1980
Florida Atlantic University, Boca Raton, Florida
Master's in Public Administration - *Course Work* - 1994
Johnson & Wales University, North Miami, Florida
Associate's in Science, *Summa Cum Laude* - 2000

Professional Awards and Designations

Chief Fire Officer Designation
Center for Public Safety Excellence - 2004
Awards for Administrative Excellence - 1993 and 1995
International Association of Fire Chiefs
Award for Excellence in Facility Design - 1992
International Association of Fire Chiefs
Outstanding Applied Research Award - 1990
National Fire Academy
Alumni Association Award, Special Projects Award, and Faculty Council Award
University of Memphis - 1986

Community and Professional Involvement

City of Boca Raton Planning and Zoning Board – 2010 - Present
City of Boca Raton Zoning Board of Adjustment – 2009-2010
Palm Beach County Fire Code Board of Appeals and Adjustments – 2009 - Present
One Hundred Club of South Palm Beach County
Pioneer's Club of Boca Raton
Sons of the Revolution, Florida Society
North Creek Presbyterian Church
Member of the Diaconate – Chairiman-2011
Rotary Club of Boca Raton
Member of Board of Directors - 1995 - 1996
Kiwanis Club of Delray Beach
Member of Board of Directors - 2002 - 2005
Children's Home Society of Palm Beach County
Member of Board of Directors - 1992 - 1993
American Heart Association
Member of Board of Directors – Palm Beach Council - 2002 –2003
International City and County Management Association
International Association of Fire Chiefs
National Fire Protection Association



**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; amended by Ordinance No. 2011-038, adopted December 28, 2011.

II. APPOINTING BODY :

Board of County Commissioners

III. COMPOSITION, QUALIFICATIONS, TERMS & REMOVAL :

The Board is composed of eight (8) individuals appointed at-large as follows: one (1) registered engineer, practicing in the mechanical field; one (1) Florida or Palm Beach County certified general contractor; one (1) certified fire alarm contractor; one (1) 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. Members shall serve three (3) years terms with no limit on the number of terms an individual may serve. 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. A quorum for said Board shall be five (5) members. *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.

EXTENDED COMPOSITION :

IV. MEETINGS :

Meetings are scheduled on a monthly basis, or as needed for resolution of pending appeals. Upon receipt of the notice of appeal, 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.

* indicates a member having an action pending



FIRE CODE BOARD OF APPEALS & ADJUSTMENTS

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE CODE	GENDER	BUSINESS / HOME PHONE	SEAT REQUIREMENT	APPOINT DATE	REAPPOINT DATE	EXPIRE DATE
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Appointed By : At-Large/PBC Board of County Commissioners

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
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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	Steve Soderlund Soderlund Architecture and Design, P.A. 19369 Colorado Cir Boca Raton FL 33434	Member	CA	M	--	Architect	01/24/2012		01/23/2015
---	---	--------	----	---	----	-----------	------------	--	------------

NOMINATED BY :

*. indicates a member having an action pending

Appointed Large/PBC Board of County Commissioners

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

NOMINATED BY :

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

NOMINATED BY :

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

NOMINATED BY :

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 :

0 Board alternate(s) are vacant.

* indicates a member having an action pending

VI. LIAISON INFORMATION :

LIAISON DEPARTMENT

Fire Rescue

CONTACT PERSON

~~Jeff P. Collins~~

Larry Willhite

ADDRESS

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

* indicates a member having an action pending

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.

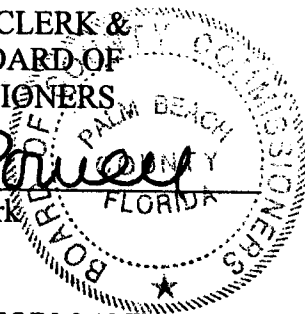
SECTION 8. Inclusion in the Code of Laws and Ordinances: The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be 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: May Forney
Deputy Clerk



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

By: Shelley Vanz
Shelley Vanz, Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: Sharon Burrows
County Attorney

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

**Palm Beach County
Local Amendments to the
Florida Fire Prevention Code
Chapter 69A-60,
Florida Administrative Code
Including**

**National Fire Protection Association's
Fire Code - N.F.P.A. 1
Florida Edition**

**National Fire Protection Association's
Life Safety Code - N.F.P.A. 101
Florida Edition**

**Palm Beach County Ordinance 2011-
Effective: December 31, 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 Jeffrey P. Collins
405 Pike Road
West Palm Beach, FL 33411
(561) 616-7000
www.pbcgov.com




**Palm Beach County
Board of County
Commissioners**

Steven L. Abrams, Mayor
Priscilla A. Taylor, Vice Mayor
Hal R. Valeche
Paulette Burdick
Shelley Vana
Mary Lou Berger
Jess R. Santamaria

County Administrator

Robert Weisman

To: Commissioner Steven L. Abrams, Mayor and Members of the Board of County Commissioners

From: Jeffrey P. Collins, Administrator 
Fire-Rescue Department

Date: March 20, 2013

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 2011-038.

Each position on the Board is representative from a segment of the fire protection community. The following members' term will expire on May 17, 2013.

Name	Industry	Term
David Woodside	Municipal Fire Representative	3 years
Kerry Koen	Citizen	3 years

Mr. Woodside and Mr. Koen have both agreed to remain on the Board if reappointed. Both have completed training on the Palm Beach County Code of Ethics and have signed and acknowledged their training and understanding of the Guide to the Sunshine Amendment.

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 Larry Willhite, Acting Fire Marshal, Bureau of Safety Services. Please submit your nominations by April 5, 2013.

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

Attachment: Board Appointment Information Form

cc: Larry Willhite, Acting Fire Marshal

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)

2013 MEETING SCHEDULE

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